CITY OF WINDSOR AGENDA 07/22/2024

City Council Meeting Agenda

Date: Monday, July 22, 2024
Time: 10:00 o'clock a.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 Bylaw 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

MEMBERS:

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 - Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

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

2. CALL TO ORDER - Playing of the National Anthem

READING OF LAND ACKNOWLEDGEMENT

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

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

4. ADOPTION OF THE MINUTES

5. NOTICE OF PROCLAMATIONS

Proclamations

“Emancipation Day” – August 1, 2024

“Childhood Cancer Awareness Month” – September 2024

“Ovarian Cancer Awareness Month” – September 2024

Flag Raising Ceremony

“Windsor-Essex Pride Fest” – August 2, 2024

“Childhood Cancer Awareness Month” – September 3, 2024

Illumination

“National Drowning Prevention Week” – July 22-26, 2024

“Childhood Cancer Awareness Month” – September 1-7, 2024

6. COMMITTEE OF THE WHOLE

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

7.1. Correspondence 7.1.1. through 7.1.5. **(CMC 11/2024)**

7.2. 2022 and 2023 Year End Risk Management Report - City Wide **(C 80/2024)**

7.3. 2025 Budget Process & Timeline - City Wide **(C 89/2024)**

7.4. Status Report on Implementation of Management Action Plans - 2023 Q4 **(C 90/2024)**

7.5. Recycling Collection Transition Update – City Wide **(C 86/2024)**

7.6. Response to CQ 27-2023 Regarding Parking Spaces at Ford Test Track – Ward 5 **(S 12/2024)**

8. CONSENT AGENDA

8.1. Delegation of Authority Annual Report for the Period January 1, 2023 - December 31, 2023 (City Wide) **(C 81/2024)**

8.2. Properties Under Municipal Vesting Consideration - Wards 1, 4 and 7 **(C 85/2024)**

8.3. Atura Power College Avenue Bike Trail Adopt A Park Agreement – Ward 2 and Adopt-A-Park or Trail Policy Update - City Wide **(C 82/2024)**

8.4. Exemption from Sandwich Demolition Control By-law (DCB) 20-2007- 637 Brock Street (Ward 2) **(S 84/2024)**

8.5. Asset Retirement Obligations Policy **(C 78/2024)**

8.6. 2023 City of Windsor Consolidated Financial Statements - City Wide **(C 79/2024)**

8.7. Physiotherapy Services for Huron Lodge - Ward 1 **(C 83/2024)**

8.8. Auditor General Status Update Report **(SCM 218/2024)**

CONSENT COMMITTEE REPORTS

8.9. Response to CQ 20-2024 Bulk Collection Program in BIAs **(SCM 202/2024) & (S 75/2024)**

8.10. Response to CR183/2024-Petition from Residents on the Corner of Derek Street and Radcliff Avenue in Opposition to Implementation of Bus Route - City Wide **(SCM 203/2024) & (S 40/2024)**

8.11. Town of Amherstburg - Transit Service Agreement Renewal - City Wide **(SCM 204/2024) & (S 70/2024)**

8.12. Zoning By-law Amendment Application for 0 Bernard Road, Z-011/24 [ZNG-7193], Ward 5 **(SCM 206/2024) & (S 65/2024)**

8.13. Request for Partial Demolition of Heritage Listed Property- 820 Monmouth Road, Terrace (Ward 4) **(SCM 207/2024) & (S 73/2024)**

8.14. Request for Partial Demolition of Heritage Listed Property - 886 Monmouth Road, Terrace (Ward 4) **(SCM 208/2024) & (S 78/2024)**

8.15. Official Plan Amendment to Facilitate Additional Changes to Streamline the Development Approval Process - City Wide **(SCM 209/2024) & (S 22/2024)**

8.16. Zoning By-law Amendment Application for 0 Turner Road, Z-014/24 [ZNG-7202], Ward 9 **(SCM 210/2024) & (S 79/2024)**

8.17. Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9 **(SCM 211/2024) & (S 71/2024)**

8.18. 3251 Riverside Drive East Culvert Relocation - Cost Sharing - Riverside Horizons Inc. - Ward 5 **(SCM 212/2024) & (S 80/2024)**

8.19. City of Windsor Community Improvement Plans-Extensions of Grant Approvals **(SCM 213/2024) & (S 74/2024)**

8.20. Application to Demolish Residential Dwelling Located at 2318 Westcott Road, which is Subject to Demolition Control By-law 131-2017 (Ward 5) **(SCM 214/2024) & (S 76/2024)**

8.21. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Reigns 740 Inc. for 3495 Bloomfield Road (Ward 2) **(SCM 215/2024) & (S 77/2024)**

8.22. Sandwich Town CIP Application, 3495 Bloomfield Road; Owner: Reigns 740 Inc. (C/O: Sital Singh Garha); (Ward 2) **(SCM 216/2024) & (S 81/2024)**

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

10. PRESENTATIONS AND DELEGATIONS

10.1. Windsor Archaeological Management Plan Review (City-wide) **(SCM 182/2024) & (S 15/2024) & (SCM 183/2024) & (S 16/2024)**
Clerk's Note: Administration is providing the ***attached*** additional information **(AI 13/2024)**

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.1. Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide **(SCM 165/2024) & (S 46/2024)**
Clerk's Note: Administration is providing the ***attached*** additional information **(AI 14/2024)**

11.2. 2024 Evaluation of the Homelessness & Housing Help Hub (H4) **(S 82/2024)**

11.3. Capital Variance Report - March 31, 2024 - City Wide **(C 69/2024)**

11.4. Municipal Class Environmental Assessment for the Ojibway Parkway Wildlife Crossing - Ward 1 **(C 87/2024)**

11.5. Infrastructure Servicing and Funding Strategy - Airport Employment Lands and Other Economic Development Needs - Ward 9 **(C 91/2024)**

11.6. Tender No. 150-23: Professional and protective services – Citywide **(C 21/2024)**

11.7. Proposed Expropriation of Part of 2191 Dominion Boulevard for Dominion Boulevard / Ojibway Street Intersection Improvements - Ward 10 **(C 84/2024)**
Clerk's Note: This item must remain as a regular business item.

11.8. International Charles Brooks Memorial Peace Fountain Replacement Project Update - Ward 6 **(C 60/2024)**

12. CONSIDERATION OF COMMITTEE REPORTS

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

12.2. (ii) Report of the Striking Committee of its meeting held Month Day, Year

12.3. Minutes of the Windsor Accessibility Advisory Committee of its meeting held May 14, 2024 **(SCM 193/2024)**

13. BY-LAWS (First and Second Reading)

13.1 **By-law 121-2024** A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS MCDOUGALL STREET IN THE CITY OF WINDSOR, authorized by CR76/2011, dated February 28, 2011

13.2 **By-law 122-2024** A BY-LAW TO EXPROPRIATE PART OF THE LANDS KNOWN MUNICIPALLY AS 2191 DOMINION BOULEVARD See Item 11.6

13.3 **By-law 123-2024** A BY-LAW TO ADOPT AMENDMENT NO. 186 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR287/2024, dated July 8, 2024

13.4 **By-law 124-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR287/2024, dated July 8, 2024

13.5 **By-law 125-2024** A BY-LAW TO AMEND BY-LAW 162-2023, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE EAST/WEST ALLEY SOUTH OF CONTINENTAL AND WEST OF THE E.C. ROW EXPRESSWAY WESTBOUND ONRAMP AT HURON CHURCH ROAD AND THE 20.12 METRE HUDSON AVENUE RIGHT-OF-WAY, EAST OF FOURTH STREET AND WEST OF THE E.C. ROW EXPRESSWAY WESTBOUND ONRAMP AT HURON CHURCH ROAD, CITY OF WINDSOR, authorized by CAO 123-2024, dated June 19, 2024

13.6 **By-law 126-2024** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 22ND DAY OF JULY, 2024

14. MOVE BACK INTO FORMAL SESSION

15. NOTICES OF MOTION

16. THIRD AND FINAL READING OF THE BY-LAWS

By-law 121-2024 through 126-2024 inclusive

17. PETITIONS

18. QUESTION PERIOD

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

Community Public Art Working Group
Wednesday, July 24, 2024
5:00 p.m., Room 140, 350 City Hall Square West

Development Charges Task Force
Monday, July 29, 2024
11:00 a.m., Room 204, 350 City Hall Square West

Environment & Climate Change Advisory Committee
Tuesday, July 30, 2024
5:00 p.m., via Zoom video conference

Environment, Transportation & Public Safety Standing Committee
Wednesday, July 31, 2024
4:30 p.m., Council Chambers

Environment, Transportation & Public Safety Standing Committee
Sitting as the Transit Windsor Board of Directors
Wednesday, July 31, 2024
Immediately following the meeting of the Environment, Transportation & Public Safety Standing Committee, Council Chambers

Development & Heritage Standing Committee
Tuesday, August 6, 2024
4:30 p.m., Council Chambers

Windsor Licensing Commission
Wednesday, August 28, 2024
9:30 a.m., Council Chambers

Development & Heritage Standing Committee
Tuesday, September 3, 2024
4:30 p.m., Council Chambers

Community Services Standing Committee
Wednesday, September 4, 2024
9:00 a.m., Council Chambers

City Council Meeting
Monday, September 9, 2024
10:00 a.m., Council Chambers

21. ADJOURNMENT

THE CITY OF WINDSOR ONTARIO, CANADA

Correspondence Report: CMC 11/2024

ATTACHMENTS

Subject: Correspondence for Monday, July 22, 2024 City Council Meeting

No.	Sender	Subject
7.1.1	Town of Tecumseh	Notice of Public Meeting for Proposed Zoning By-Law Amendment regarding land situated on the west side of Walker Road/County Road 11 City Solicitor City Planner Commissioner, Corporate Services Commissioner, Economic Development GM2024 Note & File
7.1.2	Enbridge Gas AND Ontario Energy Board (OEB)	2023 Utility Earnings and Disposition of Deferral and Variance Account Balances – OEB Notice of Application MU2024 Note & File
7.1.3	Capital Power	Notice of Completion of an Environmental Review Report for Proposed East Windsor Generation Facility Expansion Commissioner, Infrastructure Services & City Engineer City Planner Supervisor, Environmental Sustainability & Climate Change Commissioner, Economic Development EI2024 Note & File
7.1.4	Committee of Adjustment	Agenda for the Committee of Adjustment /Consent Authority, scheduled to be heard, Thursday, July 25, 2024. Z2024 Note & File

No.	Sender	Subject
7.1.5	City of Windsor Engineering Department	Notice of Completion – Wyandotte Street East and Jarvis Avenue Municipal Class Environmental Assessment Commissioner, Infrastructure Services & City Engineer Executive Director Engineering/Deputy City Engineer Commissioner, Economic Development City Solicitor City Planner SW2024 Note & File

TOWN OF TECUMSEH
NOTICE OF PUBLIC MEETING
PROPOSED ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Council of the Corporation of the Town of Tecumseh will hold a public meeting **Tuesday, July 23, 2024 at 5:00 p.m**. in the Town Municipal Office Council Chambers at 917 Lesperance Road to consider a proposed Zoning By-law amendment pursuant to the provisions of the *Planning Act, R.S.O. 1990*. Please see below for information on how to provide comments or participate in the public meeting.

A Zoning By-law amendment application *(Application/File: D19 UHAULWA*) has been submitted for a vacant 1.3 hectare (3.2 acre) parcel of land situated on the west side of Walker Road/County Road 11, approximately 260 metres (853 feet) north of its intersection with North Talbot Road (see Key Map on reverse side for location). The purpose of the proposed amendment is to rezone the property from "Neighbourhood Commercial Zone (C2)" to a site-specific "Business Park Zone (BP-6)" to permit the development of the lands for a U-Haul moving and storage commercial facility. The subject property is designated "Business Park" in the Official Plan.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law amendment.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Town of Tecumseh before the Zoning By-law amendment is passed, the person or public body is not entitled to appeal the decision of the Council of the Corporation of the Town of Tecumseh to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Corporation of the Town of Tecumseh before the Zoning By-law amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to do so.

How to Provide Comments or Participate in a Public Meeting

Public Meetings are being held at the Town Municipal Office Council Chambers and live-streamed on the Town's website. Any person who wishes **to make oral submissions** at the Public Meeting **must register as a delegate**. To register as a delegate, persons may use the online registration form on the Town's website at www.tecumseh.ca/delegations or by providing their contact information (name, address, email and phone number) to the Town Clerk **by 12:00 p.m. (noon) on Tuesday, July 23, 2024**. Registered delegates will receive the necessary details to speak at the public meeting. By registering as a delegate, persons are consenting to their image, voice and comments being recorded and available for public viewing on the Town's website. **Written submissions** may also be provided to the Clerk **by 12:00 p.m. (noon) on Thursday, July 18, 2024.**

If you wish to be notified of the decision of the Council of the Corporation of Town of Tecumseh on the proposed Zoning By-law amendment, **you must make a written request** to the Corporation of the Town of Tecumseh, c/o Robert Auger, Director Legislative Services & Clerk, at the mailing address noted below.

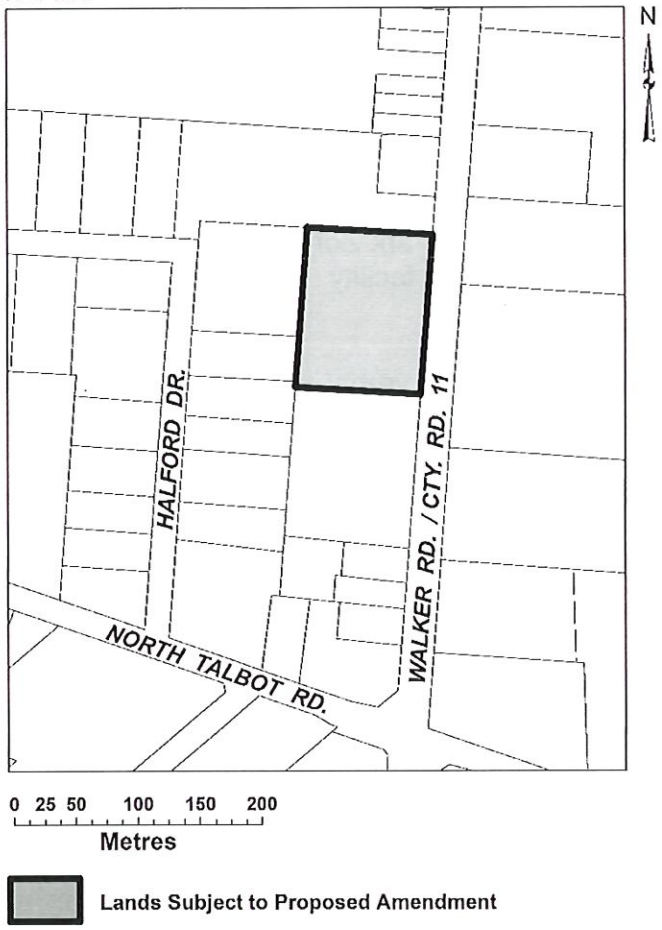
ADDITIONAL INFORMATION and any associated reports/documents relating to this matter are available for review during regular office hours at the Town Municipal Office on Lesperance Road.

The Public Meeting Agenda regarding this application will be available on the Town's website (**https://calendar.tecumseh.ca/meetings**) on Friday, July 19, 2024.

DATED AT THE TOWN OF TECUMSEH
THIS 26TH DAY OF JUNE, 2024.

ROBERT AUGER
DIRECTOR LEGISLATIVE SERVICES & CLERK
TOWN OF TECUMSEH
917 LESPERANCE ROAD
TECUMSEH, ONTARIO, N8N 1W9

KEY MAP



TOWN OF TECUMSEH
917 Lesperance Rd.
Tecumseh Ontario N8N 1W9

CITY OF WINDSOR
COUNCIL SERVICES
JUL 02 2024
RECEIVED

Office of the City Clerk
350 City Hall Square West
Room 530
Windsor, ON, N9A 6S1

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CANADA POSTES
POST CANADA
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N8N 1W9 2024.06.26

From: Bonnie Adams <Bonnie.Adams@enbridge.com>
Sent: Wednesday, July 3, 2024 2:22 PM
Subject: EB-2024-0125 Enbridge Gas Inc. - 2023 Utility Earnings and Disposition of Deferral & Variance Account Balances - OEB Notice of Application

To: Clerks of all municipalities in which Enbridge Gas supplies gas

On May 31, 2024, Enbridge Gas Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) for an Order or Orders approving the clearance or disposition of amounts recorded in certain deferral or variance accounts.

On June 27, 2024, the OEB issued the Notice of Application along with the Letter of Direction for the proceeding. The OEB has directed Enbridge Gas to serve a copy of the Notice of Application along with the application and evidence to the clerks of all municipalities in which Enbridge Gas supplies gas.

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

The OEB's Notice of Application provides information on how to become informed and involved in the proceeding. Interested parties can apply to the OEB for Intervenor Status in this proceeding by July 15, 2023.

A paper copy of the evidence filed in this proceeding is available upon request and can also be viewed on Enbridge's website under Other Regulatory Proceedings: Regulatory Information | Enbridge Gas

Please contact me if you have any questions.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator

Enbridge Gas Inc.
T: 416-495-5751
500 Consumers Road I North York Ontario I M2J 1P8

enbridgegas.com
Safety. Integrity. Respect. Inclusion. High Performance.

My working day may differ from your working day. Please do not feel obliged to reply to this email outside of your normal working hours.

Ontario Energy Board Notice to Customers of Enbridge Gas Inc.

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

If the application is approved as filed, then a typical residential customer and a typical general service customer of Enbridge Gas Inc. would see the following one-time billing adjustments, effective January 1, 2025:

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

- **Residential Rate 1 Sales Service and Direct Purchase** customers will see a one-time billing credit of $5.12, effective January 1, 2025.

Union Rate Zone (former Union Gas Limited customers)

- **Union South Residential Rate M1 Sales Service** customers will see a one-time billing charge of $9.51, effective January 1, 2025.
- **Union South Residential Rate M1 Direct Purchase** customers will see a one-time billing charge of $1.60, effective January 1, 2025.
- **Union North-West Residential Rate 01 Sales Service and Direct Purchase** customers will receive a one-time billing charge of $0.13, effective January 1, 2025.
- **Union North-East Residential Rate 01 Sales Service and Direct Purchase** customers will see a one-time billing charge of $0.47, effective January 1, 2025.

Other customers, including businesses, may also be affected. It is important to review the application carefully to determine whether you may be affected by the proposed changes.

Under the OEB-approved Earnings Sharing Mechanism, Enbridge Gas Inc. is required to share with customers any earnings that are 150 basis points over the OEB-approved return on equity. Enbridge Gas Inc. says that its 2023 earnings were below the 150 basis point threshold and as a result it is not proposing to share any earnings with customers.

This hearing will be held under section 36 of the ***Ontario Energy Board Act, 1998***.

Ce document est aussi disponible en français.

Ontario Energy Board

YOU SHOULD KNOW

There are three types of OEB hearings: oral, electronic and written. The applicant has applied for a written hearing. The OEB is considering this request. If you think a different hearing type is needed, you can write to us to explain why.

During this hearing, we will hear questions and arguments from participants about this case. We will also hear questions and arguments from participants that have registered as Intervenors. After the hearing, we will decide whether to approve the application.

HAVE YOUR SAY

You have the right to information about this application and to participate in the process. Visit www.oeb.ca/notice and use file number **EB-2024-0125** to:

- Review the application
- File a letter with your comments
- Apply to become an intervenor

IMPORTANT DATES

You must engage with the OEB on or before **July 15, 2024** to:

- Provide input on the hearing type (oral, electronic or written)
- Apply to be an intervenor

If you do not, the hearing will move forward without you, and you will not receive any further notice of the proceeding.

PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. If you are a business or if you apply to become an intervenor, all the information you file will be on the OEB website.

COST AWARDS

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

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

Enbridge Gas Inc. Accounts

- Tax Variance - Accelerated Capital Cost Allowance – Enbridge Gas Inc.
- Integrated Resource Planning Operating Costs Deferral Account
- Getting Ontario Connected Act Variance Account
- Accounting Policy Changes Deferral Account (2019-2023)

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

- Storage and Transportation Deferral Account
- Transactional Services Deferral Account
- Unaccounted for Gas Variance Account
- Average Use True-Up Variance Account
- Deferred Rebate Account
- OEB Cost Assessment Variance Account
- Incremental Capital Module Deferral Account (2020-2023)
- RNG Injection Service Variance Account (2022-2023)

Union Rate Zones (former Union Gas Limited) Accounts

- Upstream Transportation Optimization Deferral Account
- Unabsorbed Demand Costs Variance Account
- Short-Term Storage and Other Balancing Services
- Normalized Average Consumption Deferral Account
- Deferral Clearing Variance Account
- OEB Cost Assessment Variance Account
- Parkway West Project Costs Deferral Account
- Lobo D/Bright C/Dawn H Compressor Project Costs Deferral Account
- Panhandle Reinforcement Project Costs Deferral Account
- Incremental Capital Module Deferral Account (2019-2023)
- Unaccounted for Gas Price Variance Account

2) The review of Enbridge Gas Inc.'s 2023 earnings, earnings sharing calculations and the 2023 Performance Scorecard.
3) The review of the methodology for disposing and allocating the deferral and variance account balances.

LEARN MORE

Ontario Energy Board

1 877-632-2727 TTY: 1-877-632-2727

Monday - Friday 8:30 AM - 5:00 PM

oeb.ca/notice

Enbridge Gas Inc.

1-866-763-5427

Monday - Friday 8:30 AM - 6:00 PM

enbridgegas.com

This hearing will be held under section 36 of the ***Ontario Energy Board Act, 1998***.

Ce document est aussi disponible en français.

Ontario Energy Board

Richard Wathy
Technical Manager
Regulatory Applications
Regulatory Affairs

tel 519-365-5376
Richard.Wathy@enbridge.com
EGIRegulatoryProceedings@enbridge.com

Enbridge Gas Inc.
P. O. Box 2001
50 Keil Drive North
Chatham, ON N7M 5M1

July 2, 2024

VIA RESS AND EMAIL

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Nancy Marconi:

Re: Enbridge Gas Inc. (Enbridge Gas)
Ontario Energy Board (OEB) File No.: EB-2024-0125
2023 Utility Earnings and Disposition of Deferral & Variance Account Balances Application and Evidence - Updated

Further to the submission filed on May 31, 2024, enclosed please find the following updated exhibit:

Exhibit	Updates
H-1-1	Enbridge Gas is filing the Integrated Resource Planning (IRP) Annual Report and IRP Technical Working Group Report

In the event that you have any questions on the above or would like to discuss in more detail, please do not hesitate to contact me.

Sincerely,

Richard Wathy

Richard Wathy
Technical Manager, Regulatory Applications

cc.: D. Stevens (Aird & Berlis)

Link to full application and evidence can be found here:

https://www.enbridgegas.com/-/media/Extranet-Pages/Regulatory-Filings/RateCases/Other-Regulatory-Proceedings/EB-2024-0125---2023-Deferrals-Application/Application-and-Evidence---Updated---20240702.pdf?la=en&rev=7ed2ee03fcf14176aa571557a07f8269

NOTICE OF COMPLETION OF AN ENVIRONMENTAL REVIEW REPORT

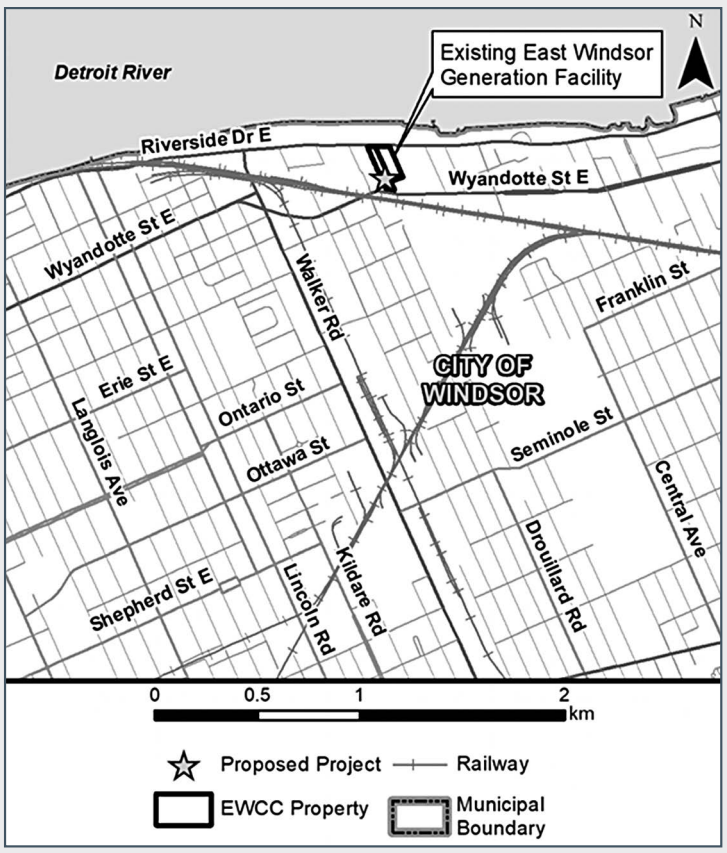
Proposed East Windsor Generation Facility Expansion

Capital Power Corporation (Capital Power), through its affiliate East Windsor (Expansion) L.P., is proposing the East Windsor Generation Facility Expansion Project located at 224 Cadillac Street, City of Windsor adjacent to the existing East Windsor Cogeneration Centre (EWCC).

The purpose of this notice is to inform interested parties that Capital Power has completed an environmental review to assess the potential environmental effects of the proposed East Windsor Generation Facility Expansion project (the Project).

The proposed Project consists of the construction and operation of a new simple cycle natural gas generation facility located adjacent to the existing EWCC property. The Project is contracted with Ontario's Independent Electricity System Operator (IESO) and will be dispatched separately from the EWCC.

The Project will provide up to approximately 107 megawatts (MW) of additional gross generation capacity to the Windsor-Essex area and provincial electricity grid. Designed to operate as a peaking facility, the project will provide dependable capacity at times when other generation sources (wind, solar, base-load generation) are not capable of meeting demand.



Environmental Screening Process for Electricity Projects

The Project is subject to the Ministry of the Environment, Conservation and Park's (MECP's) Environmental Screening Process for Electricity Projects (ESP), in accordance with Ontario Regulation (O. Reg.) 50/24 under the *Environmental Assessment Act* and as described in the *Guide to Environmental Assessment Requirements for Electricity Projects (2024)*. At the time of Project commencement in June 2023, O. Reg. 116/01 was in effect but has since been revoked by the Government of Ontario, and the Project is now subject to O. Reg. 50/24.

The ESP has two tiers of assessment: Screening Stage and Environmental Review Stage. Capital Power has voluntarily completed the Environmental Review Stage and has prepared an Environmental Review Report (ERR) to document the assessment of potential environmental effects of the Project, which include temporary construction-related effects and emissions during operation. Results of the assessment concluded that, with the implementation of planned mitigation and impact management measures, the Project will not have significant net effects. Capital Power intends to proceed with the Project subject to completion of the ESP and receipt of other approvals.

Invitation to Provide Comments

The ERR is now available for public review and comment for 30-calendar days from **July 5, 2024 to August 6, 2024**.

The ERR can be viewed on the project website at: **www.capitalpower.com/operations/east-windsor-generation-facility-expansion**

A hard copy of the ERR can also be viewed during regular business hours at the Windsor Public Library – Seminole Branch (Customer Service Desk) at 4285 Seminole Street, Windsor.

Questions or comments on the ERR should be directed to:

Lawrence Nasen
Senior Specialist, Environment

Capital Power
224 Cadillac Street, Windsor, ON N8Y 2S7
Phone: 1-855-703-5005 / Fax: 780-392-5927
Email: info@capitalpower.com

If environmental concerns about the Project cannot be resolved in discussion with Capital Power, a written request to elevate the project to a Comprehensive Environmental Assessment can be made to the MECP before the end of the 30-day review period (August 6, 2024). Elevation requests must be submitted to the Minister, copying the Director of the Environmental Assessment Branch and Capital Power:

Minister
Ministry of the Environment,
Conservation and Parks
777 Bay St., 5th Floor,
Toronto, ON M7A 2J3
Email: minister.mecp@ontario.ca

Director, Environmental Assessment Branch
Ministry of the Environment,
Conservation and Parks
135 St. Clair Ave. W., 1st Floor,
Toronto, ON M4V 1P5
Email: EABDirector@ontario.ca

Elevation requests must be made in accordance with the provisions set out in the Environmental Screening Process for Electricity Projects. For more information on elevation requests, refer to Section B.4.1.1 here: *www.ontario.ca/page/guide-environmental-assessment-requirements-electricity-projects*

capitalpower.com

Capital Power

Comments and personal information submitted as part of this Project are being collected in accordance with the *Freedom of Information and Protection of Privacy Act* for the purpose of meeting environmental assessment requirements. For more information, please contact MECP's Freedom of Information and Privacy Coordinator.
This notice first published: July 5, 2024

COMMITTEE OF ADJUSTMENT/CONSENT AUTHORITY AGENDA RECORD

The following applications are scheduled to be heard electronically by the Committee of Adjustment/Consent Authority on Thursday July 25, 2024, 3:30 PM, in the order stated below.

Persons wishing to provide comments to the Committee of Adjustment on the item contained herein are strongly encouraged to submit their comments in writing, via email to Jessica Watson, Secretary-Treasurer via email - COAdjustment@citywindsor.ca **no later than July 24, 2024**.

NOTE: To access the Agenda Record/Register, review comments for the upcoming meeting, and past Committee of Adjustment Minutes, please visit our website at: Committee of Adjustment Meeting Agenda (citywindsor.ca)

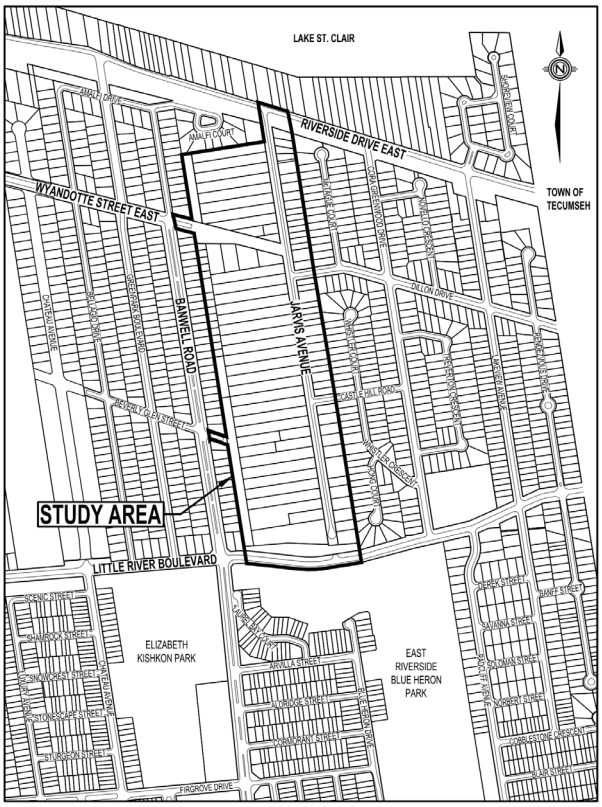
ITEM	TIME	ROLL #	FILE #	APPLICANT	LOCATION	REQUEST
1	3:30 PM	3739030050032000000	A-034/24	NC CAPITAL INC.	854 UNIVERSITY AVE E	**RELIEF:** Construct a semi-detached dwelling with ADUs exceeding maximum lot coverage for an accessory building.
2	3:30 PM	3739070260229000000	B-022/24	ADEWALE DAWUD ADERINTO	3842 WOODWARD BLVD	**CONSENT:** Create a new lot.
3	3:30 PM	3739010040044000000	A-035/24	HAUSOLOGY INC.	870 & 872 ARTHUR & 871 PILLETTE RD	**RELIEF:** Accommodate semi-detached with minimum reduced lot width, lot area and duplex dwellings with minimum reduced lot area and rear yard depth..
4	3:30 PM	3739010040044000000	B-023/24	HAUSOLOGY INC.	870 & 872 ARTHUR & 871 PILLETTE RD	**CONSENT:** Create two new lots.
5	3:30 PM	3739080600009000000	A-036/24	GILLES ST JULES, COLETTE ST JULES	1617 & 1629 MARK AVE	**RELIEF:** Accessory building exceeding maximum lot coverage with reduced minimum accessory building separation from rear lot line on a retained lot.
6	3:30 PM	3739080600009000000	B-024/24	GILLES ST JULES, COLETTE ST JULES	1617 & 1629 MARK AVE	**CONSENT:** Lot Addition.
7	3:30 PM	3739020140100000000	A-037/24	BASEMAH BOSSO	1485 ERIE ST E	RELIEF: Combined use building with minimum front yard depth and minimum separation from a building wall containing a habitable room window.
8	3:30 PM	3739050480212000000	A-038/24	CITY OF WINDSOR CORPORATION	3940 CARMICHAEL RD	**RELIEF:** Proposed parking lot, with reduced minimum curb height.

9	3:30 PM	3739090010097000000	A-039/24	AMEX PROPERTIES INC	3915 BASELINE RD	**RELIEF:** Construction of a single unit dwelling with reduced minimum lot area and lot frontage.
10	3:30 PM	3739090010097000000	B-025/24	AMEX PROPERTIES INC	3915 BASELINE RD	C**ONSENT**: Create a new lot
11	3:30 PM	3739070160010060000	A-040/24	1953482 ONTARIO INC.	1885 PROVINCIAL RD	**RELIEF**: The minimum distance from an existing ground sign on an abutting property
12	3:30 PM	3739080590115000000	A-041/24	ANPUTHASAN CHANDRAGOPAL	2253 DOMINION BLVD	RELIEF: Accessory building with maximum accessory building height and lot coverage of accessory buildings
13	3:30 PM	3739080600176000000	A-042/24	2832765 ONTARIO INC	1609 TECUMSEH RD W	RELIEF: Construction of a multiple dwelling with minimum 8 units and minimum reduced parking area separation from an interior lot line.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal. In addition, if you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed applications, you must make a written request to the Committee of Adjustment at the address shown below with the specific file number.

NOTICE OF COMPLETION
WYANDOTTE STREET EAST EXTENSION AND JARVIS AVENUE
MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT
Schedule B Project

The City of Windsor, has completed a Municipal Class Environmental Assessment for the Wyandotte Street (Banwell Road to Jarvis Avenue) extension and Jarvis Avenue (Riverside Drive East to Little River Boulevard). The study identified opportunities to serve neighbourhood transportation and infrastructure needs and achieve safe, efficient, and convenient travel for roadway users of all ages, abilities and modes within the study corridors for a 20-year study horizon. The study has followed the planning process for Schedule "B" projects, as outlined in the Municipal Engineers Association Municipal Class Environmental Assessment (EA) document (2000, as amended 2015), approved under the *Ontario Environmental Assessment Act.* The study area is shown on the provided map.



A Project File Report has been prepared to document the planning and decision-making process for the study. By this notice, the Project File Report is being placed on the public record for a 30-day public review period from and including, **July 17, 2024** to **August 13, 2024**.

An electronic version of the Project File Report is available on the City of Windsor website at Wyandotte Street East and Jarvis Avenue Environmental Assessment (citywindsor.ca). We invite you to review the report and provide any questions or comments in writing within the 30-day review period. All comments and concerns should be sent directly to the City Project Lead listed below by **August 15, 2024**.

City Project Lead
Adam Mourad, P.Eng.
Engineer III – Design Standards Lead
City of Windsor
350 City Hall Square West, Suite 310
Windsor ON N9A 6S1
amourad@citywindsor.ca

This notice has been issued July 17, 2024

Wyandotte Street East Extension and Jarvis Avenue Municipal Class Environmental Assessment
Schedule B Project

Section 16 Order
In addition, a request may be made to the Ministry of the Environment, Conservation and Parks for an order requiring a higher level of study (i.e., requiring an individual / comprehensive EA approval before being able to proceed), or that conditions be imposed (e.g., require further studies), only on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally-protected Aboriginal and treaty rights. Requests on other grounds will not be considered. Requests must be sent by **August 13, 2024**, in writing or by email to both the following contacts, as well as the project team contact(s) noted above.

Minister Andrea Khanjin Ministry of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto ON, M7A 2J3 minister.mecp@ontario.ca	**Director, Environmental Assessment Branch** Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue W., 1st Floor Toronto, ON, M4V 1P5 EABDirector@ontario.ca

Requests should specify:

- The kind of order being requested (request for additional conditions or a request for an individual/comprehensive environmental assessment),
- How an order may prevent, mitigate, or remedy potential adverse impacts, on Aboriginal and treaty rights,
- Any information in support of the statements in the request, and
- Requester contact information and full name.

If no order request is received, the project will proceed to design and construction as outlined in the planning documentation.

Please visit the Ministry's website for more information on requests for orders under section 16 of the *Environmental Assessment Act* at https://www.ontario.ca/page/class-environmental-assessments-section-16-order

All personal information included in your request – such as name, address, telephone number and property location – is collected under authority of section 30 of the Environmental Assessment Act and maintained for the purpose of creating a record that is available to the general public.

As this information is collected for the purpose of a public record, the protection of personal information provided in the Freedom of Information and Protection of Privacy Act (FIPPA) does not apply (s.37). Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential.

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 80/2024

Subject: 2022 and 2023 Year End Risk Management Report - City Wide

Reference:

Date to Council: July 22, 2024
Author: Alex Vucinic
Manager - Purchasing, Risk Management
519-255-6100 ext. 6280
avucinic@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: July 2, 2024
Clerk's File #: AF2024

To: Mayor and Members of City Council

Recommendation:

THAT Council **RECEIVE** the report titled 2022 and 2023 Year End Risk Management Report for information.

Executive Summary:

N/A

Background:

The primary role of the Risk Management Division is to administer the City's insurance portfolio, manage loss exposure associated with claims made against the City, and manage recovery of loss to City assets. The Division achieves this by using risk management, legal, and insurance practices.

The purpose of this report is to give Council an overview of Risk Management costs and statistics for 2022 and 2023 in comparison to prior years, and a look at what may lie ahead.

Discussion:

Claims Review

The Risk Management Division is a division within the Legal department tasked with managing, making payments on, and entering into and/or authorizing settlements on bodily injury, personal injury, property damage, and other types of insurance claims that fall within the City's insurance deductible.

The Risk Management Division addresses all claims that are submitted to the City. A claim is a demand for compensation by a party alleging fault on the City. Each claim received is investigated, and based on that investigation, an assessment of liability is made. If the investigation reveals that there is no liability exposure, the claim is denied. If the investigation reveals that there is a liability exposure, damages are assessed and attempts are made to settle the matter.

When a claimant disagrees with an assessment or presents new evidence, Risk Management may review the claim for reconsideration. If after a review, the Division's position remains unchanged, the claimant may accept the decision or choose to commence a lawsuit. Sometimes lawsuits are commenced directly, without the claimant first going through the claims process. Lawsuits are primarily defended by internal Legal Counsel.

From 2010 to 2021, the City's insurance deductible for General Liability and Errors & Omissions claims was $250,000 per occurrence. This deductible was raised to $500,000 per occurrence for claims starting from 2022 onwards. Over this same period, the insurance deductible for Transit and Auto claims has been and remains $100,000, as automobile insurance is governed differently and does not allow for as much under-deductible control of claims.

The Risk Management Division works closely with the City's insurers in resolving claims. With the insurers' agreement, the Risk Management Division has authority to resolve claims falling within the applicable deductible, while the insurer authorizes claim payments that are over the deductible. The Risk Management Division and the insurers work together in assessing claims that have potential to breach the deductible but are still within the City's exposure.

A. Number of Claims Against the City

The table below shows the number of claims/lawsuits [collectively "Claims"] made against the City by loss type over the past five years.

Claims made against the City					
Loss Type	**2019**	**2020**	**2021**	**2022**	**2023**
Slip and Falls	27	13	17	27	8
Trip and Falls	53	41	50	43	43
Claimant Property Damage	28	20	23	32	26
Road Conditions	87	15	30	62	94
Sewer Backup	8	11	12	7	3
Tree Liability	52	70	73	84	145
Police Liability	10	7	10	12	26

Independent Contractors	43	68	52	49	36
Error & Omissions	1	4	2	1	4
Auto Liability	18	10	20	14	12
Auto Liability - Transit Windsor	30	19	5	22	24
Bodily Injury-General	22	18	16	6	16
Total Claims	**379**	**296**	**310**	**359**	**437**

In 2022, a total of 359 Claims were advanced against the City. Each claim received underwent thorough investigation and was processed accordingly, whether paid in full, partially paid, or denied, based on the extent of the City's liability. Similarly, in 2023, there were 437 claims advanced against the City, all of which are subject to investigation and appropriate resolution based on liability considerations.

Typically, certain Claim categories, such as slip and fall claims, tree liability and road condition claims are largely weather dependent. The more severe the winter or freeze-thaw cycles, the greater likelihood of slips on ice, potholes, and other weather related claims.

Slip and fall claims witnessed a rise in 2022 compared to 2021, which is above the historical average. Notable, in 2023, there was a significant reduction, largely attributed to prevailing weather conditions. Similarly, road condition Claims experienced an increase in both 2022 and 2023 compared to 2020 and 2021, surpassing the five-year average. The Pandemic-induced decrease in commuting opportunities is reflected in these figures, as evidenced by the similarity between the 2019 Claims and those of 2022 and 2023. Furthermore, this trend extends to transit-related Claims, with reduced transit ridership naturally leading to a decline in such Claims. Figures for 2022 and 2023 were more aligned to pre-pandemic levels.

Auto liability claims saw a decrease in 2022 and 2023 compared to 2021. These are claims involving the use or operation of a City owned vehicle. The majority of these claims are limited to property damage caused by snow plows, recycling trucks, and garbage trucks, due to lack of spatial awareness. The second category in Auto liability claims are specific to Transit Windsor, which portray varying patterns, with Transit Windsor claims notably decreasing from 30 in 2019 to 5 in 2021 before experiencing an upward tend. The higher frequency of Transit Windsor claims compared to the standard auto liability claims can be attributed to several factors inherent to the nature of transit operations. Transit vehicles, by virtue of their size and complexity, present unique challenges in maneuverability and operational safety. With frequent stops and intricate routes, transit delivers navigate through densely populated areas, encountering a myriad of potential hazards on a daily basis. The sheer volume of transit vehicles traversing City streets amplifies the likelihood of incidents, as buses interact with other motorists, cyclists, and pedestrians in dynamic urban environments.

In an effort to increase its effectiveness and reduce collisions/claims, in 2021 the collision review committee undertook a review of its mandate and implemented a number of corporate wide changes with an aim to reducing the number of preventable collisions. Some of these changes include 1) increasing the frequency of meetings to give more contemporaneous feedback (increased from twice annually to quarterly); 2) the addition of simulator based spatial awareness training for more drivers; 3) Conducting Infrastructure Health and Safety Association driver evaluations; 4) preparing safety talk videos targeted toward staff who drive as part of their employment; 5) requiring defensive driving course for new hires; 6) requiring that drivers submit a driver abstract before hiring and running quarterly abstracts thereafter; and 7) reviewing and revising training and retraining requirements, the Fleet Use Policy, and the Driver Abstract Procedure as needed to tighten hiring requirements and facilitate continuous driver improvement.

The category of claims entitled “Tree Liability” relate to any property damage or personal injury claims arising from fallen tree branches, tree obstructions, and any other tree related hazards. An influx of these claims are typically experienced in clusters following a windstorm. Tree claims saw a slight increase in 2022 over 2021, with a significant escalation in 2023. The rise in tree liability claims may also be attributed to aging urban tree population, as mature trees become more susceptible to structural instability over time. Extreme weather events in 2023 exacerbated these vulnerabilities, specifically the tornado which occurred on August 24, 2023. It ran from Sandwich Town south-southeast through south Windsor and into LaSalle.

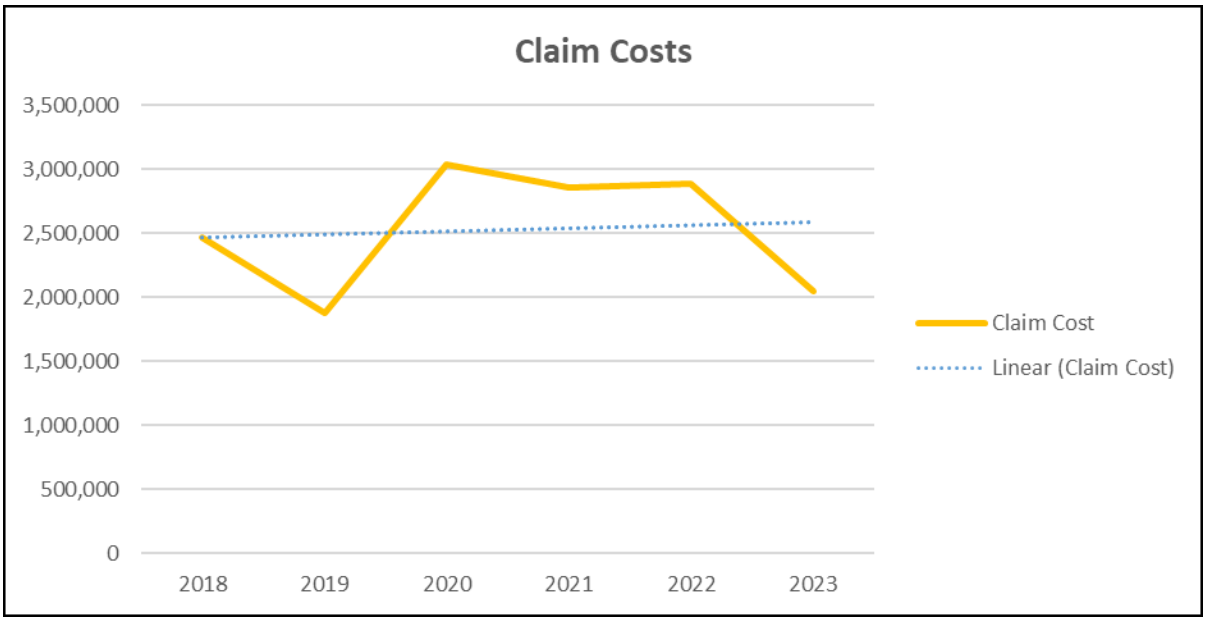
The category called “Independent Contractors” refers to claims that the City receives but transfers responsibility to the contractor that caused the loss. The City is generally not required to make any payments on these types of claims unless the City was negligent beyond the scope of the contractor’s indemnity. These claims were down at their 5-year low in 2023.

Police liability have exhibited a consistent trend over time, but recent fluctuations have been influenced by extraordinary events such as the COVID 19 pandemic and the border blockade. These unique circumstances have lead to an increase in claims related to enforcement actions, civil liberties, and public safety measures.

The remaining categories are unremarkable.

B. Claim Costs

Claim costs typically include third party claim settlements, external adjusting fees, external legal fees, and all other costs incurred as part of the investigation, defence, and payment of a Claim. The chart below shows the Claims costs paid by the City since 2018. On average, claim costs have seen a slight increase, but the variation in claims costs over the years has been significant. Claims costs for 2022 were $2,874,933, which was $45,714 under budget. Claims costs for 2023 were $2,051,063, which was $661,442 under budget. As shown in the previous two years, claims costs fluctuate, but long-term trends suggest that the City’s claims costs will rise in the coming years. It is impossible to predict with certainty the number or severity of claims that may be made against the City, or the magnitude or timing of any eventual settlement.



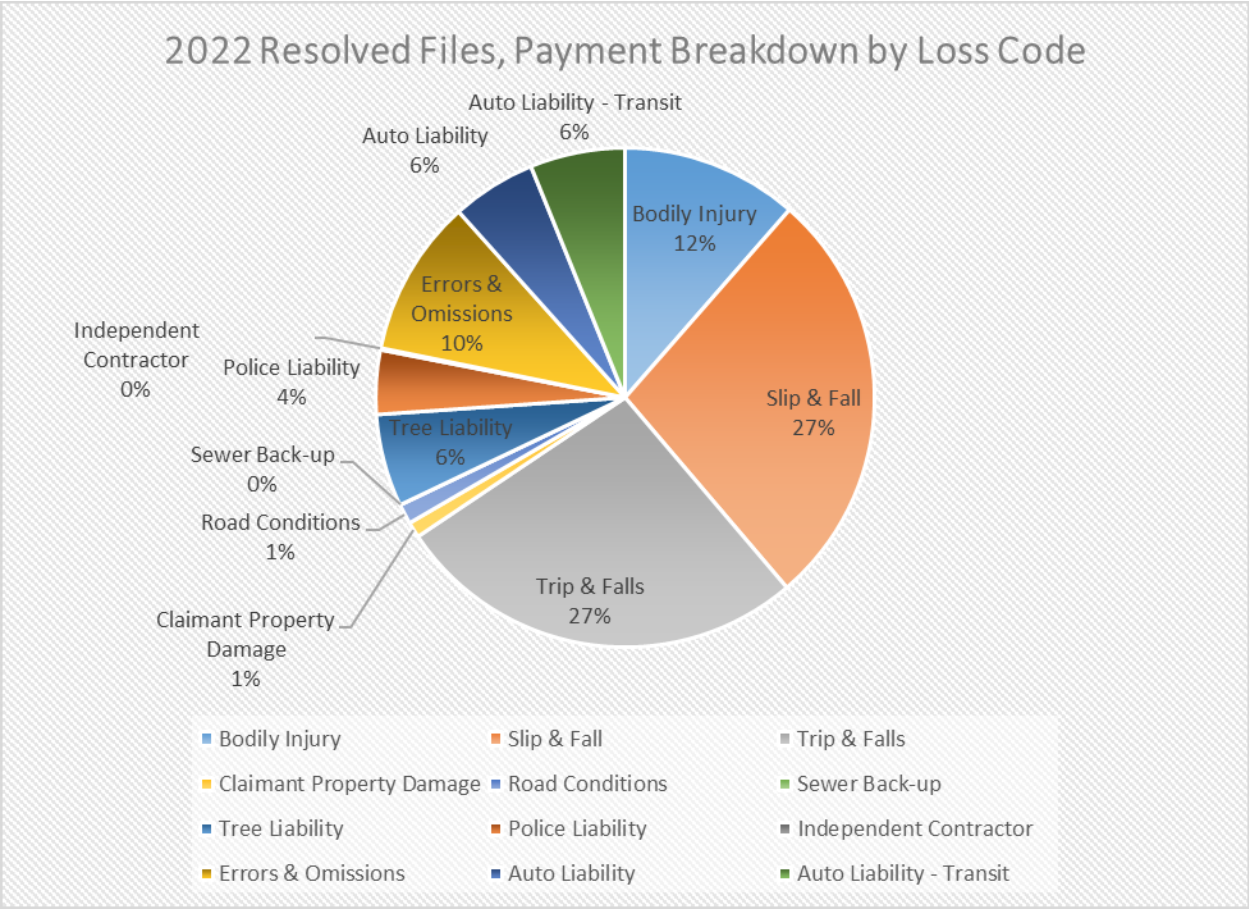
Typically, larger claims often lead to litigation and require an extended period, typically around two years or longer, from the date of loss before reaching resolution.

There was a downward trend that the City experienced between 2018 and 2019, which was attributable to a combination of factors. Weather patterns will always play a role. In addition, there were some savings realized due to re-structuring the City's insurance program. In 2017, the City's insurance portfolio moved to Jardine Lloyd Thompson ("JLT" and now Marsh). As part of that program, all claims falling under the City's auto insurance policy (which include City fleet, police fleet, and transit fleet) are investigated and defended by the insurer, at the insurer's cost. The City's $100,000 auto deductible only applies in the event of a settlement. This means that the City pays less in external adjusting fees and legal defence fees.

Claims peaked in 2020, largely due to a few large files that were settled within the year. While the pandemic led to court closures and delays, and lower overall claims volume, it also resulted in plaintiff lawyers dedicating more time to resolving existing litigation. In 2021, overall claim payout decreased slightly.

In 2021 and 2022, claims costs remained within the City's budgeted amounts. However, in 2023, the City observed significantly lower claim costs, attributed to the prolonged duration of open claims. This delay in closure contributed to the deviation from the expected trends, highlighting the impact of timing on claims resolutions and associated financial outcomes.

In examining the files that closed in 2022, the Claim costs were distributed as follows:

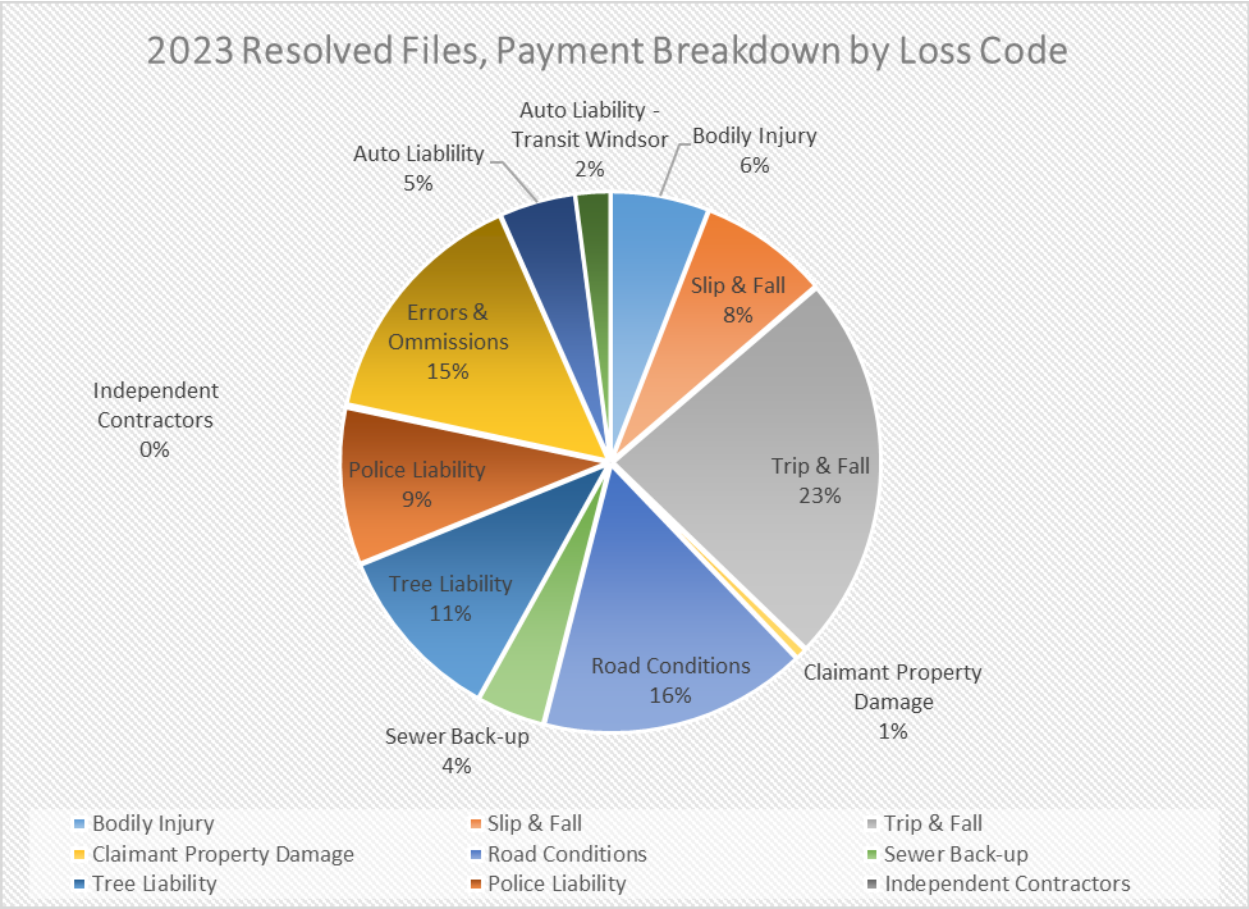


In line with historical trends, the majority of claim costs stem from slip and fall incidents as well as trip and falls occurring on City premises, particularly on roads and sidewalks. The distribution across payment categories mirrors that of 2021, albeit with several noteworthy adjustments: claimant property damage payments have reduced from 6% to 1%, while police liability has increased from 1% to 4%. Additionally, there has been a rise in claims related to road conditions, which previously was at 0 and is now at 1%. Conversely, auto liability has slightly decreased from 7% to 6%, whereas Transit auto liability has seen a modest increase from 4% to 6%. Bodily injury claims have experienced a slight decline from 15% to 12%.

In 2022, majority of Auto liability claim payments were characterized by their relatively minor nature. Notably, there was a minimal influx of pothole and similar type claims, with those few that were received and subsequently paid out being of relatively low value. However, the claim budget for the year faced impacts primarily attributed to nine specific claims. Among these were three substantial payments related to slips and fall incidents, occurring both on roads and sidewalks, with one reaching the City's maximum deductible. Additionally, the City incurred two significant payments for bodily injury claims, one pertaining to Transit and the other to Operations. Another large expense was incurred for a police liability claim concerning wrongful arrest where the City paid significant legal expenses and was let out of Action. Furthermore, there were two large miscellaneous/errors and omissions related claims; one for loss of business and reputation, the other for a pedestrian vehicular incident due to road design allegations.

One claim related to parks and facilities that reached the City's maximum deductible due to bodily injuries.

In examining the files that closed in 2023, the Claim costs were distributed as follows:



In contrast to previous years, where the predominant portion of claim costs arose from trips, falls, and slips incidents occurring on City premises, particularly on roads and sidewalks, the distributions of payments categories in 2023 exhibited notable variations compared to 2022.

Trip and fall claims experienced a marginal decrease of 4% from 2022. However, slip and fall claims underwent a substantial reduction, dropping from 27% to 8%. Conversely, road conditions witnessed a notable increase of 15% compared to the previous year, while tree liability claims escalated from 6% to 11%. Furthermore, police liability claims increased from 4% to 9%, and Errors & Omissions increased from 10% to 15%. Bodily injury claims saw a decrease from 12% to 6%, Transit auto liability decreased from 6% to 2%, and auto liability showed a slight 1% decrease from the preceding year.

The significant rise in tree liability and road conditions figures compared to preceding years can be primarily contributed to adverse weather conditions. The City encountered a thaw and freeze cycle, which resulted in an increase in claims received. Notably, pothole claims constituted a substantial portion of the City's road condition claims which originated from the same thaw and freeze cycle. In addition, in 2023, thirteen claims

significantly impacted the claims budget with several approaching the deductible limit. These claims included accidents involving road infrastructure, allegations of improper road maintenance, and trip & fall incidents.

Claims Made By the City and Recoveries

In addition to claims made against the City, the City also makes claims against third parties and/or its insurer when it suffers a loss. Given the City's high deductible for property damage, only very few claims are made to the City's insurer.

When a third party is at fault for a City loss, the City can try to recover from the at-fault third party or the at-fault party's insurer. Recoveries are carried out by Risk Management on behalf of other City departments. The program has grown over the years, as more avenues of recovery have been realized and more departments participate in the program.

Below is a summary of the number of recoveries pursued by the City since 2019, and the amount recovered. These figures do not include money reimbursed by the City's insurers following a loss.

Year	# of Recoveries	Amount Recovered
2019	**231**	**$405,572.17**
2020	**104**	**$229,428.87**
2021	**92**	**$438,454.45**
2022	**71**	**$309,471.89**
2023	**90**	**$433,582.58**

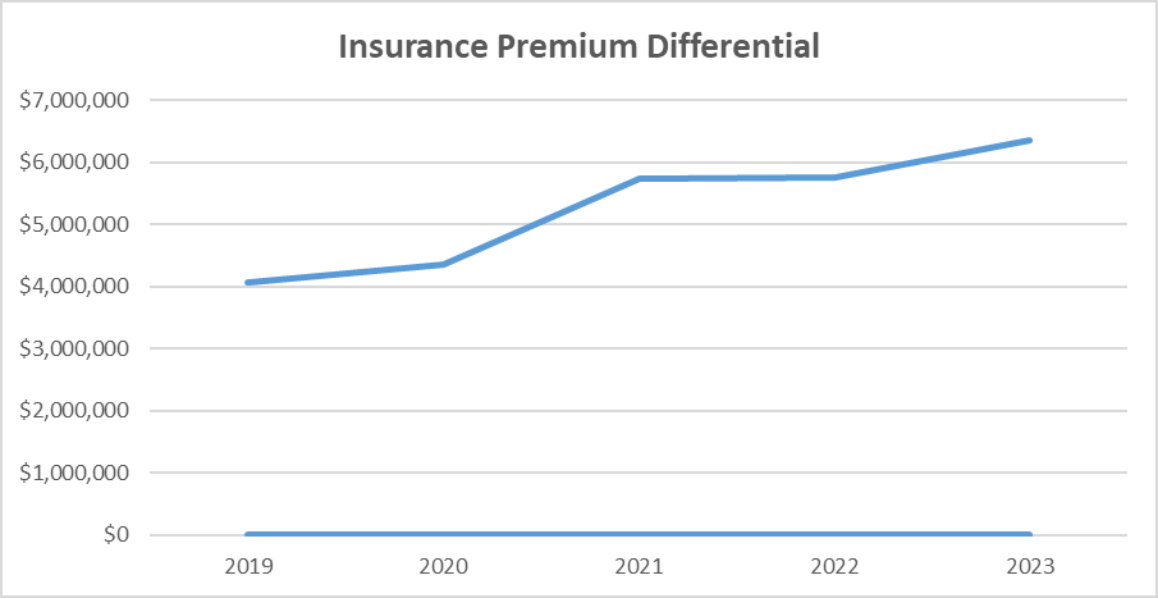
As with any year, all recoveries depend on the frequency and severity of damage to City property, where the identity of the at-fault party can be determined, and the number of incidents to which Windsor Fire and Rescue is called to respond. Fire department expenses recovered are for motor vehicle accident attendances where there is a non-resident driver at fault.

Despite the lower volumes from 2019 and 2020, the magnitude of the recoveries were the highest they have ever been. This is in large part due to an agreement with Enwin, wherein the City conducts its own recoveries for damaged streetlight poles. This alone brought in over $70,206.51 in 2022. Additionally, a significant portion of the recoveries in 2022 totaling $105,940.94, stemmed from public works at-fault claims. Building upon this success, 2023 realized the City's second-highest recovery amount in the past five years, amounting to $433,582.58, indicative of continued efficiency in reclaiming costs.

Insurance Premiums

In 2016, the City issued an RFP for insurance and Jardine Lloyd Thompson (JLT) took over the City's insurance program effective January 1, 2017. Premium rates were steady for the first three years of the program, subject to fluctuations in insurable asset values. Rates increased approximately 8.5% in 2020, with a large portion of that increase attributable to purchasing a new line of coverage to address emerging threats to information and operations. In 2021, rates skyrocketed across the market, with the City's premiums increasing by approx. 26%. In order to save on premium, insurance was renewed with a $500,000 deductible on the City's primary liability policy. This reduced the 2022 premium increase over the 2021 actual premiums to only 2%. An increased deductible will result in higher future claim costs, but this has been budgeted, and is outweighed by the premium savings. Notably, the relative stability in premiums for 2022 evidenced in the chart below is also attributable to the fact that cyber insurance is not included in the 2022 figures, as its cost were not yet determined.

In 2023 insurance premiums significantly increased as the insurance market experienced significant challenges. The property insurance market was extremely difficult, with several insurers pulling out of writing municipal property insurance and/or were limiting their capacity on high value locations. In 2023, the insurance market underwent a significant shift towards a hard market, where competitiveness dwindled, and insurers refrained from offering pricing decreases to retain clients. This adjustment was prompted by insurers seeking to rectify losses incurred during years of heightened competition. Moreover, the City's decision to acquire Cyber insurance for the first time played a pivotal role in the premium increase. Municipalities encountered challenges in obtaining Cyber liability coverage, as the scarcity of willing underwriters posed obstacles in securing suitable protection. Additionally, the pandemic-induced market correction, coupled with inflationary pressures, further compounded the situation. Inflation emerged as a key driver of escalating insurance costs, with an approximate 6% overall inflation rate, and notably higher rates, such as a staggering 15% increases in Cyber coverage year after year.



Fortunately, the City was able to offset some of the insurance premium pressures caused by the hard market by securing a three-year long term agreement on the City's insurance policies, locking in liability premium increases for 2023 to 2026 (subject to conditions) which are significantly below recent market trends.

Recent Changes and Looking Forward

The Risk Management division is always looking for ways to improve service to both internal and external customers, while protecting the City's interests within its risk tolerance.

Over the past years, Risk Management has implemented, or is in the process of implementing, the following changes to modernize and be more efficient, effective, and responsive:

1. Risk Management collaborates closely with every City department to enhance efficiency by identifying risk mitigation strategies and processes. This proactive approach aims to pinpoint risk factors and mitigate them whenever feasible. Additionally, the Risk Management department offers comprehensive risk analysis services to all City departments. Furthermore, the development of a Risk Matrix has assisted the City and applicants in determining the minimum level of liability insurance required for an event. The matrix applies to Festivals and Special Events.

2. Easing demands of strict COI compliance – historically, Risk Management demanded strict compliance with insurance requirements when reviewing Certificates of Insurance (COIs) from vendors. This would often result in numerous back and forth exchanges with insurance brokers and vendors and was a bottleneck in contract execution. While compliance is still required, and certain requirements must be satisfied, Risk Management undertook a review of what minor deviations posed minimal risk, and how to mitigate them. As a result of this review, some COIs will be approved, even if they include minor deviations. The deviations chosen as acceptable were ones that are highly unlikely to result in a bar to coverage, and the risk was mitigated by amending contract language, such that a failure on the City's part to demand strict compliance is not a waiver of the City's rights and does not free the vendor from compliance.

3. Automating COI renewal reminders – in the past, the Risk Analyst would spend up to two days per week communicating with project managers and other City staff on the status of insurance certificates across all ongoing projects. While this is an important task, it was recognized that it is labour intensive, and not utilizing efficient use of time. Working with IT and our COI/claims database provider, Risk Management was able to automate systems that will automatically generate updates and reminders on COI status to relevant staff when their COI is about to, or has, expired.

4. Online Damage Claim Forms – When a claimant wants to make a claim against the City, they currently need to pick up a physical damage claim form from a City facility, or download a pdf from the City's website. They fill it out by either hand printing it, or using a software that allows typing over a pdf. They then scan or

mail it back to the Clerk's office. Once received, it gets distributed to the appropriate parties, and the Risk Management clerk manually enters the information provided and sets up a claim file in the City's claims database. Working with IT and our COI/claims database provider, Risk Management converted to an online damage claim form. This means that claimants can submit their claim directly online by visiting the City website, populating requisite fields, and clicking submit. When the claim is submitted, it will now automatically populate the claims database with the information entered, and alert the Clerks office and Risk Management that a new claim has been submitted.

5. Paperless File Management – Given that Risk Management already has a claims management database, it is now utilizing its capabilities to store files electronically, and move away from paper files. With claims received in 2022 onward, only a skeleton paper file is kept to hold some paper based payment requirements and any original documents that cannot be destroyed.

Risk Management will continue to explore and take advantage of creative insurance options to assist in minimizing premium and maximizing coverage.

Risk Analysis:

This report is for information purposes. Various risks and factors influencing the City's loss experience are outlined in this report.

Climate Change Risks

There are no climate change risks associated with the recommendation.

Climate Change Mitigation:

N/A

Climate Change Adaptation:

While there is no climate change risk posed by the recommendation, this report exemplifies some climate change impacts. With increased extreme weather events, claims are more likely and insurance underwriters are more cautious. This drives up insurance premiums. Risk Management has adapted by analyzing the types of weather-related claims, working with departments on available defences and how to mitigate loss, and applying those defences where appropriate.

Financial Matters:

The table below provides a historical summary of the budget vs. actuals surplus (deficit) over the past 5 years relating to the claims cost account.

Claims Cost Summary			
Year	**Budget**	**Actuals**	**Surplus(Deficit)**
2019	$3,001,647	$1,876,943	$1,124,704
2020	$3,001,647	$3,039,054	($38,407)
2021	$2,801,647	$2,857,354	($55,607)
2022	$2,920,647	$2,874,933	$45,714
2023	$2,712,505	$2,051,063	$661,442

Claims budgeting is not an exact science but based on an actuarial estimate. It is anticipated that in some years, Claims will come under budget, and will be over budget in other years. The goal is to set the budget at an amount that will allow a buildup of surplus to be transferred to the Self Insurance Reserve in those years, and the Self Insurance Reserve can in turn fund annual shortfalls, assist in reducing the City's overall claims deficit, and fund contingencies such as an insurance retro-assessment or unanticipated Claim behaviour. The table below shows the closing balances of the Self Insurance Reserve over the past 6 years.

Fiscal Year	Fund 142 Self Insurance Closing Balance
2018	$5,496,354
2019	$7,345,652
2020	$7,478,365
2021	$7,573,436
2022	$7,756,491
2023	$8,818,391

An actuarial review on the SIR Fund was conducted in 2017. According to that report, the City's actuarial deficit as of December 31, 2016 was $6.1M. The draft report recommended that the City increase the Self-Insurance Reserve (SIR) by this amount. However, this was not done due to competing budget priorities. The SIR fund currently has a balance of $8.8M as of December 31, 2023, which, based on the actuarial review, remains in an actuarial deficit position. Administration continues to monitor the balance of this reserve weighing the risk of potential need for additional funding on an annual basis.

Claims costs fluctuate, but long-term trends suggest that the City's claims costs will rise in the coming years. It is impossible to predict with certainty the number or severity of

claims that may be made against the City, or the magnitude or timing of any eventual settlement

Consultations:

Angela Marazita, Manager of Fleet
Marc Gomes, Claims Administrator
Rosemary Menna, Claims Administrator
Rosa Maria Scalia, Financial Planning Administrator

Conclusion:

In both 2022 and 2023, claim volumes surged beyond 2021 levels, in some cases even surpassing pre-pandemic figures. Despite this uptick, the lag between claim submission and resolutions resulted in reduced claim costs for 2023. Meanwhile, insurance rates continued their upward trend in an exceedingly challenging market environment. To counteract these escalating expenses, measures such as securing fixed liability premiums for the next three years were implemented alongside exploration of alternative insurance options through our insurance broker. Notably, Risk Management achieved record-high recoveries totaling $743,054.47 over the two-year period, indicating enhanced effectiveness. Looking ahead, Risk Management aims to capitalize on technology to drive further improvements in its operations.

Approvals:

Name	**Title**
Alex Vucinic	Manager of Purchasing and Risk Management
Dana Paladino	Acting Commissioner, Corporate Services
Rosa Maria Scalia	Financial Planning Administrator
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	**Address**	**Email**

Appendices:

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 89/2024

Subject: 2025 Budget Process & Timeline - City Wide

Reference:

Date to Council: July 22, 2024
Author: Janice Guthrie
Commissioner, Finance & City Treasurer
519-255-6100 Ext. 6271
jguthrie@citywindsor.ca
Finance & City Treasurer
Report Date: July 10, 2024
Clerk's File #: MD/14771 & AF/14585

To: Mayor and Members of City Council

Recommendation:

THAT the report of the Chief Financial Officer & City Treasurer dated July 22, 2024 regarding the 2025 Budget Process & Timeline **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

The 2024 Operating and Capital Budgets received City Council approval on January 29, 2024 (B27/2024 & B28/2024). Subsequently, an in-year budget amendment was approved on May 13, 2024 (CR198/2024) related to the "Strengthen the Core" initiative.

On June 16, 2023, the Provincial Government announced Strong Mayors, Building Homes Act, 2022, (*Strong Mayor Powers*) which granted special powers and duties to heads of council to 26 additional municipalities across Ontario, including Windsor. In accordance with this new legislation and as it relates to municipal budgets the head of council must propose a municipal budget prior to February 1 of the year to which the budget relates.

Discussion:

2025 Timeline

The following table outlines the proposed process and timeline for the development of the 2025 Operating and Capital budgets.

Table A: Operating & Capital Budget Development Timeline

Description	Date
1. Operating Budget Development	06/10/24 – 09/27/24
2. Capital Budget Development	06/25/24 – 09/06/24
3. Capital Budget CLT Review	09/09/24 – 10/04/24
4. Operating Budget CLT Review	09/30/24 – 10/18/24
5. Operating & Capital Budget Mayor's Review	10/21/24 – 12/6/24
6. Recommended Budget Documents Prepared	12/09/24 – 12/20/24
7. Recommended Budget Documents Tabled	01/06/25 – 01/24/25
8. Administrative Recommendations	10/16/23 – 11/24/23
9. Recommended Budget Public Delegations	Week of Jan. 13, 2025
10. Recommended Budget Council Deliberations	Week of Jan. 27, 2025

Public Engagement

This report details the 2025 Budget Process for City Council, including the timelines for developing the operating and capital budgets. A key element of this process is continuous communication among citizens, elected officials, and administration. Citizen participation in the budget process allows the public to engage in the decision-making process that affects the allocation of limited public resources.

The budget process consists of several phases, allowing the public and various stakeholders to provide input on the development of the 2025 budget. Council's deliberation of this report, which outlines the budget process and timelines, offers an initial opportunity for feedback at the beginning of the budget development process. Additionally, there is a tabling period for the recommended budget before final deliberations, during which the public can appear as delegations or submit their written concerns.

Departmental Public Engagement Sessions

Throughout the year, departments engage residents in numerous public consultation sessions to address various municipal matters. These community involvement initiatives and public engagement opportunities, which occur regularly as part of the departments' daily operations, are invaluable for informing the annual budget development process and recommendations.

The feedback and interactions gathered from these public sessions and consultations are crucial for guiding municipal decisions made by administrative staff and elected officials. This public input assists Council in prioritizing service level decisions during the development and approval of the municipal budget.

Ward Meetings

Each year, residents have the chance to participate in in-person ward meetings hosted by the Mayor and all City Council members. The meetings are typically held in September and October.

These meetings enable the Mayor and Councillors to share updates on neighborhood-specific projects and activities, while residents can ask questions and offer feedback. Ward meetings are an excellent opportunity for valuable input, as they allow participants to discuss both specific neighborhood issues and broader matters affecting the entire city in a less formal setting.

Inflationary Pressures

Current economic conditions such as changes to local unemployment rates, volatility of energy costs, commodity prices and interest rates, as well as supply and demand for products and services has dramatically impacted the City's budget in that last several years. The overall average inflationary increase (CPI) in 2023 was 3.9%, however, when you factor in the Building Construction Price Index (BCPI) of 8.1%, the City's blended inflation rate for 2023 was 4.59%. Based on figures from Statistics Canada up to and including May, the average 2024 CPI is 2.8% and the average BCPI is 4.6% for a **2024 blended rate of 3.11%.** The current inflationary environment may impact employee contract settlements, purchase of supplies, fuel cost, and contracts with annual CPI increases. The City is also experiencing significant cost escalations on tenders for construction projects. This continues to put substantial pressure on the 10-year capital plan to the extent that projects may require scope revisions to remain within budget or it could require other projects to be deferred to free up the required funding. Administration will undertake to bring forward a reasonable budget with due consideration to these factors.

Asset Management Plan (AMP)

The 2018-2019 Corporate Asset Management Plan identified an infrastructure gap of approximately $30M. This gap represented the annual funding shortfall estimated to be required in order to maintain existing municipal assets operating at current service levels. In order to address this gap, Council implemented an annual 1.16% AMP levy for each of the years 2020 through 2025 in an effort to increase capital funding needed to address service sustainability. The adoption of the AMP levy in 2020 has provided cumulative, incremental funding of $74.2M to-date, which has been directly invested in the rehabilitation, renewal and replacement of existing City infrastructure. Once fully implemented in 2025, the levy will represent a permanent increase to the capital budget of over $30M per year. In addition, in 2023, Council extended the AMP levy for an additional year to 2026 to address the levels of service related to public and affordable

housing and further approved a 4-year, 0.25% Local Residential Road Levy, to provide for direct investment in the rehabilitation of this class of roadway.

The City's updated 2024 Corporate Asset Management Plan was presented to Council on June 20, 2024 (C63/2024) This updated Plan represents a significant update from the previous 2018-2019 AMP in that it incorporates all municipally-owned infrastructure assets, inclusive of those managed through our fully-consolidated Agencies, Boards and Committee's. With the inclusion of more assets and despite the significant investments made to-date, the 2024 AMP identified an annual infrastructure deficit of $97.5M.

While the current approved investments in the AMP have proven critical to ensuring the City's assets continue to be maintained in Good overall condition and has been extremely effective in bringing the annual budgets for the City's core assets up to sustainable levels to achieve the established service levels, the addition of the City's non-core infrastructure, along with update projections to reflect current pricing and economic conditions, has shown that continued investment is required. As previously advised, the 2025 AMP requirements of defining Proposed Levels of Service are forthcoming which will inform a financing strategy to address any identified infrastructure gap are complete.

Service Enhancements

The Corporation continuously conducts service delivery reviews across various city operations. The findings from these reviews, presented through Council reports, help guide the annual budgetary process. In addition, there may be added budget pressures due to the implementation of Master Plans approved by City Council in recent years. Many of these Master Plans are aspirational, requiring both incremental operating and capital funding for certain enhancements to move forward.

Some examples of service delivery review initiatives conducted in recent years include the following service areas:

1. Planning Department Realignment
2. Building Department Realignment
3. Human Resources Review
4. Information Technology Review
5. City Fleet Service Reviews
6. Establishment of the Economic Development Area
7. Engineering and Parks & Facility Realignment
8. Transportation Planning Realignment to Public Works Operations
9. Transit Windsor Streamlining & Refocusing of Service
10. Examples of Alternative Service Delivery Include:
    a. *Locates in Public Works Operations*
    b. *Streetlight Maintenance*

c. *Grass Cutting on E.C. Row Expressway*
d. *Caretaking Services at Huron Lodge & City Hall Campus*

It is important to note that many of these ongoing and complex reviews are not solely initiated and completed during the annual budget review process. These reviews are conducted continuously throughout the year, often resulting in council reports and recommendations from administration that can be implemented in future budgets.

Risk Analysis:

Early indications suggest that the 2025 budget will be a challenge in terms of balancing fiscal restraint while continuing to deliver services to residents. The proposed budget process and timelines provides sufficient time to identify and review budgetary pressures, seek public input and develop a strategy that will mitigate any required increases in property tax levy to meet service delivery demands.

Climate Change Risks

Climate Change Mitigation:

There are no climate change mitigation risks as a result of this report. The City of Windsor has an approved Community Energy Plan and Corporate Climate Action Plan. As stated in the Corporate Climate Action Plan, the City of Windsor will reduce its greenhouse gas emissions from our 2014 baseline by 20% by 2030 and 40% by 2041. Assessing projects and programs early on in their development as part of the budget process will provide the most opportunity to incorporate mitigation actions. Early identification of projects eligible for grant funding will assist administration to prepare for these opportunities.

Climate Change Adaptation:

There are no climate change adaptation risks as a result of this report. The City of Windsor has an approved Climate Change Adaptation Plan identifying climate risks to infrastructure and services. Recommendations are provided to strengthen Windsor's resiliency to the effects of climate change. Assessing projects and programs early on in their development as part of the budget process will provide the most opportunity to incorporate adaptation actions. Early identification of projects eligible for grant funding will assist administration to prepare for these opportunities.

Financial Matters:

Operating Budget

As in previous years, Administration will bring back options for a budget that achieves the lowest possible impact on property taxes for its City Departments, while maintaining service levels and implementing priority service enhancements.

The City's Agencies, Boards, and Committees (ABC's) will also be asked to bring forward their budget requests for Council's review. Consistent with prior years, ABC's will be asked to minimize their budget requests, however, these budgets are outside the control of Administration and will be brought forward for consideration.

Capital Budget

The City's 2024 10-year Capital Plan is based on the expected funding levels from 2024 through to 2033. These funding levels are inclusive of operational transfers to capital noted as Pay-As-You-Go funding, as well as the approved increase of 1.16% annually for 7 years to achieve funding levels needed to meet the Asset Management Plan recommendations required to sustain the City's existing assets at current service levels as reported in the 2018-2019 AMP.

While the development of a 10-year plan does allow for a certain level of flexibility in the reprioritization of capital work, the Capital Budget has committed significant current and future funding amounts representing the City's share of work related to several high-dollar grant opportunities, such as the Disaster Mitigation and Adaptation Fund (DMAF) and Investing in Canada Infrastructure Program (ICIP). Leveraging Federal and Provincial grant funding dollars provides the opportunity for major work to be carried out with considerable cost-sharing, however the requirement for the City to also contribute reduces Administration's ability to delay or alter future projects.

As part of the annual capital budget process, Administration reviews all available funding sources and updates projections for anticipate funding change, investment rates and other activity. These revised projections form the basis for updates to the capital plan and allow for the identification of new projects which require funding. Should capital funding levels be reduced, there will be a direct impact to projects previously approved in principle from 2025 to 2033. The severity of the impact would be dependent upon the amount of funding which is reduced. In such a circumstance, the reductions would primarily impact projects which are service enhancements and/or growth type projects requiring that they be deferred or pushed out to later years with the focus of the remaining funding being directed to ensure sustainability of existing assets.

Consultations:

N/A

Conclusion:

This report provides an update to City Council as it relates to the 2025 Budget development process and timelines.

Planning Act Matters:

N/A

Approvals:

Name	Title
David Soave	Manager, Operating Budget Development & Control
Michael Dennis	Financial Manager, Asset Planning

Name	Title
Emilie Dunnigan	On behalf of Deputy Treasurer – Financial Planning
Natasha Gabbana	Senior Manager of Asset Planning
Janice Guthrie	Commissioner Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 90/2024

Subject: Status Report on Implementation of Management Action Plans - 2023 Q4

Reference:

Date to Council: July 22, 2024
Author: Luigi Congi
Executive Initiatives Coordinator
519-255-6100 ext 6163
lcongi@citywindsor.ca
City Treasurer
Report Date: July 5, 2024
Clerk's File #: AF/14508

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE FOR INFORMATION** the Status Report on Implementation of Management Action Plans as of 2023 Q4.

Executive Summary:

N/A

Background:

The mandate for internal audit services has been conducted under Risk Savvy Ltd. and under the direction of Christopher O'Connor as the Municipal Auditor General as approved by CR 485/2022.. Since the City's internal audit function was outsourced in April 2013, there have been two hundred seventy (270) audit recommendations accepted by City Council. As of December 31, 2023, there are no open management action plans.

Discussion:

The Audit Recommendation Tracking Summary is attached as Appendix A and is as of December 31, 2023. As noted in the Auditor General's report, "Management has made significant progress in addressing open findings. Of the findings closed in the period:

- one (1) was closed in advance,
- four (4) were resolved in the period,
- one (1) was risk accepted.

The end result is no open findings.

The efforts by Administration over the past year has resulted in an upgrade to the overall final conclusion as to the follow up rating scale of 100% or “Well Controlled”. A well controlled status indicates that all audit recommendations due to be implemented in the current period were marked closed by the Auditor General.

Risk Analysis:

The tracking of the implementation status of all audit recommendations was a key risk mitigation strategy for all of the management action plans submitted with each audit report. The Executive Initiatives Coordinator in the Office of the Commissioner of Corporate Services, CFO/City Treasurer liaises directly with both internal audit staff and the assigned operating department to ensure that the implementation of audit recommendations is kept top of mind and on schedule. The Auditor General also follows up annually to verify and test that audit recommendations have been appropriately implemented or addressed.

When an audit recommendation is retargeted, there is a risk that there is continued exposure to the department or, the recommendation becomes outdated and no longer applicable to the issue or concern and/or, the delay has allowed for adequate resources to be put into place that addresses the concern.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Following each audit by the Auditor General and direction from City Council, City management proceeds with the implementation of each recommendation within existing operational budgets. In cases where additional funds may be required, the affected operating department would submit a request to City Council. No additional funding is being requested at this time as all items are considered closed.

Consultations:

Christopher O’Connor, City of Windsor Auditor General

Conclusion:

City administration monitors the status of all audit recommendations following the acceptance by City Council of each audit report and the direction by Council to proceed with implementation.

The management action plan that accompanies each audit report establishes timelines for the implementation for each item, though occasional variances from these timelines occur for a variety of reasons. It should be noted that this is the first time that there are no open management action plans and as a result of City Administration's diligent efforts, has obtained a rating scale of 100% or "Well Controlled" by the Auditor General. Administration will continue to ensure that a well controlled environment is maintained.

Planning Act Matters:

N/A

Approvals:

Name	Title
Luigi Congi	Executive Initiatives Coordinator
Janice Guthrie	Commissioner of Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix A - City of Windsor Audit Recommendation Tracking Summary - December 2023

APPENDIX A - City of Windsor Audit Recommendation Tracking Summary -December 31, 2023

Closed Action Plans in 2023	6
Open & Delayed Action Plans	0
Open & On Track Action Plans	0
Total Action Plans in 2023	6

Item Number	Auditor General Review Status	Finding Number	Recommendation/Topic	CLT Member Responsible	Assigned to	Audit Report/Source	Audit Unit/Firm	Date Issued	Target Date for Implementation	Status (December 31, 2023)
	Closed	205	Enhance purchasing policy and document inventory and asset management procedures	CEO - Your Quick Gateway	YQG - Director of Operations	YQG - Managing Inventory, Repairs and Maintenance	PwC	August 27, 2018	2019 Q2	Complete
	Closed	262	Establish baseline measurements for selected liquidity metrics and work towards a formal liquidity contingency plan.	Commissioner of Corporate Services, Chief Financial Officer/City Treasurer	Deputy Treasurer - Taxation, Treasury & Financial Projects	Liquidity Management - Sprint 1	Auditor General	June 7, 2021	2023 Q2	Complete
	Closed	264	Establish a formal process relating to road maintenance coordination and road project deficiencies	Commissioner of Infrastructure Services	Manager, Contracts, Field Services, & Maintenance	Road Infrastructure Maintenance Processes	Auditor General	May 30, 2022	2022 Q4	Complete
	Closed	265	Document a formal process to assist in identifying opportunities to merge related projects	Commissioner of Infrastructure Services	Manager, Contracts, Field Services, & Maintenance / Senior Manager of Asset Planning	Road Infrastructure Maintenance Processes	Auditor General	May 30, 2022	2024 Q1	Complete
	Closed	267	Explore options to enhance data granularity in regards to road treatment spending and funding allocation by function class	Commissioner of Infrastructure Services	Executive Director, Operations	Road Infrastructure Maintenance Processes	Auditor General	May 30, 2022	2024 Q1	Risk Accepted
	Closed	268	Formalize risk identification criteria or guideline with respect to IT/Cyber/Privacy risks	Commissioner of Economic Development & Innovation	CIO/ED of Information Technology	SmartCity Cyber & Privacy Risk Mitigation Review	Auditor General	May 30, 2022	2022 Q4	Complete

CLOSED
OPEN AND DELAYED
OPEN AND ON TRACK

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 86/2024

Subject: Recycling Collection Transition Update – City Wide

Reference:

Date to Council: July 22, 2024
Author: Anne-Marie Albidone
Manager, Environmental Services
aalbidone@citywindsor.ca
519-974-2277 3123

Public Works - Operations
Report Date: July 5, 2024
Clerk's File #: SW/14789

To: Mayor and Members of City Council

Recommendation:

THAT the report of the City Engineer dated June 27th, 2024, regarding an update to the transition of recycling services to Extended Producer Responsibility, **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

As Council is aware, the City of Windsor recycling program transitions to producer responsibility on August 28th, 2024, in accordance with O.Reg 391/21. The producer responsible organisation (PRO) that is leading the common collection system on behalf of producers is Circular Material Ontario (CMO). CMO has engaged GFL to collect residential recycling, in the Essex-Windsor region as well as Reverse Logistics Group (RLG) to oversee the collection contract and day-to-day operations in Ontario.

Discussion:

The transition period for all Ontario municipalities and first nations to EPR began in 2023 and will be complete by December 31, 2025. During the transition period, recycling collection from eligible sources in each municipality will remain unchanged in terms of collection days, and containers used for collection. Residents will also continue to receive the City of Windsor Collection Calendar and be able to access recycling information through the Recycle Coach app, which will indicate their recycling collection days. From the perspective of recycling collection at the curb, City residents will see little change following the Transition date. However, there will be changes to

lines of communication with respect to acceptable materials, resident inquiries, servicing new builds, and changes in collection points.

Acceptable Materials and Promotion and Education

There will be changes to the materials accepted in Essex-Windsor's current recycling program as of August 28, 2024, as the new legislation does not obligate producers to collect some items currently accepted. Specifically, PROs are not obligated to collect: paint aerosol containers and cans, soft or hardcover books and motor oil.

The Essex-Windsor Solid Waste Authority (the Authority) has proactively conducted mass Promotion & Education (P&E) campaigns through channels such as social media, website, print ad allocation, and promotion at events to notify and prepare residents for this change.

Further, in preparation for transition, CMO has provided Authority with a series of social media posts as well as a summary of the transition and frequently asked questions. Samples of these have been attached to this report.

Resident Inquiries

As of August 28, 2024, all resident recycling collection inquiries (i.e., replacement bins, missed collection, refused collection) will be directed to CMO's collection contractor, GFL (werecling@gflenv.com; 1-844-415-4351) and/or CMO (customerservice@circularmaterials.ca; 1-877-667-2626). As instructed by CMO, the contractor is always the first point of contact for residents and the City of Windsor will no longer be responsible for responding to residents regarding recycling.

If residents have an issue or wish to file a complaint about the contractor or collection services, they will then be directed to CMO who will escalate the issue.

Resident Webpage

As part of their P&E efforts and prior to transition, CMO will have a City-specific webpage for residents to access where they can locate information on collection schedule, recycling guide, and contractor contact details. This information will also be available through the Recycle Coach app.

https://www.circularmaterials.ca/resident-provinces/ontario/

Servicing New Builds

Following transition, in order to commence recycling collection services at new homes or multi-residential facilities, Administration will be required to contact RLG. Staff will be required to provide a list of addresses and documentation to verify the new build such as a building permit, which will then be reviewed and added to collection routes by RLG.

Collection Point Changes

In the event of temporary or prolonged collection point changes (e.g., due to construction), Administration is to contact RLG directly prior to the change so that the service can be altered and communicated to those affected.

Council is reminded of Council Report C 57/2024 *Recycling Collection for Non-Eligible Sources* which outlined the collection of commercial locations previously included in the recycling program, but not included in the producer responsibility model. Over 700 non-eligible sources (NES) in the region have registered with the Authority for collection. Communication regarding collection post transition for these locations will also occur in the coming months including information on collection day and frequency, collector, set-out requirements, acceptable materials, who to contact for customer service support, and where to purchase a new bin. The Authority will continue to be the primary contact for non-eligible source customer service support but will be supported by the City's 311 service for City of Windsor NES sources.

Risk Analysis:

There is a minor risk of confusion or frustration on the part of residents at the onset of the transition should there be a lack of service. This risk has been mitigated by the provision of information to the 311 service to redirect all recycling related inquires to either GFL or CMO as appropriate. Furthermore, the Authority and Administration continue to participate in provincial groups such as AMO and M3RC which advocate collectively on municipal issues. Municipalities that have already transitioned have indicated few to no issues with their transition.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Council is reminded that any potential savings to the recycling program will form part of the Authority budget, of which the City of Windsor funds approximately 50%. It is anticipated that any savings seen from the recycling program will be offset by the cost of NES collection, as well as the impending organics program.

Consultations:

Mark Spizzirri, Manager of Performance Measurement & Business Case Development

Michelle Bishop, General Manager, Essex Windsor Solid Waste Authority

Jason Moore, Senior Manager, Communications & Customer Services

Alena Sleziak, Manager, Customer Contact Centre

Conclusion:

Administration, in partnership with the Authority, will monitor the transition to EPR for the City of Windsor, and will support the relevant communication via social media, website and 311 services. Council members are encouraged to direct residents to GFL (werecling@gflenv.com; 1-844-415-4351) for recycling related matters. Administration will advise Council on any challenges post transition should there be any.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works
Shawna Boakes	Executive Director of Operations
Mark Winterton	(A) Commissioner, Infrastructure Services/City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix 1 – Transition Summary
Appendix 2 – Frequently Asked Questions

circular materials

Ontario's transition to producer responsibility

In 2021, the Ontario government released the Blue Box Regulation that shifts the financial and operational responsibility of recycling programs to producers – those that produce and supply blue box materials to residents. In this new extended producer responsibility framework, producers become financially and operationally responsible for collecting and recycling blue box materials.

Who we are

Circular Materials is a national not-for-profit organization that builds efficient and effective recycling systems where materials are collected, recycled and returned to producers to use as recycled content in new packaging and paper. As the administrator of Ontario's common collection system, Circular Materials is responsible for operating the new system for blue box materials. We are committed to increasing recycling rates across Ontario and ensuring more materials are looped into the circular economy, benefiting both people and the environment.

What does this transition mean for residents?

Transition to the new framework will occur in a phased approach over the next two and a half years. During this time, Ontarians will not notice any differences to their recycling schedule and will still be able to recycle the same materials as before.

Residents with recycling questions can contact their community's contractor.

Community-specific recycling information can be found at circularmaterials.ca/ON.

Transition timeline

Transition to extended producer responsibility will take place between 2023 – 2025, with the new framework fully in place on January 1, 2026. Along with the Regulation, the government released a schedule that assigns each of the 376 Ontario communities a transition date.

July – December 2023	January – December 2024	January – December 2025	2026
67 communities transition	**127** communities transition	**182** communities transition	**Transition to the new system complete**

Why the transition is important

- Historically, Ontario's blue box programs were operated by municipalities who shared the costs with producers. Now, under the Blue Box Regulation, Ontario is transitioning to a new model where producers are fully responsible for operating and funding the entire blue box program.
- In 2026, Ontario can expect a convenient, consistent, and effective recycling system in place that will improve recycling rates. This includes a consistent list of recyclable materials across the province.
- This new system operated by Circular Materials represents the evolution from product stewardship to a more circular economy where materials are collected, recycled and used again as recycled content in new packaging and products.

What does extended producer responsibility (EPR) mean?

EPR is a framework in which producers – the businesses that supply paper and packaging to residents – are responsible for managing the end-of-life management of these materials. EPR enables innovation, operational efficiencies, increased standard levels, and access to materials. It is recognized as one of the most effective mechanisms to improve recycling rates.

How we are enhancing Ontario's recycling system

Strategic partnerships and collaborative initiatives to drive innovation

Optimizing recycling operations and infrastructure

Promotion and education that drives recycling rates

Ensuring a continuous loop where materials are used again in new packaging and products

Ontario's Blue Box Transition
Questions & Answers

What's happening to Ontario's Blue Box Program?
In 2021, the Ontario government passed a new regulation that shifts the financial and operational responsibility of blue box recycling programs to producers – those that produce and supply blue box materials to residents. In this new extended producer responsibility framework, producers will become fully responsible for collecting and recycling blue box materials.

Transition to extended producer responsibility will take place between 2023 – 2025, with the new framework fully in place by January 1, 2026. As a result, effective August 28th 2024, the City of Windsor's blue box recycling program will be managed by Circular Materials, who is the administrator of the common collection system and a not-for-profit organization that is committed to building an efficient and effective recycling system in Ontario.

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En 2021, le gouvernement de l'Ontario a adopté un nouveau règlement qui transfère la responsabilité financière et opérationnelle des programmes de recyclage des boîtes bleues aux producteurs - ceux qui produisent et fournissent les matériaux des boîtes bleues aux résidents. Dans ce nouveau modèle de responsabilité élargie des producteurs, les producteurs deviendront entièrement responsables de la collecte et du recyclage des matériaux des boîtes bleues.

La transition vers la responsabilité élargie des producteurs aura lieu entre 2023 et 2025, le nouveau modèle étant pleinement en place d'ici le 1er janvier 2026. Par conséquent, à compter du 28 août, 2024, le programme de recyclage des boîtes bleues de la ville de Windsor sera géré par Circular Materials, l'administrateur du système de collecte des boîtes bleues et une organisation sans but lucratif qui s'engage à metre en place des systèmes de recyclage efficaces en Ontario.

What can I expect when Circular Materials manages my recycling program?
There will be no change to how you currently recycle your materials or to your recycling collection schedule. More information on recycling in Windsor can be found at **circularmaterials.ca/windsor**.

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Cete transition n'entraînera aucun changement quant aux matières que vous pouvez recycler ou à votre journée de collecte. Pour en savoir plus sur le recyclage dans Windsor, veuillez visiter **circularmaterials.ca/windsor**.

When will Circular Materials be managing my recycling program?
Circular Materials will begin managing Windsor's blue box program as of August 28, 2024. More information on recycling in Windsor can be found at **circularmaterials.ca/windsor**.

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Circular Materials commencera à gérer le programme de boîtes bleues de Windsor à compter du 28 août, 2024. Pour en savoir plus sur le recyclage dans la ville de Windsor, veuillez visiter **circularmaterials.ca/windsor**.

Who do I contact for recycling collection questions and inquiries now?
Please contact **Green for Life** for recycling-related questions: ***1-844-415-4351, werecycling@gflenv.com***.

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Veuillez contacter **Green for Life** pour les questions reliées au recyclage : **1-844-415-4351, werecycling@gflenv.com**.

Why is the program changing?
Historically, Ontario's blue box programs were operated by municipalities who were responsible for paying about half of the costs of the program, with producers responsible for the other half. Now, under the Blue Box Regulation, Ontario is transitioning to a new model where producers – the organizations that produce the products and packaging – are 100% responsible for operating and funding the program.

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Historiquement, les programmes de boîtes bleues de l'Ontario étaient gérés par les municipalités qui étaient responsable de payer environ la moitié des coûts du programme et les producteurs étant responsables de l'autre moitié. Maintenant, en vertu du règlement de la boîte bleue, l'Ontario passe à un nouveau modèle où les producteurs - les organisations qui fabriquent et fournissent les produits et les emballages - sont entièrement responsables du fonctionnement et du financement du programme.

How does Circular Materials Ontario fit into this?
Circular Materials is the administrator of the common collection system and a not-for-profit organization that is committed to building an efficient and effective recycling system in Ontario. Windsor is collaborating with Circular Materials to deliver a best-in-class system that continues to deliver recycling services and support our residents.

During the transition period, there will be no change to how and what residents can recycle. Following transition, Ontario can expect to have a convenient, consistent, and effective recycling system in place that will improve recycling rates and meet the needs of Ontarians. Learn more about Circular Materials at www.circularmaterials.ca/ON.

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Circular Materials est l'administrateur du système de collecte des boîtes bleues et une organisation sans but lucratif qui s'engage à metre en place des systèmes de recyclage efficaces en Ontario.

La ville Windsor collabore avec Circular Materials pour fournir un système de premier ordre qui continue à fournir des services de recyclage et de soutenir nos résidents. Lors de la période de transition, la manière dont les résidents recyclent et ce qu'ils peuvent recycler n'entraînera aucun changement.
Après la transition, l'Ontario peut s'attendre à avoir un système de recyclage pratique, cohérent et efficace qui améliorera les taux de recyclage et répondra aux besoins des Ontariens. Pour en savoir plus sur Circular Materials veuillez visiter www.circularmaterials.ca/ON.

What does extended producer responsibility mean?
EPR is a framework in which producers – the businesses that supply paper and packaging to residents – are responsible for managing the end-of-life management of these materials. EPR enables innovation, operational efficiencies, increased standard levels, and access to materials. It is recognized as one of the most effective mechanisms to improve recycling rates.

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La responsabilité élargie des producteurs rend les entreprises qui fournissent des produits et des emballages responsables de leur gestion de fin de vie. Cela encourage les entreprises à prendre des décisions plus prudentes concernant les matériaux qu'elles utilisent dans leurs emballages et produits, et les rend responsables du coût du recyclage de ces produits en gestion de fin de vie.

What advantages are associated with this new system?
EPR is recognized as one of the most effective mechanisms to improve recycling rates and advance a circular economy where materials are collected, recycled, and returned to producers for use as recycled content in new products and packaging.

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La REP est reconnue comme l'un des mécanismes les plus efficaces pour améliorer les taux de recyclage et faire progresser une économie circulaire où les matériaux sont collectés, recyclés et renvoyés aux producteurs pour être utilisés comme contenu recyclé dans de nouveaux produits et emballages.

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: S 12/2024

Subject: Response to CQ 27-2023 Regarding Parking Spaces at Ford Test Track – Ward 5

Reference:

Date to Council: July 22, 2024
Author: Wadah Al-Yassiri
Manager, Parks Development
519-253-2300 Ext. 2740
walyassiri@citywindsor.ca
File # ST2024

To: Mayor and Members of City Council

Recommendation:

THAT the report on the Response to CQ 27-2023 Regarding Parking Spaces at Ford Test Track **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At the September 18, 2023 meeting of City Council, Councillor Sleiman asked the following question of Administration:

Asks that in light of parking complaints at the Ford Test Track, Administration be requested to report back to Council regarding designing and building 100 parking spaces at Ford Test Track on the former Gordon McGregor lands; and, that the report include financial information and budget allocations as required.

This report is in response to that question.

Following the question from the Councillor, Administration met to determine the current inventory and options for additional parking at Ford Test Track. At present time, there are four (4) parking lots surrounding Ford Test Track. There is one (1) large lot on the north end of the park (along Seminole St.), capable of hosting approximately 270 parking spaces. This lot has a granular surface and the parking spaces are not marked out or lined. There are two (2) lots on the south end (along Milloy St.), capable of hosting approximately 87 and 84 spots respectively. These lots are curbed, paved and lined for parking. There is also a lot on the west end of the park (off Alice St.), which is paved but not lined and capable of holding 34 spots. In total, there approximately 475 parking spots available at Ford Test Track. A map of all existing parking spaces can be seen in **Appendix A**. Below is a summary of the existing parking lots, their distance to

the closest field and information on a potential lot near the former Gordon McGregor lands.

Lot	475 Existing Spaces	Distance to Closest Field (m)
North End	**270**	**55**
South Lot 1	**87**	**80**
South Lot 2	**84**	**40**
West End	**34**	**35**
POTENTIAL NEW WEST END LOT	**66 Additional (541 total spaces)**	**80**

Discussion:

Administration discovered some challenges in terms of parking at Ford Test Track. It became apparent during discussions that while the lot at the north end of the park can hold approximately 270 parking spaces, because the lot is not clearly marked, vehicles are parking in manner which does not allow for the maximum amount of parking. In addition, Administration has learned that often times, park users will opt to use street parking in the surrounding area rather than use the lot at the north end – even when spots are available. Anecdotally, Administration believes the north and south end lots combined are being utilized at approximately 50% capacity. While the south end lots tend to be fuller, there is still parking availability in both the south and north lots during times of peak park usage. As a result, Administration will work with the current user groups of the park in order to promote the option for parking in the north end lot. Other additional options for Council to consider are:

Option 1 – Improve Existing Parking Lot with Parking Barriers in the North Parking Lot

Administration realizes that the parking lot located along Seminole St. is not being properly utilized likely because the parking spaces are not clearly marked out. This allows for users to park as they see fit which does not generally maximize the space available. A solution to this issue could be to properly mark the parking area in order to delineate the spaces using concrete parking curbs. This would ensure there are three (3) rows of parking being utilized. The lot would be graded, with additional granular added to improve the slope and drainage of the lot. Additional signage would also be placed indicating where cars could park. The cost associated with this option would be approximately $125,000 + applicable HST and would be subject to approvals and site plan control. It would take approximately 1 month to complete.

Option 2 – Additional Parking Lot at Gordon McGregor Lands

The second option to consider is to add a new parking lot on the Gordon McGregor Lands on the west end of the park along Alice St. This option can be seen as **Appendix B.** This lot would attach to the existing west lot containing 34 spots and would add additional parking of 66 spots to increase the total spaces to 100 (including 8 accessible spots). This option would allow for additional parking along the west side of the park. The cost to construct this new parking lot, which includes refurbishing, repaving and adding proper painting and lines to the existing lot would be approximately $1.25 million and would take 4 months to complete (weather permitting). This option would be subject to approvals and site plan control. **Appendix C** shows a map of the existing parking along with the addition of this potential new lot.

Risk Analysis:

There is little risk associated with a communication plan to reach out to user groups to request they utilize existing parking. There would be no cost associated with this option.

It has been noted that the suggested lot in Option 2 could create a slight risk related to cut through traffic due to the lot configuration. Administration will work with Site Plan Control to ensure proper traffic calming measures are put in place to mitigate that risk.

Climate Change Risks

Climate Change Mitigation:

Under the two options provided there would be no significant impact to the Community or Corporate greenhouse gas (GHG) inventories. Assuming that these changes will not impact the amount of vehicles driving to the site, any GHG emissions increases would be limited to the extent of construction for new parking areas.

Climate Change Adaptation:

Option 1 poses no additional climate risk to the area, as the impervious area at the Ford Test Track is not being increased. Any increases to the impervious area (i.e. Option 2) would have to address storm water volumes at the time of Site Plan Control.

Financial Matters:

The costs to proceed with Option 1 to improve the existing parking lot would be approximately $125,000 plus applicable HST. These costs include the associated labour, materials, and contingency that would be needed to complete Option 1.

If Council wishes to proceed with Option 2 for the additional parking lot at the former Gordon McGregor Lands, the costs for labour, material and contingency would be approximately $1.25 million plus applicable HST.

All pricing is subject to the tender bid results.

There is currently no funding within the approved 10 year capital budget that would provide sufficient funding for either Option 1 or Option 2.. Should City Council wish to proceed with either Option 1 or Option 2, direction on the preferred option will need to be provided to Administration and that direction would be taken into consideration in the development of the 2025 capital plan.

Consultations:

Emilie Dunnigan - Manager, Development Revenue and Financial Administration
Trevor Duquette – Supervisor, Parks Projects
Hoda Kameli – Landscape Architect
Canberk Yilmaz – Draftsperson IV
Natasha Gabbana – Senior Manager, Asset Planning
Karina Richters – Supervisor, Environmental Sustainability & Climate Change
Juan Paramo – Development Engineer
Shawna Boakes – Executive Director of Operations, Deputy City Engineer
Jason Campigotto – Deputy City Planner, Growth
Brian Velocci – Planner III, Site Plan Approval Officer
Adam Pillon – Manager of Right-of-Way
Patrick Winters – Manager, Development Engineering

Conclusion:

Administration has presented Council with two options for parking at Ford Test Track. If Council wishes to proceed with either of these options, a funding source would need to be identified as part of the 2025 budget process.

Planning Act Matters:

N/A

Approvals:

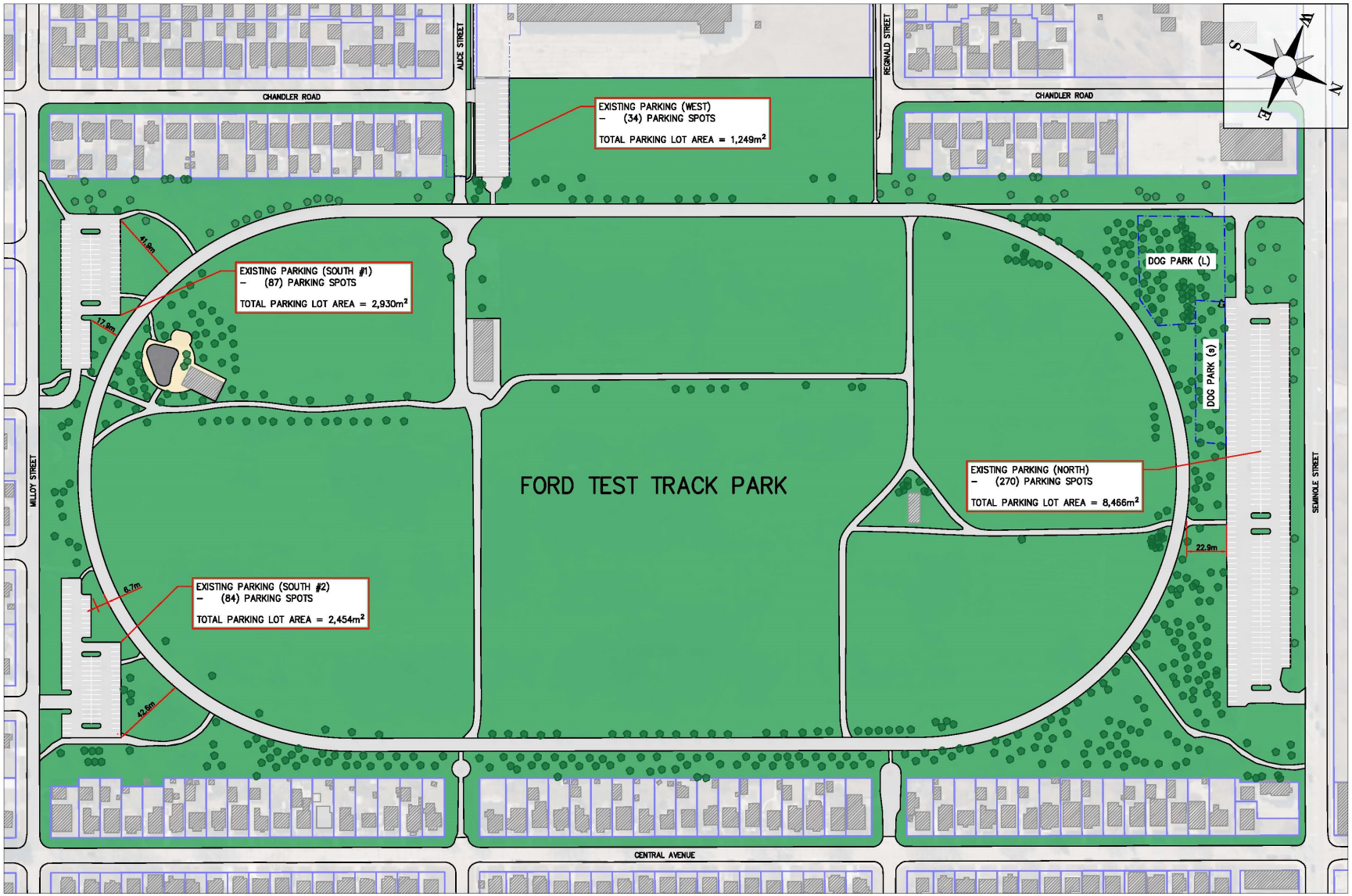
Name	Title
Samantha Magalas	EIC, Community Services
Erika Benson	FPA, Parks
Wadah Al-Yassiri	Manager, Parks Development
James Chacko	Executive Director, Parks and Facilities
Alex Vucinic	Manager of Purchasing & Risk Management
Ray Mensour	Commissioner, Community Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

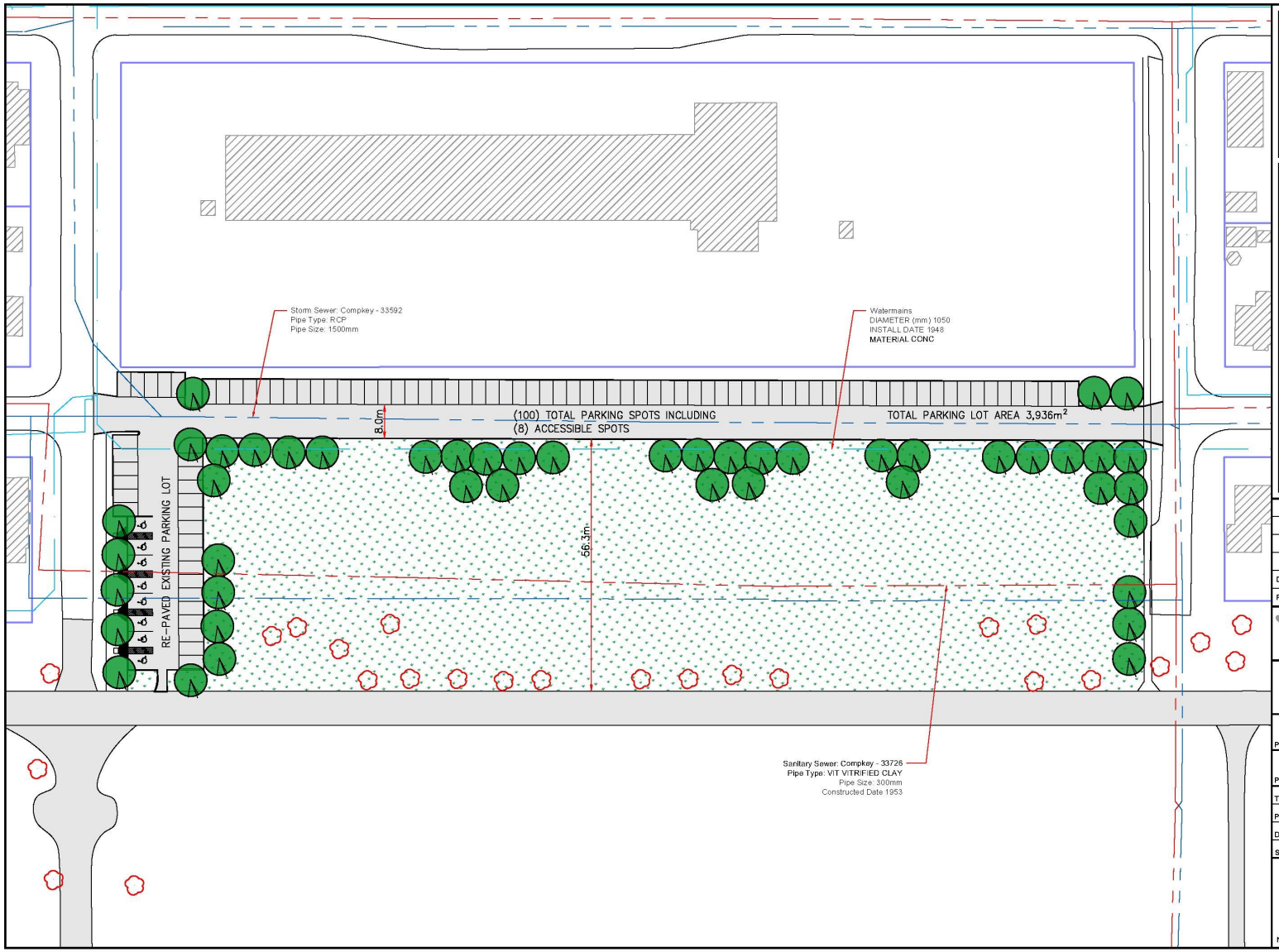
Notifications:

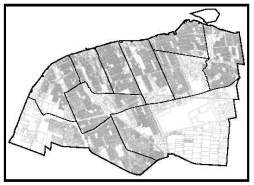
Name	Address	Email

Appendices:

1 Appendix A - Ford Test Track Existing Parking Map
2 Appendix B – Proposed New West Lot Parking Option
3 Appendix C - Full Parking Map with Proposed Option 2 Lot


CHANDLER ROAD
ALICE STREET
REGINALD STREET
CHANDLER ROAD
EXISTING PARKING (WEST)
– (34) PARKING SPOTS
TOTAL PARKING LOT AREA = 1,249m²
41.9m
EXISTING PARKING (SOUTH #1)
– (87) PARKING SPOTS
TOTAL PARKING LOT AREA = 2,930m²
17.9m
DOG PARK (L)
DOG PARK (S)
MILLOY STREET
FORD TEST TRACK PARK
EXISTING PARKING (NORTH)
– (270) PARKING SPOTS
TOTAL PARKING LOT AREA = 8,466m²
SEMINOLE STREET
22.9m
6.7m
EXISTING PARKING (SOUTH #2)
– (84) PARKING SPOTS
TOTAL PARKING LOT AREA = 2,454m²
42.6m
CENTRAL AVENUE
N
E
S
W





LEGEND:

- STORM SEWER
- WATERMAINS
- SANITARY SEWER
- PROPOSED TREE
- EXISTING TREE
- SOLAR LIGHT
- CONCRETE
- ASPHALT
- EXISTING UNIT PAVING
- BIOSWALE/ BIORETENTION POND
- NEW TREES At Least 9.0-10.0m@Center

Date	Issued for
Revisions	

THE CITY OF WINDSOR ONTARIO, CANADA

CITY OF WINDSOR
PARKS & FACILITIES
2450 MCDOUGALL ST. WINDSOR, ONTARIO N8X 3N6 (519) 253-2300

Park: FORD TEST TRACK PARK
3001 SEMINOLE STREET

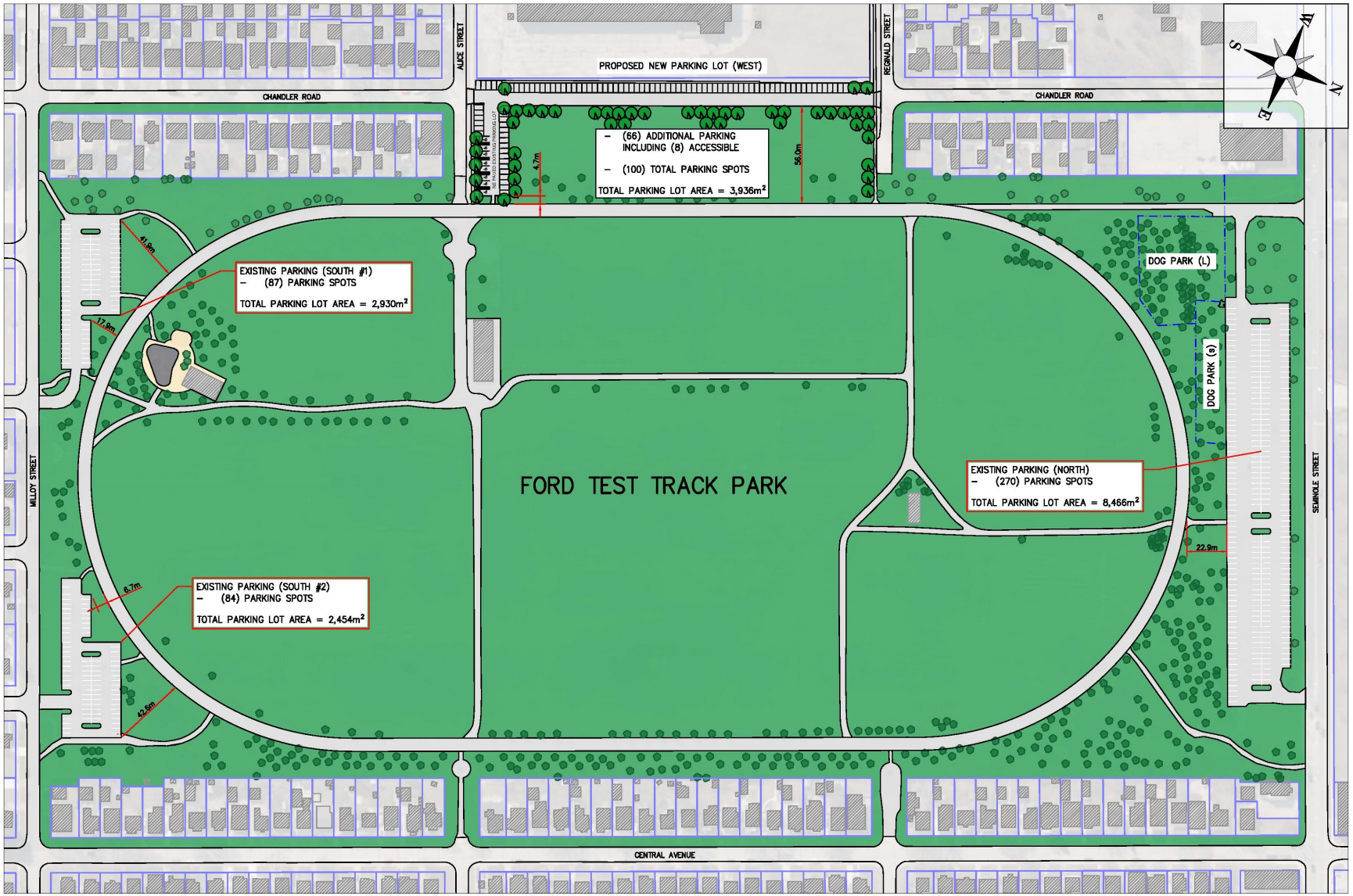
Project: PROPOSED WEST PARKING LOT
FINAL OPTION

Tender No.	XXX	Drawn	C.Y.
Project No.	XXX	Design	C.Y.
Date	JUNE 13, 2024	Reviewed	XX
Scale	1:20	Approved	XX

North

11 X 17 LANDSCAPE

Sheet No. 1 OF 1


PROPOSED NEW PARKING LOT (WEST)
ALICE STREET
REGINALD STREET
CHANDLER ROAD
CHANDLER ROAD
- (66) ADDITIONAL PARKING INCLUDING (8) ACCESSIBLE
- (100) TOTAL PARKING SPOTS
TOTAL PARKING LOT AREA = 3,936m²
4.7m
56.0m
41.9m
17.9m
EXISTING PARKING (SOUTH #1)
- (87) PARKING SPOTS
TOTAL PARKING LOT AREA = 2,930m²
DOG PARK (L)
DOG PARK (s)
FORD TEST TRACK PARK
EXISTING PARKING (NORTH)
- (270) PARKING SPOTS
TOTAL PARKING LOT AREA = 8,466m²
22.9m
MILLOY STREET
SEMINOLE STREET
6.7m
EXISTING PARKING (SOUTH #2)
- (84) PARKING SPOTS
TOTAL PARKING LOT AREA = 2,454m²
42.6m
CENTRAL AVENUE
W
S
N
E

Council Report: C 81/2024

Subject: Delegation of Authority Annual Report for the Period January 1, 2023 - December 31, 2023 (City Wide)

Reference:

Date to Council: July 22, 2024
Author: Pina Ciotoli
Executive Administrative Assistant
Suite 520, 350 City Hall Square West
(519) 255-6100 x 6609

Report Date: 7/3/2024
Clerk's File #: AS/7748

To: Mayor and Members of City Council

Recommendation:

THAT the Delegation of Authority Summary Report for the period of January 1, 2023 through December 31, 2023 **BE RECEIVED** for information; and,

THAT City Council **APPROVE** the amendment to the Delegation of Authority By-law 208-2008 by replacing Section 3.10 regarding Letters of Support for Community Festivals and/or Outdoor Events with the following:

> Letters of support from the Executive Director, Recreation and Culture or delegate for Community Festivals and/or Outdoor Events, subject to the Executive Director, Recreation and Culture or delegate submitting the request to Council's attention as a communication for Council's information coincidental to the submission of the letter of support; and,

THAT City Council **APPROVE** the amendment to the Delegation of Authority By-law 208-2008 by replacing Section 3.32 regarding Court Security and Prisoner Transportation with the following:

> Authority for the Chief Administrative Officer and City Clerk to execute any future agreements with the Province of Ontario represented by the Ministry of the Solicitor General, or associated Ministry, which may be necessary in conjunction with the participation in Court Security and Prisoner Transportation (CSPT) Program satisfactory in technical content to the Chief of Police or designate, in form to the City Solicitor or designate and in financial content to the City Treasurer or designate; and,

THAT City Council **APPROVE** the amendment to the Delegation of Authority By-law 208-2008 by replacing Section 3.38 regarding Establishing New Bank Accounts with the following per CR338/2023:

Authority for the Chief Administrative Officer to approve the following:

1) Administrative reports associated with establishing new bank accounts where the signing authorities will be the Mayor and the Chief Financial Officer/City Treasurer;

2) Administrative requests associated with establishing new investment bank accounts where the signing authorities will be the Chief Financial Officer/City Treasurer PLUS any one of the four Deputy Treasurers; and,

THAT City Council **APPROVE** the addition of a new item to the Delegation of Authority By-law 208-2008 that authorizes the Chief Administrative Officer to hire positons outside the approved staff establishment provided the cumulative cost of such approvals does not exceed the one time upset limit of $500,000 approved and funded from BSR in the 2022 Operating Budget per CR 336/2022; and,

THAT City Council **APPROVE** the addition of a new item to the Delegation of Authority By-law 208-2008 that authorizes the Chief Administrative Officer to review and approve standardized reports regarding the “Performance Appraisal Corporate Status” per CR315/2023; and,

THAT City Council **APPROVE** the addition of a new item to the Delegation of Authority By-law 208-2008 to authorize the Chief Administrative Officer to review and approve standardized reports regarding the “Snow Angels Volunteer Acknowledgements”; and,

THAT City Council **APPROVE** the addition of a new item to the Delegation of Authority By-law 208-2008 to authorize the Chief Administrative Officer to review and approve standardized reports regarding the “Summary of Ministry of Labour and Labour Canada Visits”; and,

THAT City Council **APPROVE** the addition of a new item to the Delegation of Authority By-law 208-2008 to authorize the Chief Administrative Officer to review and approve standardized reports regarding the “Compliance with Applicable Laws and Regulations”; and further,

THAT City Council **AUTHORIZE** the City Solicitor to amend the Delegation of Authority By-law 208-2008 to reflect the changes as outlined in this report (C 81/2024).

Executive Summary:

N/A

Background:

The objective of the Delegation of Authority (DOA) process is to reduce the number of general administrative reports requiring City Council approval by delegating administrative responsibilities to senior management staff. This process is designed to

streamline the council agenda, speed up delivery of standard approvals, improve customer service and allow City Council more time to focus on policy, strategic planning, and major issues facing our city.

The DOA process was first approved in November 2004 (CR1063/2004, By-law 389-2004) and further consolidated as By-law 208-2008 in December 2008 in order to include additional items City Council had delegated to the Chief Administrative Officer (CAO) since the original by-law was drafted. Since then, as new items are delegated by City Council to the CAO for approval, By-law 208-2008 is updated accordingly.

It is noted that all items approved by the CAO through this process are reported to City Council annually through this report.

Discussion:

Recommended Amendments to the Delegation of Authority By-law 208-2008

Two (2) sections currently included in the Delegation of Authority By-law 208-2008 require minor amendments:

- **Section 3.10**

Per the current by-law, letters of support for community festivals and/or outdoor events are delegated to the City Clerk. As special events fall under the Office of the Commissioner of Community Services and other similar delegation has been provided to the Executive Director, Recreation and Culture, the request for amendment reflects the change in delegation from City Clerk to Executive Director, Recreation and Culture or delegate.

- **Section 3.32**

The Court Security and Prisoner Transportation (CSPT) Program provides provincial subsidies to municipalities to offset municipal costs associated with providing security to provincial courthouses and transporting prisoners to and from those facilities. This program was previously represented by the Ministry of Community Safety and Correctional Services and is now represented by the Ministry of the Solicitor General. The request for amendment reflects this change.

Recommended Additions to the Delegation of Authority By-law 208-2008

Two (2) new sections that pertain to standardized reports, often shared with City Council for information purposes only, are being recommended to be added to the Delegation of Authority By-law 208-2008. Moving each of the recommended Council reports to a DOA Report will streamline the number of general administrative reports coming before City Council and allow for more efficient and timely evaluation.

- **Ministry of Labour and Canada Labour Code Report**

The Ministry of Labour (MOL) is a Government of Ontario Program that helps protect workers and settle workplace disputes. The Canada Labour Code (CLC) offers similar services at the Federal level. Beginning in 2017, a practice was established by Human Resources whereby a summary report would be provided to City Council semi-annually

to identify the circumstances and outcomes for each site visited by the MOL or CLC. Human Resources is requesting that the summary of visits made to City facilities be reported on a semi-annual basis to the CAO to enable the ability to identify employment related issues or injury trends and ensure compliance with Health & Safety legislation. Any appeals made to the MOL or CLC, plus any orders that may constitute a major issue to the Corporation will continue to be reported to City Council when they occur.

- **Snow Angels Volunteer Acknowledgements**

The Snow Angel Program has been in place since 1999 with a view to sustaining Windsor's image as a diverse, inclusive and accessible community. The Snow Angel Program promotes responsive municipal services while developing and creating new partnerships in order to assist with emerging community needs. The purpose of the program is to assist seniors and persons with physical disabilities. Further, the program aids in fulfilling the requirements under Municipal Code 617, By-law #8544 that notes owners and/or tenants must remove snow or ice in front of, alongside and at the rear of their property within twelve (12) hours following the snowfall or formation of ice. Administration will continue to work with the CAO and CLT on an annual basis to generate additional interest and build upon the existing volunteer base thus allowing more residents to be assisted.

Updates to the Delegation of Authority By-law 208-2008 Previously Approved by City Council

City Council occasionally approves items to be added to the DOA By-law during regular council business. The summary below reflects a brief outline of four (4) items that have already been delegated to the CAO but had not yet been formally added to the DOA By-law. As a housekeeping measure, the following items will now be included in the updated by-law.

- **Section 3.38**

The amendment to Section 3.38, was for the inclusion of approval of administrative requests associated with establishing new investment related bank accounts where signatories will be the Chief Financial Officer/City Treasurer PLUS any one of the four Deputy Treasurers. This amendment is consistent with the decision of City Council per CR338/2023.

- **Compliance with Applicable Laws and Regulations**

The quarterly update of compliance with respect to applicable laws and regulations / inquiries received from government agencies was previously submitted as an agenda item to the Corporate Services Standing Committee of City Council. In the 2021 Q1 update, Administration noted the intention to transition future compliance updates to the CAO as part of the DOA By-law (CM 10/2021; CR 180/2021).

- **Hiring Positions Outside Approved Staff Establishment**

In instances where additional staff are required due to heavy workload or increased department demand, and when departmental staff are approaching retirement and have expressed their intent to retire, the Corporation would like the ability to hire permanent placements instead of temporary placements for continuity of services, attracting larger pools of candidates and succession planning purposes. Typically, permanent positions solicit a different and often higher quality candidate than temporary contracts, and as we expand our Corporate workforce, hiring permanently over-complement would allow the opportunity to hire candidates who can spend ample time learning from long tenured employees prior to their retirement. Further, most potential candidates would not want to leave their current permanent position for a temporary contract within the Corporation.

To accomplish this, Human Resources proposed an update to the DOA By-law to provide the CAO the ability to hire outside the budgeted permanent establishment, within the prescribed parameters established by Administration and to be monitored by both the Finance and Human Resources Departments. Departments wishing to partake in utilizing this fund would be responsible for submitting a DOA report requesting approval from the CAO, outlining the unique need for hiring an over-complement position, including the inherent risk to the Corporation should we not move forward as such. Departments would be expected to carry the additional position for a limited period, until such time that the outgoing incumbent retires and the additional position is eliminated and the budgeted staff complement is restored. Should incumbents choose to delay retirement or restructuring takes place during that same period, departments would be required to fund the additional position within their budgeted staff complement.

A corresponding policy will be prepared to define the scope and parameters outlining the utilization of these funds. All positions approved in the DOA's would subsequently be reported to City Council through the annual DOA By-law summary report. This amendment is consistent with the decision of City Council per CR 336/2022.

- **Performance Appraisal Corporate Status Report**

Performance appraisals are an integral part of assisting managers in achieving departmental and corporate objectives. As an effective communication tool, the performance appraisal allows employees and their managers the opportunity to discuss employee's performance, career goals, and the overall objectives of the Corporation. Properly constructed performance appraisals encourage trust between employees and managers, which can lower the distracting factors that impact an employee's job performance. The CAO has made it a top priority to ensure employees throughout the Corporation receive their annual Performance Appraisal and will be working with the CLT to ensure these are completed. The Performance Appraisal Corporate Status Report provides the overall rating of performance appraisals completed. This item was delegated to the CAO on an annual basis per CR315/2023.

Reporting Results for January 1, 2023 to December 31, 2023

During 2023, a total of 482 reports were processed under "Delegation of Authority". The top three (3) types of DOA reports approved in 2023 were: reports authorized by the

Purchasing By-law (33.4%), City as Lessor; Grantor; Grantee (18.5%) and reports pertaining to staffing through CAO By-law 218-2002 (12.2%). A summary listing all approved administrative reports under delegated authority during 2023 is attached for City Council's review (Appendix B).

Also attached for this time period, is a spreadsheet outlining the report types approved for each Ward as well as a chart further illustrating the breakdown by report type (Appendices A and C).

Risk Analysis:

The level of corporate risk is minimized by virtue of the Chief Administrative Officer By-law 218-2002, the Delegation of Authority By-law 208-2008, and the Purchasing By-law 93-2012 which clearly outline approval and spending limits. Items outside the authority of these by-laws are not approved by Administration without a Council Resolution to do so. The $150,000 limit for CAO approval of expenditures as set out in the Purchasing By-law exists as one example of ongoing risk mitigation for the Corporation.

It is noted that with a previously approved amendment to the Purchasing By-law, the CAO may approve a requisition and make an award of a Request for Tender (RFT) greater than $150,000 provided the funds have been included in the Council-approved Operating Budget or Capital Budget, and the RFT Response does not exceed that approved budget. This does not include Requests for Proposals (RFPs) which still require City Council approval for amounts greater than $150,000.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Dawn LaMontagne, Purchasing Supervisor
Lorie Gregg, Deputy Treasurer
Marco Aquino, Manager of Administration – Finance
Vincenza Mihalo, Executive Director, Human Resources
Ray Mensour, Commissioner, Community Services

Conclusion:

This report, for the period of January 1, 2023 to December 31, 2023, is provided to City Council to fulfill an ongoing commitment for submitting summary reports outlining items approved under delegated authority as a means of monitoring all matters approved under the Delegation of Authority By-law.

Planning Act Matters:

N/A

Approvals:

Name	Title
Larissa McCorkell	Senior Manager of Administration / Executive Assistant to the Chief Administrative Officer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1. Appendix A - Spreadsheet by Type and Jurisdiction 2023
2. Appendix B - Listing of Reports Approved Under Delegation of Authority 2023
3. Appendix C - Delegation of Authority Chart 2023

APPENDIX A

Spreadsheet by Type and Jurisdiction

For Period January 1, 2023 to December 31, 2023

DELEGATION OF AUTHORITY ITEM	1	2	3	4	5	6	7	8	9	10	City Wide	Combined	Grand Total
Accounts Receivable Interest Write Off	0	0	0	0	0	0	0	0	0	0	2	0	2
Administrative Matters (delegated by CR232/2012)	1	1	5	0	1	0	0	0	1	0	38	1	48
Administrative Matters (formerly CR1413/87)	2	3	7	4	0	1	2	2	2	3	0	0	26
Appointment of Drainage Engineer	1	0	0	0	0	0	0	0	0	3	0	0	4
By-Law Amendments	0	1	1	0	0	0	0	1	0	0	5	7	15
CAO By-Law	0	0	0	0	0	0	0	0	0	0	59	0	59
City as Lessor; Grantor; Grantee	8	18	15	2	20	3	1	4	11	3	0	4	89
Energy Initiative Projects	0	0	0	0	0	0	0	0	0	0	1	0	1
Grant Application	0	2	1	1	1	0	1	0	0	0	10	1	17
Letter of Support	0	1	2	0	1	0	0	0	1	0	12	1	18
Local Taxation of Minutes of Settlement	1	0	0	0	0	0	0	0	0	0	0	0	1
Noise By-Law Exemption	0	1	0	0	0	0	0	0	1	0	0	0	2
Property Transactions	0	3	1	0	1	6	2	0	1	3	0	0	17
Purchasing By-Law	13	8	11	4	1	5	9	2	6	0	82	20	161
Sewer Agreement	0	1	2	1	1	0	0	0	0	1	0	0	6
Short Term Use of Facilities	0	0	0	0	0	0	0	3	2	0	0	0	5
Sidewalk Sales	0	0	0	2	0	0	0	0	0	0	0	0	2
Special Event / Road Closure	0	0	0	0	0	0	0	0	0	0	0	1	1
Student and Youth Employment Opportunities Programs	0	0	0	0	0	0	0	0	0	0	1	0	1
Use of Tourism Reserve Fund (CR427/2018)	0	0	0	0	0	0	0	0	0	0	3	0	3
Vending Zone Agreement	0	0	0	0	0	0	0	0	0	0	0	1	1
Vendor Discount	0	0	0	0	0	0	0	0	0	0	1	0	1
Waiver of Fees	0	0	1	0	0	0	0	0	0	0	0	0	1
West Nile Larviciding Requirements	0	0	0	0	0	0	0	0	0	0	1	0	1
Grand Total	**27**	**40**	**36**	**14**	**26**	**15**	**15**	**12**	**25**	**13**	**214**	**36**	**482**

*The following reports are P&C and not detailed in this report:

- Most of the reports categorized as “CAO By-Law” relating to personnel matters approved under By-law 218-2002: CAO 297/2022; CAO 326/2022; CAO 12/2023; CAO 14/2023; CAO 26/2023; CAO41/2023; CAO 54/2023; CAO 56/2023; CAO 59/2023; CAO /74/2023; CAO 85/2023; CAO 86/2023; CAO 88/2023; CAO 93/2023; CAO 95/2023; CAO 97/2023; CAO 112/2023; CAO 120/2023; CAO126/2023; CAO 136/2023; CA 139/2023; CAO 145/2023; CAO 152/2023; CAO 153/2023; CAO 162/2023; CAO 167/2023; CAO 168/2023; CAO 197/2023; CAO 202/2023; CAO 203/2023; CAO 206/2023; CAO 207/2023; CAO 215/2023; CAO 219/2023; CAO 220/2023; CAO 224/2023; CAO 225/2023; CAO 227/2023; CAO 230/2023; CAO 233/2023; CAO 237/2023; CAO 247/2023; CAO 253/2023; CAO 274/2023; CAO 280/2023; CAO 281/2023; CAO 282/2023; CAO 288/2023; CAO 298/2023; CAO 300/2023; CAO 307/2023; CAO 311/2023; CAO 312/2023; CAO 320/2023; CAO 321/2023; CAO 324/2023; CAO 332/2023; CAO 333/2023
- Most of the reports categorized as “Legal Matters” relate to property transactions, City as Lessor/Grantor/Grantee, Purchasing By-Law or Administrative Matters (delegated by CR232/2012): CAOP 47/2023; CAO 58/2023; CAO 69/2023; CAO 70/2023; CAO 73/2023; CAO 84/2023; CAO 86/2023; CAO 87/2023, CAO 96/2023; CAO 100/2023; CAO 106/2023; CAO 113/2023; CAO 129/2023; CAO 131/2023; CAO 134/2023; CAO 149/2023; CAO 151/2023, CAO 173/2023; CAO 178/2023, CAO 209/2023, CAO 245/2023; CAO 257/2023; CAO 259/2023, CAO 261/2023, CAO 265/2023; CAO 266/2023, CAO 271/2023; CAO 275/2023; CAO 279/2023, CAO 286/2023; 290/2023, CAO 310/2023; CAO 316, 2023; CAO 317/2023, CAO 319/2023, CAO 325/2023, CAO 329/2023, CAO 336/2023

APPENDIX B

Listing of Reports Approved under Delegation of Authority
January 1, 2023 – December 31, 2023

Ward 1

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 160/2022	Agreement between City and Diane M O'Connor for hairdresser/barber onsite services to Huron Lodge residents Type: Exemption to Bylaw 93-2012 Financials: $24,000 annually excluding HST	Approved January 26, 2023	Purchasing By-Law
CAO 297/2022	P&C: Personnel Matter Financials: N/A	Approved January 19, 2023	CAO By-Law
CAOP 3/2023	Agreement between City and KR Communications for purchase of hands-free phone system replacement at Huron Lodge Type: Sole Source Financials: $140,987 excluding HST	Approved January 12, 2023	Purchasing By-Law
CAOP 10/2023	Agreement amendment between City and CareRX for provision of pharmacy services for residents of Huron Lodge Long Term Care Home Type: Sole Source Financials: $10,000/annually excluding HST	Approved February 16, 2023	Purchasing By-Law
CAOP 26/2023	Agreement amendment between City and Cardinal Health Canada Inc for extension to provide nursing supplies and incontinent products to residents of Huron Lodge for 1 year term Type: Sole Source Financials: $100,000 excluding HST	Approved March 21, 2023	Purchasing By-Law
CAOP 27/2023	Agreement between City and Amico Infrastructures Inc. for Cabana Corridor Improvements Phase 4, Highway 3 to Mount Carmel Drive and amend existing agreement between City and Dillon Consulting Limited for consulting services of Cabana Corridor Improvements project between Hwy 3 and Dougall Ave Type: RFT 151-22 Financials: $17,839,999 excluding HST (CR273/2019)	Approved March 6, 2023	Purchasing By-Law

CAO 92/2023	Lease Agreement: Alzheimer Society of Windsor and Essex County Huron Lodge, Basement Unit, 1881 Cabana Rd W. Term: April 1, 2023-March 31, 2028 Financial Revenue: $26,296.77/annually excluding HST	Approved March 31, 2023	City as Lessor; Grantor: Grantee
CAOP 93/2023	Agreement between City and MealSuite Inc and Sysco Canada Inc for purchase of "MealSuite's Foodservice Technology Platform and Related Cloud-based Services" at Huron Lodge Type: Sole Source Financials: $162,280.33 excluding HST for 5 year term (B5/2023)	Approved November 17, 2023	Purchasing By-Law
CAOP 102/2023	Agreement between City and MED e-care Healthcare Solutions Inc for purchase of "Web Hosted Archival System" and software archival licencing agreement at Huron Lodge Type: Sole Source Financials: $17,500 excluding HST	Approved July 18, 2023	Purchasing By-Law
CAO 106/2023	P&C: Property Matter Financials: N/A	Approved April 17, 2023	City as Lessor; Grantor: Grantee
CAOP 121/2023	Agreement amendment between City and Active Health Services Ltd. o/a Lifemark Seniors Wellness Financials to provide physiotherapy services to residents of Huron Lodge Type: RFP 45-19 Financials: $8,536 excluding HST	Approved September 13, 2023	Purchasing By-Law
CAO 123/2023	Consent to Enter: Habitat for Humanity to enter 1360 Titcombe for interior work Term: May 1, 2023 to June 30, 2023 Financials: N/A	Amendment Approved June 2, 2023	City as Lessor; Grantor: Grantee
CAO 129/2023	P&C: Property Matter Financials: N/A	Approved May 2, 2023	Local Taxation of Minutes of Settlement
CAO 133/2023	Correcting Deed: 5610 Malden Rd Financials: $1.00 excluding HST	Approved May 16, 2023	Administrative Matters (formerly CR1413/87)
CAO 148/2023	Lease Agreement: George Durocher and Sons Inc. 4365 Sandwich St Term: May 1, 2023-April 30, 2024 Financial Revenue: $1,925/annually excluding HST	Approved May 31, 2023	City as Lessor; Grantor: Grantee

CAOP 150/2023	Agreement Amendment between City and Brite Linen & Laundry Services to extend linen and laundry contract for a month-to-month term beyond November 30, 2023 Type: RFT 122-19 Financials: $43,697/month inclusive of non-recoverable HST (B27/2024)	Approved November 7, 2023	Purchasing By-Law
CAOP 161/2023	Agreement between City and Aramark Canada Ltd for laundry and linen service at Huron Lodge for two year term ending December 31, 2025; and approval of one time purchase of linens Type: Sole Source Financials: $499,425.42 excluding HST (B4/2023)	Approved November 23, 2023	Purchasing By-Law
CAOP 163/2023	Agreement between City and Handicare Canada Inc. for purchase of equipment for decommissioning and replacement of 35 ceiling lifts at Huron Lodge Type: Sole Source Financials: $114,945.63 excluding HST	Approved December 12, 2023	Purchasing By-Law
CAO 164/2023	Lease Agreement: CAW Local 200 Computer for Kids 4150 Sandwich St. Term: July 1, 2023-June 30, 2024 Financial Revenue: $15,789.80/annually excluding HST	Approved June 6, 2023	City as Lessor; Grantor: Grantee
CAO 176/2023	Agreement between City and CareRx to provide Pharmacy Services at Huron Lodge for 3 year term with option to extend for up to one 2 year term Type: RFP 49-23 Financial Revenue: $10,000/annually excluding HST	Approved June 29, 2023	Purchasing By-Law
CAO 190/2023	License Agreement: Windsor South Canadian Little League Veterans Memorial Park Batting Cage Term: July 1, 2023-June 30, 2024 Financial Revenue: $1/annually excluding HST plus $1,500 security deposit	Approved June 27, 2023	City as Lessor; Grantor: Grantee
CAO 204/2023	Correcting Deed: 3105 California Ave Financials: $1.00 excluding HST	Approved July 24, 2023	Administrative Matters (formerly CR1413/87)
CAO 212/2023	Appointment of Rood Engineering Inc as Drainage Engineer to prepare engineer's report for improvements to Sprucewood Ave Drain Financials: N/A	Approved August 1, 2023	Appointment of Drainage Engineer
CAO 254/2023	Consent to Enter: Essex and Kent Scottish Regiment to utilize parking lot at 4255 Sandwich St Term: September 21, 2023 to	Approved September 18, 2023	City as Lessor; Grantor: Grantee

	September 24, 2023 Financials: N/A		
CAO 263/2023	Agreement between City and Cardinal Health Canada Inc. for replacement of four feeding pumps at Huron Lodge Long Term Care Home Financials: N/A	Approved October 18, 2023	Purchasing By-Law
CAO 264/2023	Agreement between City and KR Communications Ltd for purpose of NEC End User Licence Agreement for Huron Lodge Financials: $140,987 excluding HST	Approved October 18, 2023	Administrative Matters (delegated by CR232/2012)
CAO 268/2023	Consent to Enter: Spectrum Fence Inc. to enter part of 4370 Mitchell Cres licensed to Windsor South Canadian Little League by license agreement expiring June 30, 2024 Term: October 16, 2023 to November 3, 2023 Financials: N/A	Approved October 16, 2023	City as Lessor; Grantor: Grantee

Ward 2

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 162/2022	Agreement between City and Facca Inc additional funding to existing contract Type: RFT 63-22 Financials: $47,800 excluding HST	Approved January 9, 2023	Purchasing By-Law
CAO 4/2023	Agreement between Windsor Police Services Board and St. Clair College for use of Major F.A. Tilston, V.C. Armoury and Police Training Centre, 4007 Sandwich St Term: September 1, 2022-April 30, 2024 Financial Revenue: $500/annually excluding HST	Approved March 31, 2023	City as Lessor; Grantor: Grantee
CAO 9/2023	Lease Agreement Termination: Sharon Sleiman 3277 Sandwich St, Unit 8 Lease Agreement: Kelly MacDonald, 3277 Sandwich St, Unit 8 Term: February 1, 2023-January 31, 2024 Financial Revenue: $977.22/annually excluding HST	Approved January 20, 2023	City as Lessor; Grantor: Grantee
CAO 18/2023	Storm Sewer Encroachment: 3493-3499 Sandwich St Financial Revenue: $970.85 excluding HST	Approved March 22, 2023	Administrative Matters (formerly CR1413/87)
CAO 20/2023	Utility Encroachment: 2139 Huron Church Rd Financial Revenue: $970.85 excluding HST	Approved March 22, 2023	Administrative Matters (formerly CR1413/87)
CAOP 23/2023	Agreement between City and Trojan Technologies for purchase of UV Disinfection Wiper Cylinders Type: Sole Source Financials: $113,620 excluding HST	Approved March 9, 2023	Purchasing By-Law

CAO 27/2023	Sanitary Sewer Replacement: 3453 Girardot St Financials: No cost to City. Owner's Cost: $10,695	Approved February 9, 2023	Sewer Agreements
CAO 37/2023	License Agreement: Windsor Athletic Association Malden Park Yard Term: March 1, 2023-February 29, 2024 Financial Revenue: $1,677.50/annually excluding HST	Approved February 7, 2023	City as Lessor; Grantor: Grantee
CAO 40/2023	License Agreement: His Majesty The King in Right of the Province of Ontario to erect a sign on southwest corner of Millen St and Huron Church Rd Term: January 1, 2023-December 31, 2026 Financial Revenue: Nil	Approved February 7, 2023	City as Lessor; Grantor: Grantee
CAO 43/2023	License Agreement: Patrick Hansor 3277 Sandwich St., Unit 9 Term: March 1, 2023-February 29, 2024 Financial Revenue: $2,997/annually excluding HST	Approved February 16, 2023	City as Lessor; Grantor: Grantee
CAOP 50/2023	Agreement between City and R.C. White Ltd. for concrete repairs at the Lou Romano Water Reclamation Plant access tunnels Type: RFT 13-23 Financials: $184,628.99 excluding HST (B5/2023)	Approved April 13, 2023	Purchasing By-Law
CAO 68/2023	License Agreement: Windsor Minor Football Association Mic Mac Park Term: April 1, 2023-March 31, 2024 Financial Revenue: $1,718.37/annually excluding HST	Approved March 9, 2023	City as Lessor; Grantor: Grantee
CAO 102/2023	Fence Encroachment: 786 Partington Ave Financial Revenue: $1,898.60 excluding HST	Approved May 1, 2023	Administrative Matters (formerly CR1413/87)
CAOP 108/2023	Agreement between City and Integral Pro Inc. for Lou Romano Water Reclamation Plant refurbishment of BAF Cells 4, 5, 9, 12 Type: RFT 79-23 Financials: $599,031.70 excluding HST (B5/2023)	Approved August 1, 2023	Purchasing By-Law
CAO 113/2023	P&C: Property Matter Financials: N/A	Approved April 21, 2023	Property Transactions
CAOP 113/2023	Agreement between City and Dillon Consulting Ltd. for main pump house confined space elimination at Lou Romano Water Reclamation Plant Type: RFP 70-23 Financials: $314,500 excluding HST (B5/2023)	Approved August 2, 2023	Purchasing By-Law
CAO 117/2023	Lease Agreement: Big Brothers Big Sisters Windsor Essex 3277 Sandwich St, Room 30 and Studio 2 Term: May 1, 2023-April 30, 2024 Financial Revenue: $27,237.70/annually excluding HST	Approved April 27, 2023	City as Lessor; Grantor: Grantee
CAOP 162/2023	Agreement between City and Stantec Consulting Ltd for design and contract administration services for Sodium Hypochlorite Storage and Feed System Upgrades at Lou Romano Water Reclamation Plant Type: RFP 134-23 Financials: $299,313.12 excluding HST (B6/2021, B28/2021)	Approved November 23, 2023	Purchasing By-Law
CAO 163/2023	Lease Agreement: Sunshine Forcier 3277 Sandwich St, Unit 11 Term: June 1, 2023-May 31, 2024 Financial Revenue: $3,976.50/annually excluding HST	Approved June 7, 2023	City as Lessor; Grantor: Grantee
CAOP 164/2023	Agreement between City and Salex Inc (CAOP 142/2023) be rescinded Type: Sole Source Financials: $102,318.72 excluding HST	Approved November 27, 2023	Purchasing By-Law

CAO 166/2023	Amendment to Alley Closing By-Law 16-2022 Financials: N/A	Approved August 1, 2023	By-Law Amendments
CAOP 166/2023	Agreement between City and Trojan Technologies for supply and delivery of Trojan lamps & maintenance parts for Trojan UV 3000 Plus system Type: Sole Source Financials: $121,410.28 excluding HST	Approved November 30, 2023	Purchasing By-Law
CAO 192/2023	Lease Agreement: Sharon Sleiman 3277 Sandwich St., Unit 12 Term: September 1, 2023-August 31, 2024 Financial Revenue: $4,053.86/annually excluding HST	Approved June 29, 2023	City as Lessor; Grantor: Grantee
CAO 209/2023	P&C: Property Matter Financials: N/A	Approved July 25, 2023	City as Lessor; Grantor: Grantee
CAO 221/2023	Letter of Support: Saint Elizabeth Foundation/Journey Home Hospice - Community Benefit Programming Plan Application Financials: N/A	Approved August 14, 2023	Letter of Support
CAO 235/2023	Consent to Enter: Plains Midstream Canada ULC and its employees, agents and contractors to enter part of 4631 Ojibway Parkway, north of EC Row and west of Matchett Rd Term: September 1, 2023 to March 31, 2024 Financials: N/A	Approved September 13, 2023	City as Lessor; Grantor: Grantee
CAO 240/2023	Lease Agreement: Common Ground Art Gallery 3277 Sandwich St, Rm 40 Term: August 1, 2023-July 31, 2024 Financial Revenue: $7,159.39/annually excluding HST	Approved September 21, 2023	City as Lessor; Grantor: Grantee
CAO 244/2023	Agreement between City and Dylan Durward, 3514 Queen St, for grants under Neighbourhood Residential Rehabilitation Grant Program through Sandwich Community Improvement Plan (CIP) Financials: $10,589.56 excluding HST	Approved December 18, 2023	Grant Application
CAO 246/2023	Agreement between City and The Friends of the Court (Mackenzie Hall) and The Hopper Foundry (1977) Ltd for supply and installation of Gateway Arch at 3277 Sandwich St Financials: $1 excluding HST	Approved September 18, 2023	Administrative Matters (delegated by CR232/2012)
CAO 260/2023	Noise By-Law Exemption: Sandwich St Sewer Rehabilitation Project Term: Five consecutive days occurring between October 15, 2023 and October 30, 2023 Financials: N/A	Approved October 10, 2023	Noise By-Law Exemption
CAO 261/2023	P&C: Property Matter Financials: N/A	Approved October 6, 2023	Property Transactions
CAO 271/2023	P&C: Property Matter Financials: N/A	Approved October 19, 2023	Property Transactions
CAO 277/2023	License Agreement: Windsor West Little League (1993) Inc. Mic Mac Park for concession, storage and meeting space Term: October 1, 2023-September 30, 2024 Financial Revenue: $1/annually excluding HST	Approved October 25, 2023	City as Lessor; Grantor: Grantee
CAO 278/2023	Grant application for Toronto Blue Jays - Jays Care Foundation Field of Dreams 2024 program for replacement of Cullen Field backstop project at Mic Mac Park Financials: N/A	Approved October 26, 2023	Grant Application

CAO 285/2023	Consent to Enter: Enwin Utilities Ltd. to enter Malden Park, westerly part, east of Matchett Rd Term: March 1, 2024 and no later than May 31, 2024 Financials: N/A	Amendment Approved December 6, 2023	City as Lessor; Grantor: Grantee
CAO 302/2023	Lease Agreement Termination: Sunshine Forcier 3277 Sandwich St, Unit 11 Lease Agreement: Kelly MacDonald and Carly Redmond for 3277 Sandwich St, Unit 11 Term: December 1, 2023-November 30, 2024 Financial Revenue: $3,976.50/annually excluding HST	Approved November 28, 2023	City as Lessor; Grantor: Grantee
CAO 305/2023	Lease Agreement: Dr. Darlene Maxey (PhD) 3277 Sandwich St, Rm 10 Term: December 1, 2023-November 30, 2024 Financial Revenue: $4,884.23/annually excluding HST	Approved December 5, 2023	City as Lessor; Grantor: Grantee
CAO 308/2023	Consent to Enter: Windsor-Essex Children's Aid Foundation for 3115 College Ave Term: November 24, 2023 to January 19, 2024 Financial Revenue: $2,200/annually excluding HST	Approved November 23, 2023	City as Lessor; Grantor: Grantee
CAO 309/2023	Lease Agreement: Sharon Sleiman 3277 Sandwich St, Unit 12 Term: September 1, 2023-August 31, 2024 Financial Revenue: $5063.77/annually excluding HST	Approved November 28, 2023	City as Lessor; Grantor: Grantee

Ward 3

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 240/2022	Ductwork Encroachment: 58 Chatham St W Financial Revenue: $970.85 excluding HST	Approved January 9, 2023	Administrative Matters (formerly CR1413/87)
CAO 313/2022	Fence Encroachment: 500 Tuscarora St Financial Revenue: $8,241.10 excluding HST	Approved January 4, 2023	Administrative Matters (formerly CR1413/87)
CAO 314/2022	Landscape Encroachment: 1433 Victoria Ave Financial Revenue: $275.00 excluding HST	Approved January 9, 2023	Administrative Matters (formerly CR1413/87)
CAO 322/2022	License Agreement: Choice Nutritional Food Service Inc. for placement of vending machines at 350 City Hall Sq W Term: January 1, 2023-December 31, 2023 Financials Revenue: %5 of gross sales excluding HST	Amendment Approved February 9, 2023	City as Lessor; Grantor: Grantee
CAO 330/2022	Sanitary Sewer Replacement: 595 Grove Ave Financials: No cost to City. Owner's Cost: $14,900	Approved April 13, 2023	Sewer Agreements
CAO 2/2023	Lease Agreement: Windsor Aquatic Club 232-401 Pitt St W Term: February 1, 2023-January 31, 2023 Financial Revenue: $1,086.30/annually excluding HST	Approved January 12, 2023	City as Lessor; Grantor: Grantee
CAO 8/2023	License Agreement: Swim Team Inc. 231-401 Pitt St W Term: February 1, 2023 - January 31, 2024 Financial Revenue: $1,086.30/annually excluding HST	Approved January 20, 2023	City as Lessor; Grantor: Grantee
CAO 29/2023	Fence Encroachment: 1441 Victoria Ave Financial Revenue: $979.85 excluding HST	Approved April 13, 2023	Administrative Matters (formerly CR1413/87)

CAO 30/2023	Banner Sign Encroachment: 176 University Ave W Financial Revenue: $970.85 excluding HST	Approved April 13, 2023	Administrative Matters (formerly CR1413/87)
CAOP 47/2023	P&C: Legal Matter Financials: N/A	Approved May 9, 2023	Purchasing By-Law
CAOP 52/2023	Agreement between City and Oscar Construction Ltd for additional funding from Corporate Inflation Mitigation Project and Central Riverfront Improvement & Civic Esplanade/Plaza Project; and pre-approve administration to use approved contingency within project budget for any amendments Type: RFT 72-22 Financials: $9,136,682 excluding HST (CR476/2021, CR452/2021)	Approved April 13, 2023	Purchasing By-Law
CAOP 69/2023	Agreement amendment between City and Weathertech Restoration Services Inc. for provision of 2022 Goyeau and Pelissier Garage Restoration Project due to change requirements in scope of work Type: RFT 111-22 Financials: upset limit of $377,014 excluding HST (B5/2023)	Approved May 16, 2023	Purchasing By-Law
CAO 79/2023	License Agreement: Passenger Bus Corporation Bus Bay, Windsor International Transit Facility, 300 Chatham St W. Term: March 29, 2023-March 31, 2043 Financial Revenue: $25 USD per departure excluding HST, to increase annually on April 1st of each year of term by 2%	Amendment Approved March 29, 2023	City as Lessor; Grantor: Grantee
CAOP 86/2023	Agreement between City and Quinlan Inc. for Ditch (Backboard) Replacement at Windsor Lawn Bowling Club Type: RFT 68-23 Financials: $148,800 excluding HST	Approved June 22, 2023	Purchasing By-Law
CAOP 89/2023	Agreement between City and Adine Builders Limited for renovations at 350 City Hall Sq W for Economic Development & Innovation Department offices Type: RFT 53-23 Financials: $601,500 excluding HST (CR473/2021)	Approved July 6, 2023	Purchasing By-Law
CAOP 90/2023	Agreement between City and StrategyCorp Inc. for engagement and report writing services related to safety and security issues in downtown Windsor Type: Sole Source Financials: upset limit of $40,000 excluding HST	Approved June 23, 2023	Purchasing By-Law
CAO 96/2023	P&C: Property Matter Financials: N/A	Approved March 28, 2023	City as Lessor; Grantor: Grantee
CAO 100/2023	P&C: Property Matter Financials: N/A	Approved April 6, 2023	City as Lessor; Grantor: Grantee
CAO 101/2023	Sanitary Sewer Replacement: 1064 Victoria Ave Financials: No cost to City. Owner's Cost: $10,350	Approved April 27, 2023	Sewer Agreements
CAOP 105/2023	Agreement between City and MC Business solutions for three-year service and maintenance of two high speed copiers Type: Sole Source Financials: $45,065.16 excluding HST	Approved October 17, 2023	Purchasing By-Law
CAOP 107/2023	Agreement between City and Nevan Construction Inc. for Road and Watermain Rehabilitation on Windsor Ave and Goyeau St	Approved July 21, 2023	Purchasing By-Law

	Type: RFT 14-23 Financials: $3,977,425 excluding HST (B5/2023)		
CAOP 111/2023	Agreement between City and Oscar Construction Company Limited for below grade works in preparation for Rosalie Tremblay statue base Type: RFT 113-22 Financials: $89,336 excluding HST	Approved July 31, 2023	Purchasing By-Law
CAO 119/2023	Grant application for Experience Ontario 2023 for Bright Lights project Financials: N/A	Approved April 28, 2023	Grant Application
CAO 127/2023	Agreement between City and Ingenium - Canada's Museums of Science and Innovation for Health in Space exhibition to be displayed at Chimczuk Museum Term: February 10, 2024 to May 5, 2024 Financials: $11,300 excluding HST	Approved May 17, 2023	Administrative Matters (delegated by CR232/2012)
CAO 128/2023	Correcting Deed: 531 Pelissier Ltd. Financials: N/A	Approved May 1, 2023	Administrative Matters (formerly CR1413/87)
CAO 134/2023	P&C: Property Matter Financials: N/A	Approved May 5, 2023	City as Lessor; Grantor: Grantee
CAO 141/2023	Consent to Enter: Telus Communications Inc. to enter east side of Festival Plaza directly north of 377 Riverside Dr E and to enter north side of Riverside Dr W north of 421 Riverside Dr. W. to construct two temporary communication towers Term: June 5, 2023 for a maximum of 45 days Financials: N/A	Approved May 24, 2023	City as Lessor; Grantor: Grantee
CAOP 158/2023	Agreement between City and Clifford Restoration Limited for restoration of Boer War Memorial located in Jackson Park Type: RFT 98-23 Financials: $670,000 excluding HST (CR 195/2020)	Approved November 9, 2023	Purchasing By-Law
CAOP 170/2023	Agreement Amendment between City and Monarch Office Supply Inc. for supply of new workstations and furniture for 4th floor renovations at 350 City Hall Sq W for Economic Development office renovation project Type: Sole source Financials: $33,681.11 excluding HST	Approved December 7, 2023	Purchasing By-Law
CAO 173/2023	P&C: Property Matter Financials: N/A	Approved June 9, 2023	CAO By-Law
CAO 177/2023	Letter of Support: Downtown Mission of Windsor's Ontario Trillium Foundation Capital Grant Application Financials: N/A	Approved June 12, 2023	Letter of Support
CAO 181/2023	Waiver of fees request from Windsor Goodfellows Open House for open house event on June 10, 2023 to facilitate fire safety demonstration Financials: $237 excluding HST (lost revenue)	Approved June 13, 2023	Waiver of Fees
CAO 183/2023	Consent to Enter: Traffipax LLC to enter northern portion of 421 Riverside Dr. W. Term: June 13, 2023-June 22, 2023 Financials: N/A	Amendment Approved June 16, 2023	City as Lessor; Grantor: Grantee

CAO 195/2023	Agreement between City and WindsorEssex Community Foundation to receive funding pursuant to Trust Fund Maintenance Agreement-Great Canadian Flag Financial Revenue: $6,452 excluding HST	Approved June 30, 2023	Administrative Matters (delegated by CR232/2012)
CAO 231/2023	Letter of Support: Downtown Mission of Windsor's Communities at Risk: Security Infrastructure Program Grant Application Financials: N/A	Approved August 30, 2023	Letter of Support
CAO 232/2023	Letter of Intent between City and Fairmount Properties LLC Financials: N/A	Approved September 21, 2023	Administrative Matters (delegated by CR232/2012)
CAO 245/2023	P&C: Property Matter Financials: N/A	Approved September 13, 2023	Property Transactions
CAO 250/2023	Amendment to Alley Closing By-Law 120-2023 Financials: N/A	Approved September 20, 2023	By-Law Amendments
CAO 266/2023	P&C: Property Matter Financials: N/A	Approved October 12, 2023	City as Lessor; Grantor: Grantee
CAO 270/2023	Consent to Enter: Enwin Utilities Ltd. for Riverside Dr W being part of Legacy Beacon site, to supply power Term: October 23, 2023 and run for a period of a maximum of 90 days Financials: N/A	Approved October 18, 2023	City as Lessor; Grantor: Grantee
CAO 275/2023	P&C: Property Matter Financials: N/A	Approved October 20, 2023	City as Lessor; Grantor: Grantee
CAO 286/2023	P&C: Property Matter Financials: N/A	Approved November 2, 2023	City as Lessor; Grantor: Grantee
CAO 289/2023	Agreement between City and Ontario Lottery & Gaming Corporation (OLG) to sponsor portion of 2023 - 2024 Bright Lights Windsor Financial Revenue: $10,000 excluding HST	Approved November 6, 2023	Administrative Matters (delegated by CR232/2012)
CAO 299/2023	License Agreement: TM Mobile Inc. for use of SpotCells and WiFi service at Windsor International Aquatic and Training Centre Term: December 1, 2023-November 30, 2033 Financial Revenue: $1 excluding HST	Approved November 30, 2023	City as Lessor; Grantor: Grantee
CAO 301/2023	Lease Agreement: Samantha Rae Buhler o/a The Hub operated by Samantha Buhler Charles Clark Square, 215 Chatham St E. Term: December 1, 2023-November 30, 2024 Financial Revenue: $4,492.34/annually excluding HST	Approved November 16, 2023	City as Lessor; Grantor: Grantee
CAO 331/2023	Correcting Deed: 495 Glengarry Ave Financials: N/A	Approved December 14, 2023	Administrative Matters (formerly CR1413/87)

Ward 4

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM

CAO 11/2023	Multiple Encroachment: 795 Giles Blvd E Financial Revenue: $276.47 excluding HST	Approved March 22, 2023	Administrative Matters (formerly CR1413/87)
CAO 13/2023	Bollard, Light, Canopy Encroachments: 614 Erie St E Financial Revenue: $117.87 excluding HST	Approved April 13, 2023	Administrative Matters (formerly CR1413/87)
CAOP 13/2023	Agreement amendment between City and Dillon Consulting Ltd for additional design services related to cycling facilities on Victoria Ave Type: Roster Assignment Financials: $91,820 excluding HST	Approved February 9, 2023	Purchasing By-Law
CAO 15/2023	Fence, Building, Stair Encroachments: 595 Cataraqui St Financial Revenue: $2905.60 excluding HST	Approved March 22, 2023	Administrative Matters (formerly CR1413/87)
CAOP 24/2023	Agreement between City and with Valente Contracting Inc. for Exterior Renovations at Willistead Manor Type: RFT 166-22 Financials: $804,531 excluding HST (B30/2019, M264/2012)	Approved February 16, 2023	Purchasing By-Law
CAOP 33/2023	Agreement between City and Salandria Ltd. for demolition of Lanspeary Park Greenhouse and related structures Type: RFT 27-23 Financials: $164,777 excluding HST (B7/2021)	Approved March 9, 2023	Purchasing By-Law
CAO 52/2023	Grant application for Kal Tire's Replay funding of Fred Thomas Park Playground Financials: N/A	Approved February 27, 2023	Grant Application
CAO 75/2023	Consent to Enter: Rosati Construction Inc. to enter east/west alley immediately south of 1801-1833 Wyandotte St E. Term: March 6, 2023 to June 1, 2023 Financials: N/A	Approved March 8, 2023	City as Lessor; Grantor: Grantee
CAO 76/2023	Permit Boulder, Landscaping, Pillar Encroachments: 1870 Ypres Ave Financial Revenue: $1,042.35 excluding HST	Approved May 1, 2023	Administrative Matters (formerly CR1413/87)
CAOP 87/2023	Agreement between City and Major Construction (2010) Limited for Elsmere Ave Rehabilitation Type: RFT 42-23 Financials: $4,666,869 excluding HST (B28/2021, CR331/2022 and B5/2023)	Approved June 23, 2023	Purchasing By-Law
CAO 122/2023	Authorization for vendors of Walkerville Business Improvement Association to occupy portion of public right of way to conduct 4 sidewalk sales Term: May 20th, June 24th, September 16th and October 7th Financial Revenue: $212 excluding HST, $66 per additional inspection and $1,000 deposit	Approved May 5, 2023	Sidewalk Sales
CAO 124/2023	Authorization for vendors of Ottawa Street Business Improvement Association to occupy the public right of way to conduct 4 sidewalk sales Term: June 9th, June 10th, August 11th and August 12th Financial Revenue: $212 excluding HST, $66 per additional inspection and $1,000 deposit	Approved May 5, 2023	Sidewalk Sales
CAO 147/2023	Sanitary Sewer Replacement: 1288 Windermere Rd Financials: No cost to City. Owner's Cost: $24,500	Approved June 28, 2023	Sewer Agreements

CAO 251/2023	Lease Agreement: The Delta Chi Beta Early Childhood Centre (Windsor) Inc. - 1585 Wyandotte St W. Term: November 1, 2023-October 31, 2026 Financial Revenue: November 1, 2023-October 31, 2024 - $41,294.57 excluding HST; November 1, 2024-October 31, 2025 - $41,294.57 excluding HST	Approved September 21, 2023	City as Lessor; Grantor: Grantee

Ward 5

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 272/2022	Sanitary Sewer Replacement: 1466 Central Ave Financials: No cost to City. Owner's Cost: $12,900	Approved January 4, 2023	Sewer Agreements
CAOP 2/2023	Agreement between City and GIP Paving Inc. for Road Repairs and Bridge Rehabilitation on Central Ave from Temple Dr to Grand Marais Rd E Type: RFT 157-22 Financials: $2,396,400 excluding HST (B28/2021 and B6/2021)	Approved January 19, 2023	Purchasing By-Law
CAO 17/2023	Lease Agreement Termination: South Asian Centre of Windsor - 1168 Drouillard Rd, Unit 5C Effective: January 1, 2023 Lease Agreement: South Asian Centre of Windsor - 1168 Drouillard Rd, Unit 6 Term: February 1, 2023-January 31, 2024 Financials: $2,236.52/annually excluding HST	Amendment Approved June 27, 2023	City as Lessor; Grantor: Grantee
CAO 19/2023	Letter of Support: Walker BESS 4 Limited Partnership's 3 Battery Energy Storage System ("BESS") proposal to Independent Electricity System Operator Request for Proposals for its expedited long term procurement Financials: N/A	Approved February 3, 2023	Letter of Support
CAO 21/2023	Lease Agreement: Essex County Nurse Practitioner-LED Clinic 1168 Drouillard Rd, Units 7, 14 and 15 Term: March 1, 2023-February 29, 2024 Financial Revenue: $18,985.12/annually excluding HST	Approved January 19, 2023	City as Lessor; Grantor: Grantee
CAO 22/2023	Lease Agreement: The African Community Organization of Windsor 1168 Drouillard Rd Unit 18 Term: February 1, 2023-January 31, 2024 Financial Revenue: $7,660.84/annually excluding HST	Approved January 25, 2023	City as Lessor; Grantor: Grantee
CAO 33/2023	License Agreement: L'Union Culturelle Des Franco-Ontariennes Windsor-Essex et Kent John Atkinson Memorial Community Centre 4270 Alice St, Rooms B & C Term: March 1, 2023-February 29, 2024 Financial Revenue: $9,712.89/annually excluding HST	Approved January 27, 2023	City as Lessor; Grantor: Grantee
CAO 34/2023	License Agreement: L'Union Culturelle Des Franco-Ontariennes Windsor-Essex et Kent John Atkinson Memorial Community Centre, 4270 Alice St, Room A Term: March 1, 2023-February 29, 2024 Financial Revenue: $5,208.69/annually excluding HST	Approved January 27, 2023	City as Lessor; Grantor: Grantee
CAO 51/2023	Agreement between City and Canadian Pacific Railway Company for grade separation rehabilitation for City Structure #147 (Central Ave at CP Rail) Financials: N/A	Approved February 2, 2023	Administrative Matters (delegated by CR232/2012)

CAO 55/2023	Lease Agreement: Candice Twees 1168 Drouillard Rd, Unit 12 Term: April 1, 2023-March 31, 2024 Financial Revenue: $3,940.35/annually excluding HST	Approved March 9, 2023	City as Lessor; Grantor: Grantee
CAO 57/2023	Lease Agreement: Chaldean Association of Windsor 1168 Drouillard Rd, Unit 22 Term: April 1, 2023-March 31, 2024 Financial Revenue: $5,585.64/annually excluding HST	Approved March 6, 2023	City as Lessor; Grantor: Grantee
CAO 60/2023	Lease Agreement: Ontario Society for Crippled Children o/a Easter Seals Ontario 1168 Drouillard Rd, Unit 10 Term: April 1, 2023-March 31, 2024 Financial Revenue: $5,533.34/annually excluding HST	Approved March 9, 2023	City as Lessor; Grantor: Grantee
CAO 62/2023	Lease Agreement: MS Canada 1168 Drouillard Rd, Unit 5B Term: April 1, 2023-March 31, 2024 Financial Revenue: $1,945.56/annually excluding HST	Amendment Approved March 22, 2023	City as Lessor; Grantor: Grantee
CAO 116/2023	P&C: Property Matter Financials: N/A	Approved April 25, 2023	City as Lessor; Grantor: Grantee
CAO 149/2023	P&C: Property Matter Financials: N/A	Amendment Approved August 28, 2023	Property Transactions
CAO 171/2023	Lease Agreement: Centre Francophone pour Immigrants de Windsor-Essex 1168 Drouillard Rd, Unit 9 Term: July 1, 2023-June 30, 2024 Financial Revenue: $4,926.66/annually excluding HST	Approved June 7, 2023	City as Lessor; Grantor: Grantee
CAO 182/2023	Agreement between City and WindsorEssex Community Foundation for WindsorEssex Community Foundation (WECF) 40th Anniversary Municipal Legacy Grant Financial Revenue: $40,000 including HST	Approved June 16, 2023	Grant Application
CAO 184/2023	Lease Agreement: Council on Aging, Windsor-Essex County 1168 Drouillard Rd, Unit 5A Term: June 1, 2023-May 31, 2024 Financial Revenue: $1,924.64 excluding HST	Approved June 14, 2023	City as Lessor; Grantor: Grantee
CAO 193/2023	Lease Agreement: Mission d'Evangelisation Modiale pour la Moisson Church 1168 Drouillard Rd, Units #13 and #21 Term: July 1, 2023-June 30, 2024 Financial Revenue: $4,487.34 excluding HST	Approved July 6, 2023	City as Lessor; Grantor: Grantee
CAO 222/2023	Lease Agreement: Autism Society of Ontario 1168 Drouillard Rd, Units 2 and 20 Term: October 1, 2023-September 30, 2024 Financial Revenue: $18,085.34/annually excluding HST	Approved August 28, 2023	City as Lessor; Grantor: Grantee
CAO 241/2023	Lease Agreement: Birthright 1168 Drouillard Rd, Unit 4 Term: November 1, 2023-October 31, 2024 Financial Revenue: $6,338.76/annually excluding HST	Approved September 21, 2023	City as Lessor; Grantor: Grantee
CAO 248/2023	Lease Agreement: Black Kids in Action Performing Art Group 1168 Drouillard Rd, Unit 1 Term: October 1, 2023-September 30, 2024 Financial Revenue: $7,646.26/annually excluding HST	Approved September 21, 2023	City as Lessor; Grantor: Grantee
CAO 258/2023	Lease Agreement: South Essex Community Council 1168 Drouillard Rd, Unit 16 Term: November 1, 2023 to October 31, 2024 Financial Revenue: $3849.28/annually excluding HST	Approved October 4, 2023	City as Lessor; Grantor: Grantee

CAO 273/2023	Lease Agreement: Youth Connection Association for Academic Excellence Inc. 1168 Drouillard Rd, Unit 11 Term: November 1, 2023-October 31, 2024 Financials: $2,803.28/annually excluding HST	Approved October 25, 2023	City as Lessor; Grantor: Grantee
CAO 293/2023	Lease Agreement: Diamond Multicultural Economic Co-Operative Incorporated 1168 Drouillard Rd, Unit 8 Term: December 1, 2023-November 30, 2024 Financial Revenue: $8,734.10/annually excluding HST	Approved November 14, 2023	City as Lessor; Grantor: Grantee
CAO 326/2023	Lease Agreement: Michelle DiNardo 1168 Drouillard Rd, Unit 19 Term: January 1, 2024-December 31, 2024 Financial Revenue: $2,397.95/annually excluding HST	Approved December 21, 2023	City as Lessor; Grantor: Grantee

Ward 6

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 15/2023	Agreement between City and Total Power Limited for repair of WFCU Centre CHP engine Type: Sole Source Financials: $553,911.58 excluding HST (B 50/2020, Budget Issue # 0376)	Approved February 3, 2023	Purchasing By-Law
CAOP 29/2023	Agreement amendment between City and Dillon Consulting Inc to increase upset limit for consulting services related to Belle Isle View Blvd Type: Sole Source Financials: $19,998.36 excluding HST	Approved May 16, 2023	Purchasing By-Law
CAO 31/2023	Consent to Enter: Enwin Utilities Ltd. 0 Clairview Ave Financial Revenue: $319 excluding HST	Approved January 27, 2023	City as Lessor; Grantor: Grantee
CAOP 43/2023	Agreement amendment between City and Stantec Consulting Ltd for additional design and contract administration services Type: RFP 103-21 Financials: $391,451 excluding HST (CR 380/2018)	Approved May 8, 2023	Purchasing By-Law
CAO 58/2023	P&C: Property Matter Financials: N/A	Approved February 24, 2023	Property Transactions
CAO 69/2023	P&C: Property Matter Financials: N/A	Approved March 3, 2023	Property Transactions
CAO 70/2023	P&C: Property Matter Financials: N/A	Approved March 7, 2023	Property Transactions
CAO 73/2023	P&C: Property Matter Financials: N/A	Approved March 3, 2023	Property Transactions
CAO 84/2023	P&C: Property Matter Financials: N/A	Approved March 15, 2023	Property Transactions

CAO 87/2023	P&C: Property Matter Financials: N/A	Approved March 17, 2023	Property Transactions
CAO 114/2023	License Agreement: Brenda Jones o/a Cooleez Ice Cream Parlour Concession, Reaume Park Term: May 1, 2023-April 30, 2024 Financial Revenue: $7,342.68/annually excluding HST	Approved April 27, 2023	City as Lessor; Grantor: Grantee
CAOP 119/2023	Agreement amendment between City and Haddad Morgan and Associates Ltd. for design and contract administration services for Matthew Brady Phase 3 project Type: Sole Source Financials: $99,542.50 excluding HST	Approved September 6, 2023	Purchasing By-Law
CAOP 123/2023	Agreement amendment between City and Dillon Consulting Limited for design and contract administration services Type: Sole Source Financials: increase by an upset limit of $80,000 excluding HST	Approved September 6, 2023	Purchasing By-Law
CAO 243/2023	Correcting Deed: 1196-1296 Coventry Crt (16 properties) Financials: $1.00 excluding HST	Approved October 10, 2023	Administrative Matters (formerly CR1413/87)
CAO 318/2023	Consent to Enter: PCR Constructors Inc. WFCU Centre, 8787 McHugh, Suites 318 and 319 Term: December 4, 2023-June 30, 2024 Financials: N/A	Approved December 21, 2023	City as Lessor; Grantor: Grantee

Ward 7

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 16/2023	Agreement amendment between City and BT Engineering to increase upset limit by additional $53,000 excluding HST Type: Sole Source Financials: $508,017.50 excluding HST (CR 493/2018, CR 385/2019)	Amendment Approved February 13, 2024	Purchasing By-Law
CAOP 25/2023	Agreement between City and Vollmer Inc. for relocation of Little River Pollution Control Plant main control room control panel Type: RFT 12-23 Financials: $147,860 excluding HST	Approved March 3, 2023	Purchasing By-Law
CAO 42/2023	Landscape Encroachment: 520 Mountbatten Crst Financial Revenue: $1,700.47 excluding HST	Approved March 21, 2023	Administrative Matters (formerly CR1413/87)
CAOP 44/2023	Agreement amendment between City and Dillon Consulting Ltd for design and contract administration services Type: RFP 14-21 Financials: $97,500 excluding HST, in addition to $299,300 excluding HST (CR 380/2018)	Approved May 4, 2023	Purchasing By-Law
CAO 48/2023	License Agreement: Forest Glade Baseball League Forest Glade Optimist Park concession and storage space Term: May 1, 2023-April 30, 2028 Financial Revenue: $1 excluding HST plus security deposit $1,500	Approved February 16, 2023	City as Lessor; Grantor: Grantee
CAO 65/2023	Sign and Concrete Curbing: 11365 Tecumseh Rd E Financial Revenue: $1,123.85 excluding HST	Approved March 24, 2023	Administrative Matters (formerly CR1413/87)

CAOP 71/2023	Agreement between City and Rauth Roofing Ltd. for roof replacement at Forest Glade Library & Community Centre Type: RFT 69-23 Financials: $298,940 excluding HST (B72/2018 & B8/2019)	Approved May 31, 2023	Purchasing By-Law
CAO 98/2023	City sale of vacant surplus land: 1020 Jarvis Ave Financial Revenue: $1 excluding HST plus deed preparation	Approved March 31, 2023	Property Transactions
CAOP 104/2023	Agreement between City and Stantec Consulting Ltd. to provide Control Plant consulting services for Little River Expansion: Schedule C Municipal Class Environmental Assessment Type: RFP 66-23 Financials: $410,521.80 excluding HST (B5/2023)	Approved July 13, 2023	Purchasing By-Law
CAO 111/2023	Grant application for Inclusive Community Grant (ICG) for Elizabeth Kishkon Park project Financials: N/A	Approved April 19, 2023	Grant Application
CAOP 114/2023	Agreement between City and Stantec Consulting Ltd. to provide consulting services for Ultraviolet Disinfection System Upgrades project at Little River Pollution Control Plant Type: RFP 101-23 Financials: $467,386.25 excluding HST (B57/2020 and B5/2023)	Approved September 5, 2023	Purchasing By-Law
CAOP 128/2023	Agreement between City and Dillon Consulting Limited, for detailed design, contract administration and on-site services for Banwell Road/EC Row Interchange and Corridor Improvements Type: RFP 83-23 Financials: $3,983,000 excluding HST (CR593/2016, CR19/2023)	Approved September 15, 2023	Purchasing By-Law
CAOP 134/2023	Agreement between City and Front Construction Industries Inc for completion of concrete repair work at Little River Pollution Control Plant Type: RFQ JM-011723-01 Financial: $24,310.20 excluding HST	Approved October 5, 2023	Purchasing By-Law
CAOP 141/2023	Agreement between City and Kingdom Construction Limited to proceed with Installation of By-Pass Flow Measurement, Little River Pollution Control Plant Type: RFT 108-23 Financials: $399,735.40 excluding HST (CR106/2022)	Approved November 6, 2023	Purchasing By-Law
CAO 329/2023	P&C: Property Matter Financials: N/A	Approved December 12, 2023	Property Transactions

Ward 8

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 25/2023	Agreement between City and Europro (Tecumseh Mall) LP for participation of Environmental Sustainability and Climate Change community information displays Term: February 3, 2023 and March 26, 2023 Financials: Nil. License fee waived	Approved January 25, 2023	Short Term Use of Facilities
CAO 64/2023	Landscape Encroachment: 5575 Tecumseh Rd E Financial Revenue: $1,080.85 excluding HST	Approved May 1, 2023	Administrative Matters (formerly CR1413/87)

CAOP 109/2023	Agreement between City and SheaRock Construction Group Inc. for Clemenceau Blvd improvements Type: RFT 55-23 Financials: $2,050,000 excluding HST (B6/2021, B28/2021 and B5/2023)	Approved July 27, 2023	Purchasing By-Law
CAOP 110/2023	Agreement between City and SheaRock Construction Group Inc. for Jefferson Drainage Area Improvements Phase 1, Jefferson Blvd - South National St to Coronation Ave Type: RFT 64-23 Financials: $5,490,000 excluding HST (CR 277/2023 and B5/2023)	Approved July 27, 2023	Purchasing By-Law
CAO 132/2023	Correcting Deed: 1816 Balfour Blvd Financials: $1.00 excluding HST	Approved May 5, 2023	Administrative Matters (formerly CR1413/87)
CAO 138/2023	Amendment to Alley Closing By-Law 2466 Financials: N/A	Approved May 24, 2023	By-Law Amendments
CAO 143/2023	Agreement between City and Europro (Tecumseh Mall) LP for use of Tecumseh Mall parking lot during Meet-A-Machine event to provide shuttle service between Tecumseh Mall and WFCU Centre Financials: N/A Wards: 8	Approved May 25, 2023	Short Term Use of Facilities
CAO 178/2023	P&C: Property Matter Financials: N/A	Approved June 12, 2023	City as Lessor; Grantor: Grantee
CAO 210/2023	Consent to Enter: Forest Glade Horizons Inc. to enter part of Derwent Park Term: May 15, 2022 with completion not exceeding May 14, 2024 Financials: N/A	Approved August 4, 2023	City as Lessor; Grantor: Grantee
CAO 218/2023	Consent to Enter: Enwin Utilities Ltd. for aerial and underground hydro lines, conduit, guy wires and poles along eastern boundary of Derwent Park Financials: $1.00 excluding document preparation costs of approximately $255.14 excluding HST and registration costs of approximately $82	Approved August 11, 2023	City as Lessor; Grantor: Grantee
CAO 236/2023	Agreement with Europro (Tecumseh Mall) LP, for the participation of Windsor Fire & Rescue Services (WFRS) in hosting educational Fire Prevention Week displays for the community Term: October 12, 13, and 14, 2023 Financials: Nil. License fee waived	Approved September 13, 2023	Short Term Use of Facilities
CAO 319/2023	P&C: Property Matter Financials: N/A	Approved November 30, 2023	City as Lessor; Grantor: Grantee

Ward 9

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 257/2022	Consent to Enter: Habitat for Humanity 3455 Banwell Rd, 3324 Howard Ave and 3326 Howard Ave Financials: N/A	Amendment Approved January 23, 2023	City as Lessor; Grantor: Grantee

CAOP 1/2023	Agreement between City and Dillon Consulting Ltd for additional supporting studies in relation to NextStar Energy EV Battery Facility Type: Sole Source Financials: $133,450 excluding HST	Approved January 12, 2023	Purchasing By-Law
CAO 3/2023	Sign and Landscape Encroachment: 3998 Walker Rd Financial Revenue: $100.38	Approved April 13, 2023	Administrative Matters (formerly CR1413/87)
CAO 6/2023	Agreement between City and Devonshire Mall Holdings Inc. for participation of Environmental Sustainability and Climate Change (ESCC) community information displays Term: January 28, February 25, and March 11, 2023 Financials: $735 excluding HST	Approved January 25, 2023	Short Term Use of Facilities
CAO 10/2023	Letter of Support: for Rose City Energy LP for Battery Energy Storage System (BESS) proposal to Independent Electricity Operator for Request for Proposal for its expedited long term procurement Financials: N/A	Approved January 19, 2023	Letter of Support
CAO 23/2023	Agreement between City and Windsor-Essex County Humane Society for 1275 Provincial Rd to conduct fire training exercises Financials: N/A	Approved January 18, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 45/2023	Agreement between City and Morrison Hershfield Ltd for engineering services related to civil site servicing to support NextStar Energy; Payment reimbursement to NextStar Energy Type: Sole Source Financials: $246,471 excluding HST / $1,084,296.31 excluding HST to be funded from Project ID 7221006 through CR 129/2022 and CR 215/2022	Approved March 31, 2023	Purchasing By-Law
CAO 89/2023	Sign, Landscaping, Parking Spaces: 3900 Walker Rd Financial Revenue: $2,714.25 excluding HST	Approved March 31, 2023	Administrative Matters (formerly CR1413/87)
CAOP 106/2023	Agreement amendment between City and Morrison Hershfield Ltd. for additional engineering work related to Civil Site Servicing to support the NextStar Energy EV Battery Plant Project Type: Sole Source Financials: $53,529 excluding HST	Approved August 28, 2023	Purchasing By-Law
CAOP 116/2023	Agreement between City and GIP Paving Inc for Baseline Rd sanitary sewer and watermain rehabilitation Type: RFT 51-23 Financials: $3,957,834 excluding HST (CR431/2020)	Approved August 23, 2023	Purchasing By-Law
CAOP 148/2023	Agreement between City and Dillon Consulting Limited for detailed design, for Provincial Rd-Division Rd Corridor Improvements, Phase 4 Type: Sole Source Financials: $221,000 excluding HST (CR69/2022)	Approved October 27, 2023	Purchasing By-Law
CAOP 149/2023	Agreement between City and Stantec Consulting Limited for detailed design, contract administration and on-site services for Lauzon Parkway and County Rd 42 Improvement Project Type: RFP 107-23 Financials: $2,972,590.25 excluding HST (B5/2023)	Approved October 27, 2023	Purchasing By-Law
CAO 151/2023	P&C: Property Matter Financials: N/A	Approved May 25, 2023	City as Lessor; Grantor: Grantee
CAO 154/2023	Agreement between City and Movati Athletic Windsor for use of spin room for STAR event Term: June 10, 2023 Financials: $158.20 excluding HST	Approved June 6, 2023	Short Term Use of Facilities

CAO 211/2023	Appointment of Baird AE as Drainage Engineer to prepare engineer's report for improvements to 5th Concession Drain Financials: N/A	Approved July 27, 2023	Appointment of Drainage Engineer
CAO 228/2023	Consent to Enter: Loomex Property Management Ltd.to utilize Emergency Operations Centre at Fire Station 6, located at 1587 Provincial Rd Term: October 19, 2023 to October 20, 2023 Financials: N/A	Amendment Approved September 26, 2023	City as Lessor; Grantor: Grantee
CAO 255/2023	Consent to Enter: Habitat for Humanity Windsor-Essex Inc. to enter 3324 Howard Ave and 3326 Howard Ave Term: September 15, 2023 and no later than October 31, 2023 Financials: N/A	Approved September 19, 2023	City as Lessor; Grantor: Grantee
CAO 257/2023	P&C: Property Matter Financials: N/A	Approved September 26, 2023	City as Lessor; Grantor: Grantee
CAO 291/2023	Consent to Enter: Enwin Utilities Ltd to enter easements south of St. Etienne Blvd Term: October 15, 2023 Financials: $1.00 excluding HST	Approved November 7, 2023	City as Lessor; Grantor: Grantee
CAO 292/2023	Consent to Enter: Enbridge Gas Inc. to enter south of St. Etienne Blvd Term: October 31, 2023 Financials: $1.00 excluding HST	Approved November 7, 2023	City as Lessor; Grantor: Grantee
CAO 295/2023	Consent to Enter: Windsor Utilities Commission for easements south of St. Etienne Blvd Financials: $1.00 excluding HST	Approved November 7, 2023	City as Lessor; Grantor: Grantee
CAO 297/2023	Appointment of Dillon Consulting Limited as Drainage Engineer to prepare engineer's report for alterations to Gouin and Lachance Drains associated with upcoming Banwell Rd widening and corridor improvements works Financials: N/A	Approved November 10, 2023	Appointment of Drainage Engineer
CAO 306/2023	Appointment of R. Dobbin Engineering Inc as Drainage Engineer to prepare engineer's report for alterations to Municipal Drains associated with Lauzon Parkway and County Road 42 Improvement Project Financials: N/A	Approved November 21, 2023	Appointment of Drainage Engineer
CAO 310/2023	P&C: Property Matter Financials: N/A	Approved November 21, 2023	City as Lessor; Grantor: Grantee
CAO 315/2023	Noise By-law Exemption: Provincial Rd/Division Rd Corridor Improvements Phase 3 Term: November 11, 2023 - December 1, 2023 Financials: N/A	Approved November 30, 2023	Noise By-Law Exemption
CAO 317/2023	P&C: Property Matter Financials: N/A	Approved November 30, 2023	City as Lessor; Grantor: Grantee
CAO 325/2023	P&C: Property Matter Financials: N/A	Approved December 15, 2023	City as Lessor; Grantor: Grantee
CAO 336/2023	P&C: Property Matter Financials: N/A	Approved December 20, 2023	Property Transactions

Ward 10

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 267/2021	Correct Title Deficiency: 2501 Curry Ave Financials: $132.60 including HST	Approved April 21, 2023	Administrative Matters (formerly CR1413/87)
CAO 288/2022	Encroachment Agreement between City and property owners of 1640 Campbell Ave to permit sewer encroachment on public right-of-way Financials Revenue: $1,065.35	Approved January 9, 2023	Administrative Matters (formerly CR1413/87)
CAO 50/2023	Sanitary Sewer Replacement: 798 South Pacific Ave Financials: No cost to City. Owner's Cost: $1005.85	Approved March 21, 2023	Sewer Agreements
CAO 103/2023	Landscape Encroachment: 1660 Grand Marais Rd E. Financial Revenue: $979.85 excluding HST	Approved May 1, 2023	Administrative Matters (formerly CR1413/87)
CAO 216/2023	License Agreement: Fogolar Furlan Windsor Udine Park Term: July 1, 2023-September 30, 2023 Financial Revenue: $1 excluding HST	Approved August 28, 2023	City as Lessor; Grantor: Grantee
CAO 223/2023	Consent to Enter: Rosati Construction Inc. for construction staging and storage in conjunction with development underway on property owned by Windsor Islamic Association Term: July 1, 2023 to June 30, 2024 Financials: N/A	Approved August 23, 2023	City as Lessor; Grantor: Grantee
CAO 229/2023	Consent to Enter: Sterling Ridge Infrastructure Inc. to enter 0 Dominion Blvd, part of 0 Dominion Blvd and 0 Longfellow Ave for construction staging and storage in conjunction with Dominion Blvd Expansion Project Term: August 1, 2023 and expiring on December 31, 2023 Financials: N/A	Approved September 21, 2023	City as Lessor; Grantor: Grantee
CAO 265/2023	P&C: Property Matter Financials: N/A	Approved October 10, 2023	Property Transactions
CAO 279/2023	P&C: Property Matter Financials: N/A	Approved October 27, 2023	Property Transactions
CAO 316/2023	P&C: Property Matter Financials: N/A	Approved November 29, 2023	Property Transactions

City Wide

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 159/2022	Agreement between City and Prompta Consulting Inc. - SEB Administrative Services Inc Joint Venture for provision of Anti-Racism/Anti-Discrimination Engagement and Strategy Consultant Type: RFP 89-22 Financials: $126,547 excluding HST	Approved January 4, 2023	Purchasing By-Law

CAOP 161/2022	Agreement between City and Rapid Sewer Data Corp for provision of zoom cam sewer inspection Type: RFT 170-22 Financials: $940,542.50 excluding HST (CR B28/2021)	Approved January 25, 2023	Purchasing By-Law
CAO 326/2022	P&C: Personnel Matter Financials: N/A	Approved July 10, 2023	CAO By-Law
CAO 333/2022	Promote and grant one (1) prize of "A Wellness Day-Off" to City of Windsor employees under 2023 Workplace Wellness Program Financials: N/A	Approved January 5, 2023	Administrative Matters (delegated by CR232/2012)
CAO 1/2023	Grant application for Next Generation 911 Program funding for Windsor Fire and Rescue Services Public Safety Answering Points (PSAP) upgrades 911 Communications System Financials: N/A	Approved January 9, 2023	Grant Application
CAOP 4/2023	Agreement between City and Overland Custom Coach(2007) Inc. for purchase of 3 Handi-Transit vehicles Type: Sole Source Financials: $422,079 excluding HST (CR644/2020)	Approved January 19, 2023	Purchasing By-Law
CAOP 5/2023	Agreement amendment between City and GIP Paving for provision of Winter Maintenance of Municipal Roads Type: RFT 114-15 Financials: $2,731,380 excluding HST (CR B27/2021)	Approved February 7, 2023	Purchasing By-Law
CAOP 6/2023	Agreement between Carrier Truck Center Inc for additional surcharges Type: RFP 73-22 Financials: Additional $8,684 excluding HST	Approved January 26, 2023	Purchasing By-Law
CAOP 7/2023	Agreement between City and Olivia Batt Consulting for provision of consulting work for Federal Pay Equity project for Transit Windsor Type: RFP 104-22 Financials: $55,250 excluding HST	Approved February 9, 2023	Purchasing By-Law
CAOP 8/2023	Agreement between City and Pesce & Associates HR Consultants for provision of conducting Salary Market Review Type: Sole Source Financials: $48,000 excluding HST	Approved February 9, 2023	Purchasing By-Law
CAOP 9/2023	Agreement between City and Amtruck Ltd for rental of 2023 Mack/Wittke Model Front End Loading Truck and all extension options up to a maximum of 6 months Type: Sole Source Financials: $10,200/month excluding HST	Approved January 26, 2023	Purchasing By-Law
CAO 12/2023	P&C: Personnel Matter Financials: N/A	Approved January 13, 2023	CAO By-Law
CAOP 12/2023	Agreement between City and EAN Services, LLC for rental of automobiles and light duty trucks Type: Sole Source Financials: $40,000 excluding HST	Approved February 8, 2023	Purchasing By-Law
CAO 14/2023	P&C: Personnel Matter Financials: N/A	Approved February 6, 2023	CAO By-Law
CAOP 17/2023	Agreement between City and Vermeer Canada Inc for purchase of 1 new 2023 Vermeer BC1200XL Gas Engine Brush Chipper with O.E.M Accessories & Attachments Type: Sole Source Financials: $126,000 excluding HST	Approved February 9, 2023	Purchasing By-Law

CAOP 18/2023	Agreement between City and Helping Hands Tree Service Inc. for tree trimming services Type: RFT 181-22 Financials: $193,500 excluding HST (B5/2023)	Approved February 7, 2023	Purchasing By-Law
CAOP 19/2023	Agreement between City and DiPonti Paving Inc. for provision of Utility Cut Restoration & Asphalt Repairs Type: RFT 8-23 Financials: $1,314,950 excluding HST (B4/2023 & B5/2023)	Approved February 9, 2023	Purchasing By-Law
CAOP 20/2023	Agreement between City and Giorgi Bros Inc., Piera Con Enterprises, Coco Concrete, Amico Construction, Danruss Contracting and J.C.S. Construction for Utility Cut Restoration & Concrete Repairs Type: RFT 7-23 Financials: $8,358,595 excluding HST (B4/2023 B5/2023)	Approved February 9, 2023	Purchasing By-Law
CAOP 21/2023	Agreement between City and GFL Environmental Services Inc to permit GFL to operate as authorized generator delegate for individual City sites Type: Sole Source Term: 2 year Financials: funded from existing Corporate Wide departmental operating budgets on as needed basis	Approved March 21, 2023	Purchasing By-Law
CAO 24/2023	Requests 2023-01, 2023-02 and 2023-03 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund for Canada's Meeting & Event Expo (Project 2023-01), 2023 Destination Ontario Marketing Partnership (Project 2023-02), and 2023 Regional FireFit Championship (Project 2023-03) Financials: $165,000 excluding HST reallocated from Project 2019-02	Approved January 25, 2023	Use of Tourism Reserve Fund (CR427/2018)
CAO 26/2023	P&C: Personnel Matter Financials: N/A	Approved January 26, 2023	CAO By-Law
CAO 28/2023	Grant application for Skills Development funding for Round 3 of Windsor Fire and Rescue NFPA Certification Training and Mental Health Support Financials: N/A	Approved January 30, 2023	Grant Application
CAO 32/2023	Agreement between City and DocuSign Inc for 3 year subscription of Cloud Based Digital Signature Service Type: Sole Source Financials: $100,796.06/annually excluding HST	Approved January 25, 2023	Purchasing By-Law
CAOP 34/2023	Agreement between City and Price Waterhouse Coopers LLP for identifying tangible activities to address and improve employee experience and retention. Type: Sole Source Financials; $150,000 excluding HST (CR336/2022)	Approved March 6, 2023	Purchasing By-Law
CAO 35/2023	Letter of Support: Windsor Essex Catholic District School Board and Workforce WindsorEssex to Ministry of Labour, Immigration, Training and Skills Development's (MLITSD) Skills Development Fund Financials: N/A	Approved January 26, 2023	Letter of Support
CAOP 35/2023	Agreements with all consultants selected for the Roster of Engineering Consultants and Architects for engineering and architectural assignments less than $100,000 excluding HST Type: RFP 152-17 Financials: N/A	Approved March 9, 2023	Purchasing By-Law
CAO 36/2023	Agreement between City and Town of Amherstburg to grow plant material for 2023 season Financial Revenue: $9,647.58 excluding HST	Approved February 3, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 36/2023	Agreement amendment between City and Stinson Equipment Limited for 2023 Supply of Traffic Sign Blanks Non Painted	Amendment Approved April 6, 2023	Purchasing By-Law

	Type: RFT 26-23 Financials: $120,247.50 excluding HST		
CAOP 38/2023	Agreement between City and Beartech Solutions Inc. for 250 corporate laptops. Type: RFT 41-23 Financials: $353,275 excluding HST (B42-2002, B43-2002)	Approved March 21, 2023	Purchasing By-Law
CAO 39/2023	Execute attestation forms confirming City of Windsor's employees' hours of service related to Refrigeration B Qualifications, Technical Standards and Safety Authority Certification Financials: N/A	Approved February 7, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 39/2023	Agreement between City and Jutzi Water Technologies Inc. for provision of swimming pool chemicals Type: RFT 34-23 Financials: $178,172.50 excluding HST (B4/2023)	Approved March 21, 2023	Purchasing By-Law
CAOP 40/2023	Agreement between City and Ennis Paint Canada ULC for supply and delivery of Low VOC Traffic Marking Paint Type: Sole Source Financials: $310,013 excluding HST (B4/2023)	Approved March 21, 2023	Purchasing By-Law
CAO 41/2023	P&C: Personnel Matter Financials: N/A	Approved February 24, 2023	CAO By-Law
CAOP 41/2023	Agreement between City and Microsoft Enterprise Services Work Order for problem resolution support and support assistance Type: Sole Source Financials: $64,111.25 excluding HST	Approved March 21, 2023	Purchasing By-Law
CAOP 42/2023	Agreement between City and Bird Canada Inc for provision of Micromobility Share Services Type: RFP 10-23 Financials: N/A Term: 3 year term with 1 year extension options	Approved April 13, 2023	Purchasing By-Law
CAO 44/2023	Grant application for Tree Cities of the World Recognition Program by Arbor Day Foundation and Food and Agriculture Organization of the United Nations Financials: N/A	Approved February 8, 2023	Grant Application
CAO 45/2023	Status report on Compliance with Applicable Laws and Regulations 2022 Q3-Q4 Financials: N/A	Approved February 9, 2023	Administrative Matters (delegated by CR232/2012)
CAO 46/2023	Letter of Support: St. Clair College's application to Natural Sciences and Engineering Research Council of Canada (NSERC) College and Community Social Innovation Fund Financials: N/A	Approved March 1, 2023	Letter of Support
CAOP 46/2023	Agreement between City and Windsor Police Services to upgrade Windsor Fire and Rescue Services' communication system and transition to Next Generation 9-1-1 network Type: Sole Source Financials: $1,209,004.07 excluding HST (CR189/2023)	Approved March 31, 2023	Purchasing By-Law
CAO 47/2023	Vendor Discount: Spadafora Insurance Services Inc. Financials: N/A	Approved February 9, 2023	Vendor Discount
CAOP 48/2023	Agreement between City and Windsor Chrysler for purchase of 2 new 2023 Dodge Ram 4500 Tradesman Standard Cab, Heavy Duty, DRW, 2 Wheel Drive Trucks Type: RFT 44-23 Financials: $163,310 excluding HST (B28/2021)	Approved April 5, 2023	Purchasing By-Law

CAOP 49/2023	Service agreement between City and Accelerated Technology Laboratories, Inc. Type: RFP 164-22 Financials: $219,282.21 excluding HST (B28/2021) Term: 3 year subscription	Approved April 13, 2023	Purchasing By-Law
CAOP 51/2023	Agreement amendment between City and GIP Paving for provision of Winter Maintenance of Municipal Roads for 2023/2024, 2024/2025, and 2025/2026 winter seasons and approval of a 3-year extension option Type: RFT 114-15 Financials: $2,731,380 excluding HST for 2023/2024 season (CR B27/2021) / $2,731,380 excluding HST for 2024/2025 and 2025/2026 seasons	Approved May 9, 2023	Purchasing By-Law
CAO 54/2023	P&C: Personnel Matter Financials: N/A	Approved February 22, 2023	CAO By-Law
CAOP 55/2023	Agreement between City and Rose City Ford Sales Limited for the purchase of 4 new 2023 Ford F-250 Standard Cab Pickup trucks Type: Sole Source Financials: $265,656 excluding HST (CR 331/2022)	Approved April 14, 2023	Purchasing By-Law
CAO 56/2023	P&C: Personnel Matter Financials: N/A	Approved February 24, 2023	CAO By-Law
CAOP 56/2023	Agreement between City and Piera Con Enterprises Inc for provision of Construction of Concrete Sidewalks, Curb and Gutter at various locations Type: RFT 47-23 Financials: $967,568.50 excluding HST (CR 248/2019)	Approved April 21, 2023	Purchasing By-Law
CAO 59/2023	P&C: Personnel Matter Financials: N/A	Approved March 3, 2023	CAO By-Law
CAOP 59/2023	Agreement between City and Mill-Am Corporation for supply of hot mix asphalt Type: RFT 19-23 Financials: $96,000 excluding HST	Approved April 28, 2023	Purchasing By-Law
CAOP 60/2023	Agreement between City and Uxbridge Nurseries Limited for Spring Tree Nursery Stock Type: RFT 62-23 Financials: $163,750 excluding HST (B5/2023)	Approved April 27, 2023	Purchasing By-Law
CAOP 62/2023	Agreement between City and KPMG LLP for Implementation of PSAB Standard 3280-Asset Retirement Obligations Type: Sole Source Financials: $60,000 excluding HST	Approved April 28, 2023	Purchasing By-Law
CAO 63/2023	Letter of Support: Shelter Health Research Team to submit Research Ethics Board (REB) application for project "Understanding the Landscape for a Shelter Health Initiative in Windsor ON" to the University of Windsor, St. Clair College, Windsor Regional Hospital, Hotel Dieu Grace Healthcare and Erie Shores HealthCare Financials: N/A	Approved March 1, 2023	Letter of Support
CAOP 64/2023	Agreement between City and DocuSign for 3 year subscription of Cloud Based Digital Signature Service - Advanced Workflow functionality Type: Sole Source Financials: $49,071.09 excluding HST	Approved April 28, 2023	Purchasing By-Law
CAO 67/2023	Authorization for Manager of Employee Relations to execute agreements to book facilities for the purpose of negotiations with Windsor Professional Firefighters	Approved March 9, 2023	Administrative Matters (delegated by CR232/2012)

	Association Financials: $1,700 excluding HST		
CAOP 67/2023	Agreement between City and Perry Group Consulting Ltd to amend existing legal agreement for additional work related to Service Modernization Review of Building, Planning, Right of Way Type: RFP 155-22 Financials: $88,000 excluding HST	Approved May 4, 2023	Purchasing By-Law
CAOP 68/2023	Agreement between City and Crawford Cutting Inc. for provision of supplying irrigation services at various locations Type: RFT 46-23 Financials: $175,000 annually excluding HST (B4/2023)	Approved May 8, 2023	Purchasing By-Law
CAOP 70/2023	Agreement amendment between City and Quality Turf Ltd for tree watering services Type: RFT 44-20 Financials: upset limit of $102,278.40 excluding HST	Approved May 15, 2023	Purchasing By-Law
CAO 71/2023	Agreement between City and Town of LaSalle for use of LaSalle Fire Service's training facility Financials: N/A	Approved March 3, 2023	Administrative Matters (delegated by CR232/2012)
CAO 72/2023	Agreement between City and Traders General Insurance Company for marketing plan provided by Spadafora Insurance Services Inc. for employee insurance to all City of Windsor employees and retirees Financials: N/A	Approved March 21, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 72/2023	Agreement between City and Aebi Schmidt Canada Inc. for purchase of 1 new, unused Schmidt Stratos B40 Salter Assembly, 1 new, unused Schmidt Stratos B70 Combi Salter Assembly Type: Sole Source Financials: $144,450 excluding HST	Approved May 31, 2023	Purchasing By-Law
CAO 74/2023	P&C: Personnel Matter Financials: N/A	Approved March 8, 2023	CAO By-Law
CAOP 74/2023	Agreement between City and Zasio Enterprises, Inc. for 3-year subscription of cloud-based Document Management service "Versatile Professional" Type: Sole Source Financials: $25,860 USD excluding HST	Approved June 7, 2023	Purchasing By-Law
CAO 77/2023	Amendment to Parking By-Law 9023: No Parking, No Stopping, Accessible Parking Financials: N/A	Approved May 5, 2023	By-Law Amendments
CAOP 78/2023	Agreement between City and High Reach Inc. for purchase and delivery of 1 new, unused 2023 Broderson IC-40-2C Carry Deck Crane Type: Sole Source Financials: $227,500 excluding HST (CR B5/2023)	Approved June 6, 2023	Purchasing By-Law
CAO 80/2023	Agreement between City and CIMA Canada Inc. to undertake high level review and develop strategies and organizational plan for Transportation Services Financials: $59,300 excluding HST	Approved March 21, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 80/2023	Agreement between City and ePACT Network Ltd. for securement of electronic data collection and archiving services for 1 year term Type: Sole Source Financials: $5,300 excluding HST	Approved June 12, 2023	Purchasing By-Law

CAO 81/2023	Agreement between City and University of Windsor for Data Donation as required to share Pathway to Potential reports for archiving Financials: N/A	Approved March 21, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 81/2023	Agreement between City and PricewaterhouseCoopers LLP to include two additional workshops, a survey, and 2 additional days to Retention and Employee Experience Project timeline Type: Sole Source Financials: upset limit of $156,500 excluding HST (CR336/2022)	Approved June 12, 2023	Purchasing By-Law
CAOP 82/2023	Agreement between City and Cummins Canada ULC for purchase of 2 reconditioned engines for Transit Windsor to extend life of hybrid buses within existing fleet Type: Sole Source Financials: $110,979.50 excluding HST	Approved June 15, 2023	Purchasing By-Law
CAOP 83/2023	Agreement between City and Amtruck Ltd for purchase of 1 rent to own 2022 Freightliner/Labrie Expert Model Split Stream Side Loading Collection Truck Type: Sole Source Financials: $346,080 excluding HST (CR 412/2020)	Approved June 14, 2023	Purchasing By-Law
CAO 85/2023	P&C: Personnel Matter Financials: N/A	Approved March 16, 2023	CAO By-Law
CAOP 85/2023	Agreement between NEXGEN Municipal Inc for purchase of 3 new, unused 2023 Haul-All M1600 Class Multi-Purpose Modular Collection Body Refuse Trucks Type: Sole Source Financials: $692,316.43 excluding HST (CR B5/2023)	Approved June 19, 2023	Purchasing By-Law
CAO 86/2023	P&C: Legal Matter Financials: N/A	Approved March 17, 2023	CAO By-Law
CAO 88/2023	P&C: Personnel Matter Financials: N/A	Approved March 31, 2023	CAO By-Law
CAOP 88/2023	Agreement between City and BXF Infrastructures Inc. for provision of Manhole Casting Levelling at various locations Type: RFT 71-23 Financials: $166,043.85 excluding HST (B4/2023)	Approved July 6, 2023	Purchasing By-Law
CAO 90/2023	Letter of Support: Atmospheric Fund and City of Toronto joint application to Codes Acceleration Funding Program Financials: N/A	Approved April 5, 2023	Letter of Support
CAO 91/2023	Agreement between City and Detroit Belle Isle Grand Prix Inc for sponsorship of 2023 Detroit Grand Prix Financials: $50,000 excluding HST	Approved May 1, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 92/2023	Agreement between City and WorkForce Software Inc. for purpose of purchasing additional 500 hours and receiving credit for additional 150 hours under Managed Services Agreement Type: Sole Source Financials: $93,712.50 excluding HST	Approved July 6, 2023	Purchasing By-Law
CAO 93/2023	P&C: Personnel Matter Financials: N/A	Approved March 27, 2023	CAO By-Law

CAO 94/2023	Approval to write off an ongoing reconciling item from the Leases-Receivable Account Financials: $53,336.45 excluding HST	Approved March 31, 2023	Accounts Receivable Interest Write Off
CAOP 94/2023	Agreement between City and Carrier Truck Center Inc for purchase of 1 new, unused 2023 or newer, International CV-515, Standard Cab, Heavy-Duty, DRW, Diesel, 4 Wheel Drive Truck with Aluminum Platform Body & Accessories Type: RFT 96-23 Financials: $136,016 excluding HST	Approved July 11, 2023	Purchasing By-Law
CAO 95/2023	P&C: Personnel Matter Financials: N/A	Approved March 31, 2023	CAO By-Law
CAO 97/2023	P&C: Personnel Matter Financials: N/A	Approved March 31, 2023	CAO By-Law
CAOP 97/2023	Agreement between City and Flow-Kleen Technology Ltd. for Catchbasin Cleaning Type: RFT 92-23 Financials: upset limit of $264,020.06 excluding HST (B4/2023)	Approved July 10, 2023	Purchasing By-Law
CAOP 98/2023	Agreement amendment between City and Electrical Safety Authority for electrical inspections for additional 2 years Type: Sole Source Financials: $31,561 excluding HST year 1 / $32,079 excluding HST year 2	Approved July 6, 2023	Purchasing By-Law
CAO 99/2023	Transfer of $30,000 from Grant Matching Funding and Mitigating Inflationary Pressures Project to Sewage Overflow/Bypass Grant Project to cover ineligible project costs Financials: $30,000 excluding HST (CR 106/2022)	Approved April 28, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 101/2023	Agreement between City and Wear It Proud-Dynamic Design and Promotion of Windsor Inc for Corporate apparel pilot project Type: Sole Source Financials: Nil	Approved July 27, 2023	Purchasing By-Law
CAOP 103/2023	Agreement between City and Nasci Construction Services Ltd. for Crack Sealing of Asphalt Pavements at various locations Type: RFT 25-23 Financials: $125,581.06 excluding HST	Approved July 14, 2023	Purchasing By-Law
CAO 105/2023	Requests 2023-04 and 2023-05 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund for 2024 Ontario Motor Coach Association Marketplace (Project 2023-04) and Amazing Race Canada (Project 2023-05) Financials: $65,000 excluding HST reallocated from Project 2022-01	Approved April 13, 2023	Use of Tourism Reserve Fund (CR427/2018)
CAO 109/2023	Letter of Support: Nevan Construction Inc. to submit applications for funding to upper levels of government for affordable housing units Financials: N/A	Approved April 21, 2023	Letter of Support
CAO 110/2023	Approval of Travel and Business Expense for expenses related to Ontario Goods Roads TM47: Stormwater Management training course Financials: $3,194.59 including HST	Approved April 21, 2023	Administrative Matters (delegated by CR232/2012)
CAO 112/2023	P&C: Personnel Matter Financials: N/A	Approved April 20, 2023	CAO By-Law

CAO 115/2023	Agreement between City and ENWIN Utilities Ltd. for cost recovery of ENWIN's portion of Predictor Enterprise software subscription from Brightly Software Canada Inc Financials: $12,925 excluding HST	Approved August 1, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 115/2023	Agreement amendment between City and Carrier Truck Center Inc for on-going purchase of 1, two person, rear loading high density refuse truck Type: RFP 180-21 Financials: $299,593 excluding HST (Report C 33/2022 - CR104/2022)	Approved August 11, 2023	Purchasing By-Law
CAO 118/2023	West Nile Larviciding and Mosquito Monitoring Program for 2023 Financials: The Windsor-Essex County Health Unit will submit an application to the Ministry of Health requesting that 70% of the total cost of the proposal for 2023 be covered by the Ministry of Health ($49,000 allocated in Environmental Sustainability & Climate Change Department's 2023 Operating Budget; net cost to City in 2020 was $24,420.27	Approved April 26, 2023	West Nile Larviciding Requirements
CAOP 118/2023	Agreement between City and ePACT Network Ltd for provision of secure electronic data collection and archiving services for 1 year Type: Sole Source Financials: $8,450 excluding HST	Approved September 27, 2023	Purchasing By-Law
CAO 120/2023	P&C: Personnel Matter Financials: N/A	Approved July 11, 2023	CAO By-Law
CAOP 122/2023	Agreement amendment between City and The Get Go Inc (DBA GGI Road & Traffic) for providing traffic infrastructure non-intrusive signal detection for 1 year Type: RFP 152-20 Financials: upset limit of $254,400 excluding HST (annually) (B5/2023)	Approved September 14, 2023	Purchasing By-Law
CAOP 124/2023	Agreement between City and Microsoft Canada Inc and Insight Canada Inc for provision of Microsoft related software subscriptions Type: Sole Source Financials: $1,500,000 excluding HST annually for 2 years (B27/2021 and BI 2022-0315)	Approved September 6, 2023	Purchasing By-Law
CAO 125/2023	Agreement between City and Ministry of Labour, Immigration, Training and Skills Development for funding related to Employment Ontario Employment Services Financial Revenue: $1,317,000 excluding HST (CR523/2022)	Amendment Approved May 8, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 125/2023	Agreement between City and Nasci Construction Services Ltd. for Crack Sealing of Asphalt Pavements at various locations Type: RFT 97-23 Financials: $125,500 excluding HST	Approved September 13, 2023	Purchasing By-Law
CAO 126/2023	P&C: Personnel Matter Financials: N/A	Approved April 28, 2023	CAO By-Law
CAOP 126/2023	Agreement between City and BXF Infrastructure Inc. for Fibre Conduit and Maintenance Hole Installation Type: RFT 75-23 Financials: $777,027.66 excluding HST (B5/2023)	Approved September 12, 2023	Purchasing By-Law
CAOP 127/2023	Agreement between City and Granicus for AMANDA GIS Adaptor, Citizen Portal, Inspectors App, Enterprise Authentication Adaptor, Advance Email and Collaboration modules Type: Sole Source Financials: $147,107.50 excluding HST	Approved September 14, 2023	Purchasing By-Law

CAO 130/2023	Authorization for City Planner to sign and execute any agreements, declarations or approvals resulting from receiving funding from Provincial Site Readiness Program Financial Revenue: up to 50% reimbursement of eligible costs to a max of $25,000 per site	Approved May 24, 2023	Grant Application
CAOP 130/2023	Agreement between City and V. Kraus Nurseries Ltd. for provision of Fall Tree Nursery Stock Type: Tender 126-23 Financials: $156,250 excluding HST (B5/2023)	Approved September 19, 2023	Purchasing By-Law
CAOP 131/2023	Agreement between City and Oracle Canada ULC for expansion of Oracle - Ordering Document licenses Type: Sole Source Financials: $53,200 excluding HST	Approved October 4, 2023	Purchasing By-Law
CAOP 132/2023	Agreement between City and KPMG LLP for professional services to conduct ERP Assessment Type: RFP 80-23 Financials: $80,000 excluding HST	Approved October 4, 2023	Purchasing By-Law
CAOP 133/2023	Agreement between City and Storagepipe Solutions Inc. for performing IT backup and recovery services Type: RFP 86-23 Financials: $132,936/year excluding HST	Approved September 27, 2023	Purchasing By-Law
CAO 135/2023	Amendment of Parking By-Law 9023: Parking Fine Increase Financials: N/A	Approved May 11, 2023	By-Law Amendments
CAOP 135/2023	Amendment between City and Lucier Glove & Safety Products Inc due to price increase of clothing items (Big Bill, Gildan, Devon & Jones, Harriton) as outlined in their submission Type: RFP 100-21 Financials: $1,200/annually excluding HST	Approved October 10, 2023	Purchasing By-Law
CAO 136/2023	P&C: Personnel Matter Financials: N/A	Approved June 22, 2023	CAO By-Law
CAO 137/2023	Agreement between City and MDR Scope of Service Addendum with Rapid7 International Limited to quarantine compromised computers Financials: included in terms of existing contract	Approved May 11, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 137/2023	Agreement between City and successful proponents for IT Roster Type: RFP 78-23 Financials: N/A	Approved October 5, 2023	Purchasing By-Law
CAOP 138/2023	Agreement between City and Meraki IT Consulting Inc. related to AMANDA Enterprise System Assessment and implementation of new AMANDA modules Type: Sole Source Financials: $175,400 excluding HST (CR 71/2022)	Approved October 10, 2023	Purchasing By-Law
CAO 139/2023	P&C: Personnel Matter Financials: N/A	Approved May 9, 2023	CAO By-Law
CAOP 139/2023	Agreement between City and Twilio Inc. for online email delivery services Type: Small Purchase Order Term: 3 year subscription Financials: $3,238.20 USD excluding HST	Approved October 18, 2023	Purchasing By-Law
CAO 140/2023	Grant application for Ontario Community Environment Fund for Natural Areas Monitoring with Community Science in City of Windsor project and Community Education and Engagement Program Project Financials: N/A	Approved May 25, 2023	Grant Application

CAOP 140/2023	Agreement between City and WG Resolutions for legal consulting services towards a City-wide culture assessment Type: Exempt per schedule A to Bylaw 93-2012 section 8 Legal Services & Support Financials: hourly rate $325 excluding HST for an expected cost of $45,000 to $65,000	Approved October 11, 2023	Purchasing By-Law
CAOP 143/2023	Agreement between City and LifeMark Occupational Health and Wellness Inc for On-site Health Screenings available for City Employees Type: RFQ NM-08212023-01 Financials: $9,300 excluding HST	Approved October 18, 2023	Purchasing By-Law
CAOP 144/2023	Agreement between City and Telus Communications Inc for one year for use and implementation of FOCUS as corporate GPS/AVL solution Type: RFP 95-16 Financials: $150,000 excluding HST (B4/2023)	Approved November 6, 2023	Purchasing By-Law
CAO 145/2023	P&C: Personnel Matter Financials: N/A	Approved May 24, 2023	CAO By-Law
CAOP 145/2023	Agreement between City and Alite Road Patching & Road Work Inc.; Amico Infrastructures Inc.; DP Trucking Inc.; GIP Paving Inc.; N & L Leasing c/o 659727 - Ontario Inc.; Rand-Con Construction Inc.; Scorpaz Group Inc. for winter maintenance equipment rentals Type: RFT 120-23 Financials: $50,000 excluding HST (B4/2023, B27/2024)	Approved October 19, 2023	Purchasing By-Law
CAO 146/2023	Agreement between City and Clinical Connect for Privacy & Security Attestation Financials: N/A	Approved June 1, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 146/2023	Agreement Extension between City and Netagen Communication Technologies Inc. (formerly GDL Solutions Inc.) for performing backup and recovery services Type: Sole Source Financials: $11,400 per month and one-time $2,500 administrative fee excluding HST	Amendment Approved October 25, 2023	Purchasing By-Law
CAO 150/2023	Amendment of Parking By-Law 9023: Penalty Review Financials: N/A	Approved June 8, 2023	By-Law Amendments
CAOP 151/2023	Agreement between City and CRMS Software for 3 year subscription of cloud based Social Worker Case Management service Type: Sole Source Financials: $40,520 excluding HST	Approved October 30, 2023	Purchasing By-Law
CAO 152/2023	P&C: Personnel Matter Financials: N/A	Approved June 5, 2023	CAO By-Law
CAOP 152/2023	Agreement between City and Perry Group Consulting Ltd. for developing and delivering of Corporate Technology Master Plan Type: RFP 23-22 Financials: $19,425 excluding HST	Approved October 27, 2023	Purchasing By-Law
CAO 153/2023	P&C: Personnel Matter Financials: N/A	Approved May 25, 2023	CAO By-Law
CAO 155/2023	Grant application for Invasive Species Action Fund Financials: N/A	Approved June 2, 2023	Grant Application

CAOP 155/2023	Agreement between City and Alite Road patching & Road Work Inc. for snow removal on Municipal Sidewalks and Multi Use Trails (MUTs) in the Right of Way Type: RFT 129-23 Financials: $95,000 excluding HST	Approved November 9, 2023	Purchasing By-Law
CAO 156/2023	Agreement between City and Enbridge for Data Usage Agreement Financials: N/A	Approved June 14, 2023	Energy Initiative Projects
CAO 157/2023	Agreement between City and Findhelp Information Services for 2023-2024 data sharing Financials: $1,790.02 excluding HST	Approved June 12, 2023	Administrative Matters (delegated by CR232/2012)
CAO 158/2023	Agreement between City and Workforce Software Inc.for purpose of allowing WFS to update "Preapproved Affiliates and Subcontractors" list Financials: N/A	Approved June 7, 2023	Administrative Matters (delegated by CR232/2012)
CAO 159/2023	Agreement between City and Resource Productivity (RPRA)and Recovery Authority to sign required documents and report to RPRA Financials: N/A	Approved June 7, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 159/2023	Agreement between City and triOS College Business Technology Healthcare Inc. for on-site massages available for City Employees Type: Exempt from Purchasing Bylaw 93-2012 as per Schedule A Section 9 Financials: N/A	Approved November 9, 2023	Purchasing By-Law
CAO 160/2023	Letter of Support: Green Communities Canada application to 2 Billion Trees Funding Program Financials: N/A	Approved June 2, 2023	Letter of Support
CAO 162/2023	P&C: Personnel Matter Financials: N/A	Approved June 29, 2023	CAO By-Law
CAO 165/2023	Agreement between City and Microsoft in connection with its settlement of a class action claim against Microsoft for Volume Licensing Financial Credit: $23,470 excluding HST	Approved June 7, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 165/2023	Agreement Amendment between City and WSP Canada Inc, formerly Golder Associates Limited, for additional environmental investigation work, a soil management plan, and associated reports Type: Sole Source Financials: Revised cumulative upset limit totaling $143,500 excluding HST	Approved December 29, 2023	Purchasing By-Law
CAO 167/2023	P&C: Personnel Matter Financials: N/A	Approved June 7, 2023	CAO By-Law
CAOP 167/2023	Agreement between City and Finch Chevrolet and Victory Ford to purchase 4 new, unused 2024 Ford Maverick XL model Crew Cab Hybrid Pick-Ups and 3 new, unused 2024 Chevrolet 1500 Silverado Extended Cab Pick-Ups Type: Sole Source Financials: $299,125.48 excluding HST (CR's B6/2021, B28/2021 and CR331/2021)	Approved December 5, 2023	Purchasing By-Law
CAO 168/2023	P&C: Personnel Matter Financials: N/A	Approved June 7, 2023	CAO By-Law

CAOP 168/2023	Agreement Extension between City and Ebert Tree Farm Ltd. for the provision of tree planting services of 1,000 trees for one year term Type: RFT 37-20 Financials: $147,500 excluding HST (B5/2023)	Approved December 5, 2023	Purchasing By-Law
CAOP 169/2023	Agreement between City and ValGuard Security Services Inc. for armoured car services to the City of Windsor Type: RFP 135-23 Financials: $70,564 excluding HST	Approved December 6, 2023	Purchasing By-Law
CAO 170/2023	Agreement between City and PointClickCare Technologies Inc. for provision of "Early Access Agreement" Financials: N/A	Approved June 6, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 171/2023	Agreement between City and WorkForce Software Inc for purchasing additional 575 hours under the Managed Services Agreement Type: Sole Source Financials: $107,766.50 excluding HST	Approved December 20, 2023	Purchasing By-Law
CAO 172/2023	Agreement between City and Portlands Energy Centre L.P. to sponsor portion of annual Mayor's Walk and 131st Birthday Celebration Financial Revenue: $2,500 excluding HST	Approved June 7, 2023	Administrative Matters (delegated by CR232/2012)
CAO 174/2023	Letter of Support: Expansion of CMHA Health Centre Primary Care (IPC) Team to support Shelter Health initiative under Expression of Interest submission by Canadian Mental Health Association Financials: N/A	Approved June 8, 2023	Letter of Support
CAO 175/2023	Authorization to execute The Approval of Proposed Distribution and Release of Estate Trustee Financials: $2,003.06 excluding HST	Approved June 16, 2023	Accounts Receivable Interest Write Off
CAOP 178/2023	Agreement between City and Ernst & Young LLP, for purchase of ServiceNow subscription, licensing, and support services used to manage IT operations & projects portfolio Type: Sole Source Financials: $108,712.68/annually excluding HST	Approved December 20, 2023	Purchasing By-Law
CAO 179/2023	Letter of Support: Windsor Family Health Team's Expression of Interest for enhancement and expansion of interdisciplinary primary care services to Ministry of Health of Ontario Health Financials: N/A	Approved June 12, 2023	Letter of Support
CAO 180/2023	Letter of Support: Windsor Essex Community Health Centre's application under Expanding and Enhancing Interprofessional Primary Care (IPC) Teams Expression of Interest Financials: N/A	Approved June 13, 2023	Letter of Support
CAO 188/2023	Agreement between City and Ministry of Transportation of Ontario's (MTO) Authorized Requester Information System (ARIS) Program Financials: N/A	Approved June 27, 2023	Administrative Matters (delegated by CR232/2012)
CAO 191/2023	Agreement between City and Lifesaving Society to participate in National Lifeguard Re-exam pilot project Financials: N/A	Approved June 27, 2023	Administrative Matters (delegated by CR232/2012)
CAO 194/2023	Letter of Support: Ska:na Family Learning Centre to submit applications to Canada Mortgage and Housing Corporation (CMHC) to deliver Transitional Housing for Indigenous Women and their Children in Windsor Essex area Financials: N/A	Approved July 13, 2023	Letter of Support
CAO 197/2023	P&C: Personnel Matter Financials: N/A	Approved August 21, 2023	CAO By-Law

CAO 198/2023	Agreement between City and Ontario Health (formerly Erie St. Clair Local Health Integration Network (LHIN)) to amend Long-Term Care Home Service Accountability Agreement (LSAA) Financials: N/A	Approved July 12, 2023	Administrative Matters (delegated by CR232/2012)
CAO 199/2023	Grant application for Invasive Phragmites Control Fund Financials: N/A	Approved July 20, 2023	Grant Application
CAO 200/2023	Agreement between City and Telus Smart Waste Bin Service Contract for renewals of Telus Contract for Smart Bin Waste Service of 15 garbage bins Financials: $2,379 excluding HST annually	Approved July 12, 2023	Administrative Matters (delegated by CR232/2012)
CAO 202/2023	P&C: Personnel Matter Financials: N/A	Approved July 19, 2023	CAO By-Law
CAO 203/2023	P&C: Personnel Matter Financials: N/A	Approved August 14, 2023	CAO By-Law
CAO 205/2023	Agreement between City and Municipality of Lakeshore for provision of prosecutor services for Lakeshore By-Law matters Financials: N/A	Approved July 25, 2023	Administrative Matters (delegated by CR232/2012)
CAO 206/2023	P&C: Personnel Matter Financials: N/A	Approved August 14, 2023	CAO By-Law
CAO 207/2023	P&C: Personnel Matter Financials: N/A	Approved July 26, 2023	CAO By-Law
CAO 208/2023	Authorization for CFO/City Treasurer to sign and submit Current Replacement Value Report, any future updates, additional submissions and/or requests for information from Ministry of Infrastructure Financials: N/A	Approved July 27, 2023	Administrative Matters (delegated by CR232/2012)
CAO 215/2023	P&C: Personnel Matter Financials: N/A	Approved August 15, 2023	CAO By-Law
CAO 217/2023	Disclosure Confirmation Letter from VIA Rail Financials: N/A	Approved August 17, 2023	Administrative Matters (delegated by CR232/2012)
CAO 219/2023	P&C: Personnel Matter Financials: N/A	Approved August 11, 2023	CAO By-Law
CAO 220/2023	P&C: Personnel Matter Financials: N/A	Approved August 10, 2023	CAO By-Law
CAO 224/2023	P&C: Personnel Matter Financials: N/A	Approved August 22, 2023	CAO By-Law
CAO 225/2023	P&C: Personnel Matter Financials: N/A	Approved August 22, 2023	CAO By-Law

CAO 226/2023	Request 2023-06 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund for Windsor International Film Festival Financials: $200,000 over 4 years ($50,000 in each of the four years being 2023, 2024, 2025 and 2026)	Approved September 6, 2023	Use of Tourism Reserve Fund (CR427/2018)
CAO 227/2023	P&C: Personnel Matter Financials: N/A	Approved August 25, 2023	CAO By-Law
CAO 230/2023	P&C: Personnel Matter Financials: N/A	Approved August 30, 2023	CAO By-Law
CAO 233/2023	P&C: Personnel Matter Financials: N/A	Approved August 31, 2023	CAO By-Law
CAO 237/2023	P&C: Personnel Matter Financials: N/A	Approved September 21, 2023	CAO By-Law
CAO 238/2023	Authorization for City to participate in Students Commission of Canada "Take our Kids to Work Day" Term: November 1, 2023 Financials: $1,000 excluding HST	Approved September 13, 2023	Student & Youth Employment Opportunities
CAO 239/2023	Agreement between City and University of Windsor to collaborate on research project entitled "Wastewater Surveillance: A Tool to Monitor Infectious Diseases at the Community Level" Financials: N/A	Approved September 13, 2023	Administrative Matters (delegated by CR232/2012)
CAO 242/2023	Status report on Compliance with Applicable Laws and Regulations 2023 Q1-Q2 Financials: N/A	Approved September 13, 2023	Administrative Matters (delegated by CR232/2012)
CAO 247/2023	P&C: Personnel Matter Financials: N/A	Approved September 15, 2023	CAO By-Law
CAO 253/2023	P&C: Personnel Matter Financials: N/A	Approved September 22, 2023	CAO By-Law
CAO 256/2023	Grant application for Ontario Nuclear Emergency Management Program (NEMP) Transfer Fund for the Mass Notification System and Community Evacuation Centre Supplies project Financials: N/A	Approval September 21, 2023	Grant Application
CAO 259/2023	P&C: Legal Matter Financials: N/A	Approved September 28, 2023	CAO By-Law
CAO 267/2023	Grant application Municipality Energy Plan Incentive Offer from Enbridge Gas for purpose of receiving reimbursement of 50% eligible costs incurred to a maximum of $10,000 to support municipal action on climate change Financial Revenue: up to $10,000 excluding HST	Approved November 15, 2023	Grant Application
CAO 274/2023	P&C: Personnel Matter Financials: N/A	Approved November 3, 2023	CAO By-Law

CAO 276/2023	Grant application for participate in Global Covenant of Mayors (CGoM) Canada Implementation Cohort Financials: N/A	Approved October 26, 2023	Grant Application
CAO 280/2023	P&C: Personnel Matter Financials: N/A	Approved November 3, 2023	CAO By-Law
CAO 281/2023	P&C: Personnel Matter Financials: N/A	Approved November 3, 2023	CAO By-Law
CAO 282/2023	P&C: Personnel Matter Financials: N/A	Approved November 22, 2023	CAO By-Law
CAO 284/2023	Amendment to Parking By-Law 9023: Accessible Parking, Limited Parking, No Parking Financials: N/A	Approved November 8, 2023	By-Law Amendments
CAO 287/2023	Letter of Support: Windsor Essex Catholic District School Board and Workforce WindsorEssex proposal to Ministry of Labour, Immigration, Training and Skills Development's (MLITSD) Skills Development Fund Financials: N/A	Approved November 2, 2023	Letter of Support
CAO 288/2023	P&C: Personnel Matter Financials: N/A	Approved November 2, 2023	CAO By-Law
CAO 290/2023	P&C: Property Matter Financials: N/A	Approved November 6, 2023	Purchasing By-Law
CAO 298/2023	P&C: Personnel Matter Financials: N/A	Approved November 9, 2023	CAO By-Law
CAO 300/2023	P&C: Personnel Matter Financials: N/A	Approved November 9, 2023	CAO By-Law
CAO 303/2023	Transit Windsor Pension Plan Letters of Credit Financials: $2,500 excluding HST	Approved November 23, 2023	Administrative Matters (delegated by CR232/2012)
CAO 304/2023	Transit Windsor Pension Plan – Notice to Terminate Investment Agreement with OMERS Financials: N/A	Approved November 15, 2023	Administrative Matters (delegated by CR232/2012)
CAO 307/2023	P&C: Personnel Matter Financials: N/A	Approved November 21, 2023	CAO By-Law
CAO 311/2023	P&C: Personnel Matter Financials: N/A	Approved December 5, 2023	CAO By-Law
CAO 312/2023	P&C: Personnel Matter Financials: N/A	Approved November 24, 2023	CAO By-Law

CAO 313/2023	Amendment to Parking By-Law 9023: No Parking, No Stopping, Alternate Side Parking Financials: N/A	Approved December 8, 2023	By-Law Amendments
CAO 314/2023	Agreement extension between City and Ministry of Solicitor General, Office of the Fire Marshall for Memorandum of Understanding to continue receiving funding for 2 year period to maintain/operate Level III CBRNE/Hazmat response team Financial Revenue: $150,000 received in funding	Amendment Approved December 5, 2023	Administrative Matters (delegated by CR232/2012)
CAO 320/2023	P&C: Personnel Matter Financials: N/A	Approved December 5, 2023	CAO By-Law
CAO 321/2023	P&C: Personnel Matter Financials: N/A	Approved December 7, 2023	CAO By-Law
CAO 322/2023	Agreement between City and Essex Windsor EMS (EWEMS) to renew Medical Tiered Response Financials: N/A	Approved December 6, 2023	Administrative Matters (delegated by CR232/2012)
CAO 323/2023	Agreement between City and Ecopia to access new mapping resources Financials: No cost to City	Approved December 21, 2023	Administrative Matters (delegated by CR232/2012)
CAO 324/2023	P&C: Personnel Matter Financials: N/A	Approved December 14, 2023	CAO By-Law
CAO 327/2023	Non-Disclosure Agreement Financials: N/A	Approved December 29, 2023	Administrative Matters (delegated by CR232/2012)
CAO 328/2023	Letter of Support: Essex Region Conservation Authority for application to Climate-Resilient Coastal Communities Program Financials: N/A	Approved December 13, 2023	Letter of Support
CAO 330/2023	Agreement between City and Municipal Property Assessment Corporation (MPAC) for Data Sharing and Services Financials: $2,268,229.16 excluding HST (B27/2024)	Approved December 20, 2023	Administrative Matters (delegated by CR232/2012)
CAO 332/2023	P&C: Personnel Matter Financials: N/A	Approved December 15, 2023	CAO By-Law
CAO 333/2023	P&C: Personnel Matter Financials: N/A	Approved December 22, 2023	CAO By-Law

Combined

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 278/2022	Amendment to Parking By-Law 9023: Personal Accessible Parking, No Parking, Loading Zones Financials: N/A Wards: 2,4,5,7,9	Approved February 7, 2023	By-Law Amendments

CAO 310/2022	Amendment to Parking By-Law 9023: Personal Accessible Parking, No Parking, No Stopping Financials: N/A Wards: 2, 3, 4, 6, 8	Approved January 9, 2023	By-Law Amendments
CAO 327/2022	Letter of Support: Alectra Convergent Development LP's proposal to Independent Electricity System Operator (IESO) RFP Financials: N/A Wards: 3, 5	Approved January 5, 2023	Letter of Support
CAOP 11/2023	Agreement between City and Chemtrade Chemicals Canada Ltd, SNF Canada Ltd, Silchem Inc, Flochem Ltd, Kemira Water Solutions Canada Ltd, Sodrox Chemicals Ltd, for purchase of Aluminum Sulphate, Anionic Polymer, Cationic Polymer, Defoamer, Phosphoric Acid, Polymers, Polyaluminium Chloride, Sodium Sypochorite Type: RFT 164-21, 174-22, 175-22, 176-22, 177-22, 178-22, 179-22, 180-22 Financials: $4,302,230 excluding HST (B 27/2024) Wards: 2, 7	Approved February 8, 2023	Purchasing By-Law
CAOP 28/2023	Agreement amendment between City and WSP E&I Canada Ltd to increase upset limit by an additional $150,000 excluding HST Type: Sole Source Financials: Fully funded through Contribution Agreements with Parks Canada Wards: 1, 2, 10	Approved March 3, 2023	Purchasing By-Law
CAOP 30/2023	Agreement between City and Jones Group Ltd for Tennis/Pickleball Courts Construction in Fontainebleau Park, Goldenwood Park and Wilson Park Type: RFT 171-22 Financials: $1,122,399.05 excluding HST (B5/2023) Wards: 1, 2	Approved February 23, 2023	Purchasing By-Law
CAOP 32/2023	Agreement between City and Park N Play Co Ltd for purchase of Site Furnishings for Pillette Village BIA Streetscaping Project Type: Sole Source Financials: $159,337 excluding HST (CR87/2022) Wards: 5, 6	Approved March 22, 2023	Purchasing By-Law
CAOP 37/2023	Agreement between City and Tac Group Inc. for construction of dog parks within Elizabeth Kishkon Park and Oakwood Park Type: RFT 11-23 Financials: $438,695 excluding HST (B5/2023) Wards: 1,7	Approved March 9, 2023	Purchasing By-Law
CAO 49/2023	Agreement between City and Canadian Pacific Railway Company for grade separation rehabilitation for City Structure #131 (Ouellette Ave at CP Rail) Financials: N/A Wards: 3, 10	Approved February 27, 2023	Administrative Matters (delegated by CR232/2012)
CAOP 53/2023	Agreement between City and Alite Road Patching and Road Work Inc for provision of Spray Injection Patching Contract at various locations Type: Sole Source Financials: $153,354.40 excluding HST (B5/2023) Wards: 2, 10	Approved May 8, 2023	Purchasing By-Law
CAOP 58/2023	Agreement between City and City and GIP Paving Inc. for 2023 EC Row Cold Milling & Asphalt Paving of EC Row - Howard Ave to Walker Rd Type: RFT 17-23 Financials: $3,749,565 excluding HST (B6/2021, B28/2021 & B5/2023) Ward: 9, 10	Approved April 28, 2023	Purchasing By-Law

CAOP 63/2023	Agreement between City and Sherway Contracting Limited and Shearock Construction Group Incorporated for Laing St and McEwan Ave, Albert Rd, Aubin Rd Rehabilitation Type: RFT 01-23, 03-23 and 04-23 Financials: $3,409,354 (Sherway), $2,763,241 (Sherway), $3,872,890 (Shearock) (B5/2023) Wards: 2, 5	Approved May 1, 2023	Purchasing By-Law
CAOP 65/2023	Agreement between City and M&M Concessions to provide recreation facility concessions services Type: RFT 147-22 Financials: $11,280.76/annually excluding HST Term: 3 year period Wards: 1, 2, 3, 6, 7	Approved May 2, 2023	Purchasing By-Law
CAO 66/2023	Authorize 2023 Mobile Vendor of Food Zone agreements Term: January 1, 2023 to December 31, 2023 Financials: $4,350 excluding HST Wards: 3, 4, 7	Approved March 9, 2023	Vending Zone
CAOP 66/2023	Agreement between City and Jones Group Ltd for construction of new basketball court at Wilson Park Type: RFT 171-22 Financials: $178,958.15 excluding HST (CR 356/2022) Wards: 1, 2, 8	Approved May 1, 2023	Purchasing By-Law
CAOP 75/2023	Agreement between City and Turner Landscaping for landscaping maintenance, grass cutting/snow removal and salting, at various City facilities for two year term Type: RFQ JS010523 Financials: $102,100 excluding HST Wards: 1, 2, 3	Approved June 19, 2023	Purchasing By-Law
CAOP 76/2023	Agreement between City and Sterling Ridge Infrastructure Inc. for Road and Watermain Rehabilitation on Parent, Matchett, Melbourne, Lillian and Allendale Type: RFT 15-23 Financials: to an upset limit of $4,437,756.86 excluding HST (CR B5/2023) Wards: 2, 4	Approved June 6, 2023	Purchasing By-Law
CAO 78/2023	Amendment to Parking By-Law 9023: Accessible Parking Financials: N/A Wards: 2, 4, 5	Approved March 21, 2023	By-Law Amendments
CAOP 79/2023	Agreement between City and DiPonti Paving Inc. for construction of asphalt speed bumps Type: RFT 54-23 Financials: $242,501 excluding HST • Dandurand Ave CR 374/2022 ETPS 907 (S 76/2022) • Partington Ave CR 374/2022 ETPS 907 (S 76/2022) • Grove Ave CR 130/2023 ETPS 927 (S 8/2023) • Victoria Ave CR 441/2022 ETPS 920 (S 110/2022) • Kildare Rd CR 111/2022 ETPS 882 (S 9/2022) Wards: 2, 3, 4, 10	Approved June 16, 2023	Purchasing By-Law
CAOP 84/2023	Agreement between City and Haller Mechanical Contractors Inc. for Rooftop HVAC Replacements - Various Locations (Gino Marcus C.C, Forest Glade C.C and Forest Glade Library) Type: RFT 76-23 Financials: $649,180 excluding HST (B28/2021) Wards: 5, 7	Approved June 19, 2023	Purchasing By-Law
CAOP 95/2023	Agreement between City and SheaRock Construction Group Inc for Backflow Prevention Measures at Flood Protection Dike Crossings Type: RFT 5-23 Financials: $220,000 excluding HST (B13/2021) Wards: 6, 7	Approved July 12, 2023	Purchasing By-Law

CAOP 100/2023	Agreement between City and LEA Consulting Ltd. for detailed design, contract administration and on-site services for University Ave W Corridor Improvements, Phase 1 from Salter Ave to McEwan Ave Type: RFP 74-23 Financials: $351,565 excluding HST (B28/2021; B5/2023) Wards: 2, 3	Approved July 12, 2023	Purchasing By-Law
CAOP 112/2023	Agreement between City and GIP Paving Inc. for placement of surface asphalt Type: RFT 24-23 Financials: $1,356,685 excluding HST (B5/2023) Wards: 2, 4, 5, 6, 8	Approved August 21, 2023	Purchasing By-Law
CAOP 120/2023	Agreement between City and R.J. Pharmacy Inc. for provision of Flu Vaccination Clinics available for City Employees Type: N/A Financials: $1,190 excluding HST Wards: 2, 3, 5	Approved September 6, 2023	Purchasing By-Law
CAOP 129/2023	Agreement amendment between City and KONE Inc. to extend contract for one-year term for maintenance service of lift at 2696 Jefferson Blvd and two elevators at 62 Chatham St E Type: RFT 77-19 Financials: $127,992 excluding HST Ward: 3, 8	Approved September 18, 2023	Purchasing By-Law
CAO 131/2023	P&C: Property Matter Financials: N/A Wards: 1, 3, 4	Approved May 2, 2023	City as Lessor; Grantor: Grantee
CAO 142/2023	License Agreement: Greater Essex County District School Board for overflow parking in parking lots adjacent to Talbot Trail Public School, Bellewood Public School and Honourable W.C. Kennedy Collegiate Term: September 1, 2023-June 30, 2024 Financials: N/A Wards: 3, 9, 10	Approved May 16, 2023	City as Lessor; Grantor: Grantee
CAO 144/2023	Grant application for Local Food Infrastructure Fund for improvements to various community gardens on municipal property Financials: N/A Wards: 2, 3, 4, 5	Approved May 24, 2023	Grant Application
CAOP 156/2023	Agreement between City and Jones Group Ltd. for floating docks and boat launch repairs at Lakeview Marina Type: RFT 91-23 Financials: $136,087 excluding HST Wards: 6, 7	Approved November 2, 2023	Purchasing By-Law
CAO 189/2023	2023 Ford International Fireworks Special Event Road Closure of various streets and municipal parking lots to vehicular traffic, save and except for Transit Windsor, City of Windsor service vehicles, emergency vehicles and delivery vehicles for the Ford Fireworks and inclusive of Noise By-law Exemption and Amendments to the Parking By-law Term: June 26, 2023 from 6pm-2am Financials: N/A Wards: 3, 4	Approved June 22, 2023	Special Event/Road Closure
CAO 201/2023	Amendment to Parking By-Law 9023: Accessible Parking, No Parking, No Stopping Financials: N/A Wards: 1, 2, 3, 4, 5, 7	Approved July 19, 2023	By-Law Amendments
CAO 213/2023	License Agreement: Windsor/Essex County Sports Hall of Fame and Museum 8787 McHugh St and 401 Pitt St. W. Term: August 1, 2023-July 31, 2028	Approved August 3, 2023	City as Lessor; Grantor: Grantee

	Financials: N/A Wards: 3, 6		
CAO 214/2023	Amendment to Parking By-Law 9023: Residential Permit Parking Financials: N/A Wards: 2, 3, 4, 5	Approved September 14, 2023	By-Law Amendments
CAO 249/2023	Amendment to Traffic By-Law 9148: Prohibited Turns Financials: N/A Wards: 1, 6	Approved September 26, 2023	By-Law Amendments
CAO 283/2023	Amendment to Traffic By-Law 9148: All Way Stop, Through Highways, Prohibited Turns Financials: N/A Wards: 3, 4	Approved November 8, 2023	By-Law Amendments
CAO 294/2023	Consent to Enter: University of Windsor to enter City-owned lands within National Urban Park study area Term: October 9, 2023 to December 31, 2023 Financials: N/A Wards: 1, 2	Approved November 9, 2023	City as Lessor; Grantor: Grantee

APPENDIX C

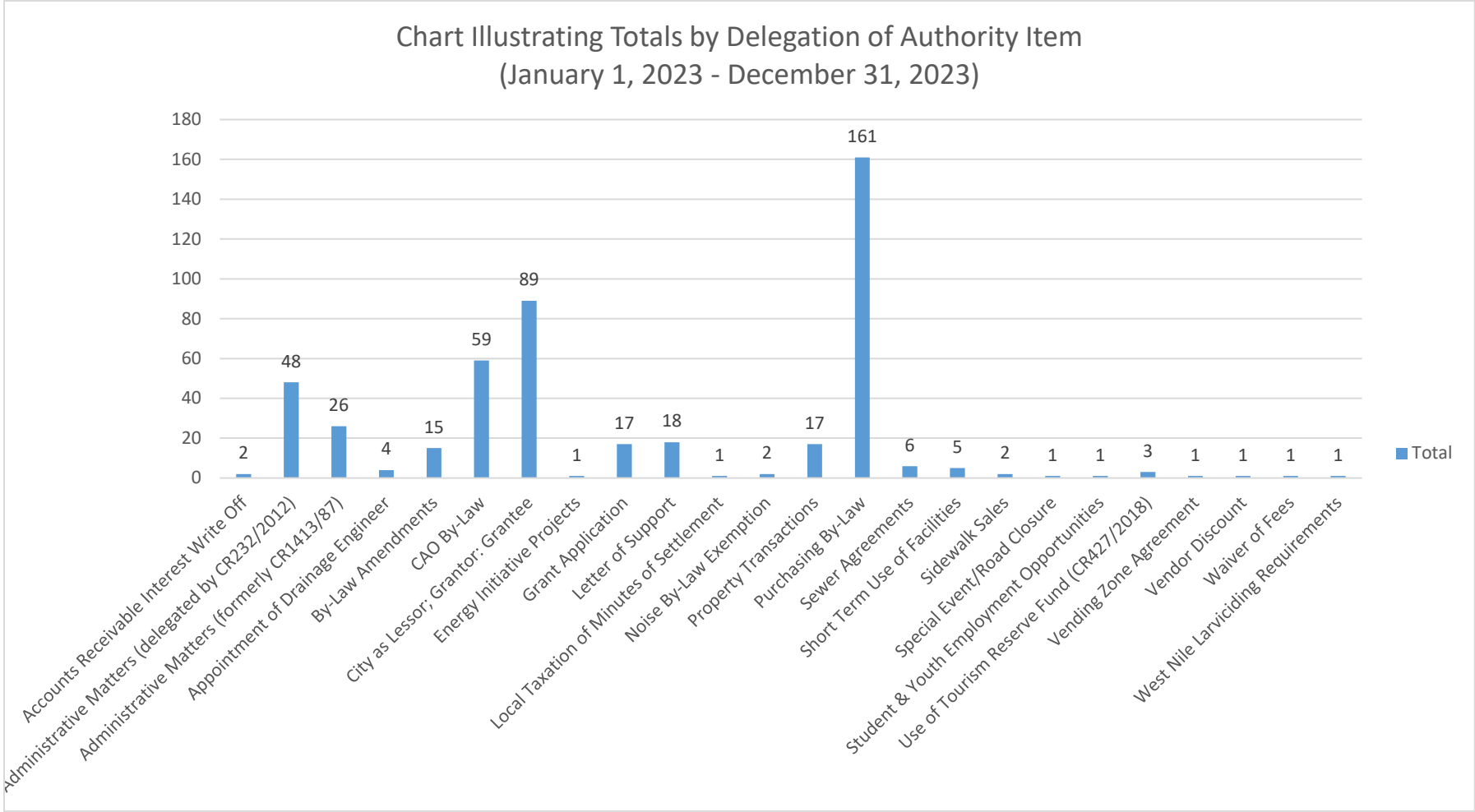


Chart Illustrating Totals by Delegation of Authority Item
(January 1, 2023 - December 31, 2023)
180
160
140
120
100
80
60
40
20
0
2
48
26
4
15
59
89
1
17
18
1
2
17
161
6
5
2
1
1
3
1
1
1
1
Total
Accounts Receivable Interest Write Off
Administrative Matters (delegated by CR232/2012)
Administrative Matters (formerly CR1413/87)
Appointment of Drainage Engineer
By-Law Amendments
CAO By-Law
City as Lessor; Grantor: Grantee
Energy Initiative Projects
Grant Application
Letter of Support
Local Taxation of Minutes of Settlement
Noise By-Law Exemption
Property Transactions
Purchasing By-Law
Sewer Agreements
Short Term Use of Facilities
Sidewalk Sales
Special Event/Road Closure
Student & Youth Employment Opportunities
Use of Tourism Reserve Fund (CR427/2018)
Vending Zone Agreement
Vendor Discount
Waiver of Fees
West Nile Larviciding Requirements

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 85/2024

Subject: Properties Under Municipal Vesting Consideration - Wards 1, 4 and 7

Reference:

Date to Council: July 22, 2024
Author: Angela Lonsbery
Manager, Revenue and Collections
519-255-6100 ext. 6557
alonsbery@citywindsor.ca
Taxation & Financial Projects
Report Date: July 5, 2024
Clerk's File #: AF2024

To: Mayor and Members of City Council

Recommendation:

As relates to the properties located at:

PROPERTY ADDRESS	PROPERTY ROLL NUMBER	WARD
0 GRATIOT STREET	3739-080-730-14000-0000	1
0 LAKEVIEW AVENUE	3739-070-730-80990-0000	7
0 LAKEVIEW AVENUE	3739-070-730-80992-0000	7
459 MARENTETTE AVENUE	3739-030-050-10100-0000	4
0 TIMBER BAY CRESCENT	3739-070-890-05816-0000	7

THAT City Council **AUTHORIZE** the properties be vested in the name of the Municipality; and,

THAT City Council **AUTHORIZE** the City Treasurer/designate to remove from the tax roll property taxes estimated in the amount of $62,372 (inclusive of education tax) plus any additional levies or penalties that may be added from the date of this report until the date of actual removal and the amount be funded as charges as follows:

- $53,757 to be charged to the Property Acquisition through Vesting capital project (Project ID 7171059),

- $7,800 to be charged against the provision for property tax write-off (Dept. ID 0224140) and,

- $815 to be recovered by way of a charge back to the Province of Ontario.

THAT City Council **AUTHORIZE** all future costs associated with the ongoing ownership of the vested properties held for sale, until such time as the properties can be sold, be charged to the Property Acquisition through Vesting capital project (Project ID 7171059); and,

THAT City Council **DIRECT** that future proceeds from the subsequent sale of the vested properties held for sale be credited to the Property Acquisition through Vesting capital project (Project ID 7171059); and,

THAT City Council **AUTHORIZE** the future costs associated with the ongoing ownership of the properties that cannot be sold and for which there is no municipal use be charged to available operating budgets.

Executive Summary:

N/A

Background:

Part XI of the *Ontario Municipal Act* provides formal direction and authority to municipalities with regards to the collection of outstanding property taxes by way of a tax lien and tax sale. While it is not Administration's intent to remove ownership from individuals, at times it is necessary when all other efforts to collect tax arrears have been exhausted. At the November 22, 2023 tax sale there were six properties offered for tax sale where no compliant bids were received and significant tax arrears relative to the assessed value remain outstanding.

Following a tax sale there are four options available to City Council under current legislation:

The first option is to vest the ownership of the properties within two years of the tax sale in the name of the municipality and remove the tax arrears from the tax roll. The decision to vest a property is not taken lightly and the risks and financial costs associated with ownership must be weighed. As a result of vesting, the City may have to expend funds to manage the properties undertaken and address property standards or other issues. Where applicable, a review of tenancies, structural issues and building/property standard compliance orders must be undertaken and carefully considered.

The second option is to allow the two year vesting period to expire and return the property to the owner. Should Council choose not to vest, the tax sale process would be deemed completed and the tax arrears certificate cancelled, returning the property to the registered owner as if the process had never occurred. Council could at this point direct that the outstanding property taxes be written off. Administration does not support this course of action as it could set an unwarranted precedent and could appear

prejudicial to others in tax arrears. The fundamental guiding principle behind the collection of tax arrears is that municipal taxes are due and payable by the respective property owners and the City is prepared to undertake the final collection of those taxes in the form of ownership transfer, as authorized by the legislation, when all other collection avenues have been exhausted.

The third option is to re-advertise the unsold tax sale properties a second time within a period of two years after the original tax sale date. Considering the unsuccessful collection activity to date, the tax sale attempt in November 2023 and the subsequent increase in minimum tender amounts from ongoing tax levies and administrative charges since the November 2023 sale, Administration estimates the probability of receiving future tender bids as low.

The fourth option is to allow the two year vesting period to expire, register a new tax arrears certificate and recommence the tax collection and tax sale process. Similar to the third option, Administration estimates the probability of receiving future tender bids as low.

For the five properties listed in this report, Administration considers vesting the ownership of the properties in the name of the Municipality in the best interest of the Municipality. More information is being sought regarding the sixth property and recommendations regarding the vesting of that parcel will be included in a future Council report.

Discussion:

Administration has reviewed vesting considerations including property standard compliance orders and the resources required to manage the additional properties. Because all five properties are vacant land, concerns related to tenancies, structural issues and building compliance are not applicable. Administration also considers various factors such as viable opportunities to convert these lands for municipal use or sell them through multiple listing services. Although the properties may sell at less than the current assessed value, this process would serve to reinstate them onto the tax roll as taxable properties, such that the payment of future municipal taxes could be realized.

0 Gratiot Avenue (3739-080-730-14000-0000) – Vacant Residential Land

As of June 1, 2024, this property is assessed as residential land in the amount of $4,000. This property is not serviced and borders Seven Sisters Park. The property is within Floodplain Lands (SG-2 Development Constraints), within an Archaeological Potential Zone (APZ) Schedule C-1 within the Spring Garden Secondary Plan. This property is close to the Malden Park/NUP boundary, has become naturalized and could be added to the adjacent city-owned properties as urban parkland inventory. Administration is recommending that this parcel be vested in order to deal with the accumulated property tax arrears however the property would not be considered eligible for resale and would be added to city retained land inventory.

0 Lakeview Avenue (3739-070-730-80990-0000) – Vacant Residential Land

As of June 1, 2024, this property is assessed as residential land in the amount of $6,200. This property is a long and narrow parcel that would be difficult to sell. It would be best to consolidate this parcel with a neighbouring property which is a vacant residential land already owned by the City of Windsor. Administration is recommending that this parcel be vested in order to deal with the accumulated property tax arrears. However, at this time, the property would not be considered eligible for resale and would be added to city retained land inventory until such time as the consolidated lands could be sold to an abutting owner, as on their own the lands are not large enough for development. Subsequent to vesting, Real Estate Services will prepare a report for Council's consideration declaring the lands surplus and providing a recommendation on any final disposition.

0 Lakeview Avenue (3739-070-730-80992-0000) – Vacant Residential Land

As of June 1, 2024, this property is assessed as residential land in the amount of $5,900. This parcel is within a floodplain area and is already fenced in as part of an abutting property. An easement may be required to provide access to the adjacent easement to the East. Subsequent to vesting, Real Estate Services will prepare a report for Council's consideration declaring the lands surplus and providing a recommendation on any final disposition.

459 Marentette Avenue (3739-030-050-10100-0000) – Vacant Residential Land

As of June 1, 2024, this property is assessed as residential land in the amount of $11,000. Previously there was a building on this property that was demolished in 2018 to resolve fire damage. A curb cut to Marentette Ave. would increase the market value of the parcel and the City would likely advertise this property for sale. Subsequent to vesting, Real Estate Services will prepare a report for Council's consideration declaring the lands surplus and providing a recommendation on any final disposition.

0 Timber Bay Crescent (3739-070-890-05816-0000) – Vacant Residential Land

As of June 1, 2024, this property is assessed as residential land in the amount of $4,700. The property is a small strip of land running along the rear of two adjacent properties. The subject land abuts a berm on which a sound barrier sits. The sound barrier is located at the property line and is the full responsibility of the respective Timber Bay property owners to maintain. The subject land forms part of the 1ft reserve which prevents access from properties on Timber Bay Crescent to Banwell Road and EC Row. The subject land should have been conveyed to the City as part of the development of the abutting subdivision. For this reason the subject land should remain in the City's ownership.

Risk Analysis:

The decision to vest after a failed tax sale always carries a certain level of risk since the City becomes the registered owner of the property and is then liable for the ongoing maintenance and security for the property and environmental concerns. At time of writing there are no known environmental concerns with the five properties in this report and building standard and compliance issues have already been addressed.

Upon vesting, a request will be made to the Municipal Property Assessment Corporation (MPAC) to have the property classification changed to exempt status. This will limit exposure with regards to the accumulation of any further taxes.

Even if a vested property is in good condition, it may take several months or even years before there is an interested purchaser. Until such time as a purchaser is located, the care and custody of these properties will remain the responsibility of the City, requiring the dedication of staff resourcing and related funding to effectively monitor and maintain the properties in good condition.

Given the longstanding arrears against the properties, a decision other than to vest will likely result in these property tax collection matters being revisited in future years resulting in even more lost taxation revenue and staff resource time.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

Upon vesting, the accumulated property tax arrears will be removed from the individual property tax accounts. Outstanding property taxes for the five properties at time of writing are $62,372, of which $61,557 is the estimated municipal share which includes accumulated penalties and charges which have been added to the account to date. For those properties for which a future sale is possible, the municipal share of the taxes, calculated at $53,757, will be deferred so as to be funded from the proceeds resulting from the future sale of the subject properties. The education share of taxes estimated in the amount of $815 will be charged back as a recovery from the Province of Ontario.

The following chart outlines the proposed costs and related funding as it relates to the five properties:

Address	Roll Number	Total Unpaid Property Taxes $
0 Gratiot Street	3739-080-730-14000-0000	4,038
0 Lakeview Avenue	3739-070-730-80990-0000	8,655
0 Lakeview Avenue	3739-070-730-80992-0000	8,220
459 Marentette Avenue	3739-030-050-10100-0000	37,583
0 Timber Bay Crescent	3739-070-890-05816-0000	3,876
	Total Expenses	**62,372**

Provision for Property Tax Write-Off	7,800
Capital Project	53,757
Provincial Education Recovery	815
Total Revenue	**62,372**

Council may recall that as part of a previous vesting report, Administration recommended the establishment of a Capital Project to track and monitor the costs associated with vested properties being held for resale until such time as the property is sold. Following vesting, any ongoing costs resulting from ownership associated with three of the five properties (0 Lakeview Ave, 0 Lakeview Ave and 459 Marentette Ave) would be charged to the capital project. While every attempt will be made to recover all costs incurred in an expeditious manner through a subsequent sale, it is very possible that this may not occur and that a shortfall in proceeds from the sale will require funding. Administration will review the capital project accounts and the expected recovery amounts associated with each respective property each year. Annual estimated shortfalls, if any, will be brought forth during the annual budgetary process for consideration and funding.

Ongoing costs of ownership such as weed cutting or maintenance for the remaining two properties (0 Gratiot Ave and 0 Timber Bay Cres) will need to be funded from existing operating accounts. The costs are expected to be minimal.

Consultations:

Denise Wright – Manager Real Estate Services

Kate Tracey – Senior Legal Council

Kevin Alexander – Planner III - Special Projects

Stacey McGuire – Executive Director Engineering / Deputy City Engineer

Rob Vani – Deputy Chief Building Official Inspections

Rory Sturdy – Supervisor of By-Law Enforcement

Conclusion:

The properties indicated in the report have been offered at tax sale, no compliant bids were received and significant tax arrears relative to the assessed value remain outstanding. To bring conclusion to the tax sale process that commenced in a prior year, Administration is recommending that the properties be vested to the City of Windsor.

Planning Act Matters:

N/A

Approvals:

Name	Title
Lorie Gregg	Deputy Treasurer - Taxation, Treasury and Financial Projects
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	

Appendices:

Council Report: C 82/2024

Subject: Atura Power College Avenue Bike Trail Adopt A Park Agreement – Ward 2 and Adopt-A-Park or Trail Policy Update - City Wide

Reference:

Date to Council: July 22, 2024
Author: Samantha Magalas
EIC, Community Services
519-253-2300x2730
smagalas@citywindsor.ca
Parks
Parks
Report Date: July 4, 2024
Clerk's File #: SR2024

To: Mayor and Members of City Council

Recommendation:

THAT the Executive Director of Parks and Facilities or their designate **BE AUTHORIZED** to execute the Adopt-a-Park or Trail Agreement with Atura Power satisfactory in form to the City Solicitor; and,

THAT City Council **APPROVE** an amended Adopt-A-Park or Trail Policy to allow Administration to approve Adopt-A-Park or Trail applications. Approval of these applications in the Policy will be removed from Council's responsibility and the CAO will become responsible for "Authorizing the Executive Director of Parks and Facilities or designate to execute Adopt-a-Park or Trail Agreement(s), subject to the favourable recommendation of that Executive Director," and pursuant to Delegation of Authority Bylaw 208-2008 section 3.24.

Executive Summary:

N/A

Background:

The Adopt-A-Park or Trail Policy is a Council approved policy which exists to promote a sense of ownership and pride in the City's parks, trails, green spaces, and woodlots. This public service program enlists community-minded, environmentally conscious individuals, community and civic organizations, private business and industry to assist with keeping the City's Parks inviting through voluntary litter clean-up.

Parks Administration received an application request from Atura Power to Adopt-A-Park or Trail at College Avenue Bike Trail (the Lands), in order to get a consent to enter the

Park for the purpose of cleaning the Lands as per the Adopt-A-Park or Trail Policy CR 120/2024.

The current, approved Adopt-a-Park or Trail Policy states that City Council is responsible for:
"Authorizing the Executive Director of Parks and Facilities or their designate to execute Adopt-a-Park or Trail Agreements on behalf of the Corporation, in form satisfactory to the City Solicitor".

Discussion:

Recently, an organization, Atura Power reached out to Administration within the Parks Department to adopt College Avenue Bike Trail under the Adopt-a-Park or Trail Policy. The current Policy requires Council approval. The Adopt-a-Park or Trail Agreement with Atura Power if approved by Council will be executed under the current Policy language. Atura Power, an Ontario Power Generation wholly-owned subsidiary that owns and operates the Brighton Beach Generating Station, is sponsoring events to clean up the subject Park four (4) times a year as per the Adopt-A-Park or Trail Policy. Atura Power entered into a donation agreement with the Corporation of the City of Windsor on February 28, 2024 and is contributing $7,000 annually for the next 5 years (CAO 18/2024).

College Avenue Bike Trail is located in Ward 2 with a total approximate area of 3.36 hectares. Currently, the parklands are comprised of mostly grass with a singular multi-use recreational trail (MUT) from Brock to Prince which is tree lined. The MUT, thanks to the donation agreement with Atura Power now includes 21 solar lights.

Atura Power, together with its community partners and volunteers, intends to conduct cleaning the Lands in an effort to improve the streetscape and overall look of the neighbourhood park. Atura Power is looking to give back to the community by entering into an Adopt-A-Park or Trail Agreement so that the cleanup of the parklands will require less City resources in order to be maintained.

Administration believes the Adopt-a-Park or Trail Policy was actually intended that Administration would be able to approve and execute these types of agreements. Administration is seeking approval to have the wording in the Policy updated to remove this as a Council responsibility and so the CAO will become responsible for:

"Authorizing the Executive Director of Parks and Facilities or designate to execute Adopt-a-Park or Trail Agreement(s) subject to the favourable recommendation of that Executive Director," and pursuant to Delegation of Authority Bylaw 208-2008 section 3.24.

By approving this update, Council will be authorizing Administration to approve and execute Adopt-a-park or Trail Applications in a timely fashion without the need for Council Report(s) about these administrative application(s).

Risk Analysis:

There is little risk with approving this update. The Policy is already in place and has been reviewed by both the Parks Department and Legal Department. There is a slight risk in not approving this update as the way the current Policy reads would require approval by City Council. The current approval requirements significantly increase the amount of time it would take for approval which could result in lost opportunities for park or trail adoption.

Climate Change Risks

Climate Change Mitigation:
N/A

Climate Change Adaptation:
N/A

Financial Matters:
This policy update has no financial implications.

Consultations:
Wadah Al-Yassiri – Manager, Park Development
Benjamin Nielsen – Senior Legal Council
Mark Nazarewich – Deputy City Solicitor, Legal and Real Estate

Conclusion:
The approval of the proposed Policy update would allow for the timely approval of Adopt-a-Park or Trail applications.

Planning Act Matters:
N/A

Approvals:

Name	Title
Samantha Magalas	EIC, Community Services
James Chacko	Executive Director, Parks & Facilities
Ray Mensour	Commissioner, Community Services
Wira Vendrasco	City Solicitor
Joe Mancina	Chief administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Current Adopt-A-Park or Trail Policy

THE CORPORATION OF THE CITY OF WINDSOR
POLICY

Service Area:	**Community Services**	Policy No.:	
Department:	**Parks & Facilities**	Approval Date:	**March 18, 2024**
Division:	Parks	Approved By:	**CR 120/2024**
		Effective Date:	**March 18, 2024**
Subject:	**Adopt-a-Park or Trail**	Procedure Ref.:	
		Pages:	Replaces:
Prepared By:	Samantha Magalas		Date:

1. POLICY

1.1 To promote a sense of ownership and pride in the City's parks, trails, green spaces, woodlots ("Parks"), a public service program known as Adopt-a-Park or Trail is established by City Council. This public service program enlists community-minded, environmentally conscious individuals, community and civic organizations, private business and industry ("Organization(s)") to assist with keeping the City's Parks inviting and clean through voluntary litter clean-up.

2. PURPOSE

2.1 This policy will outline the purpose, scope and goal of the Adopt-a-Park or Trail program, and identify the roles and responsibilities of various program stakeholders, Organizations and program participants.

3. SCOPE

3.1 This policy applies to all applicants, organizations and volunteers of the Adopt-a-Park or Trail program, as well as those who administer the program on behalf of The Corporation of the City of Windsor ("City" or "Corporation").

4. RESPONSIBILITY

1. City Council is responsible to:

- Support the Adopt-a-Park or Trail policy and encourage community involvement wherever possible.

- Authorize the Executive Director of Parks and Facilities or their designate to execute Adopt-a-Park or Trail Agreements on behalf of the Corporation, in form satisfactory to the City Solicitor.

2. **Chief Administrative Officer (CAO) is responsible to:**

- Support the Adopt-a-Park or Trail policy including providing guidance, direction and final authority on any issues that may arise where the Corporate Leadership Team ("CLT"), Executive Director of Parks and Facilities and applicable department(s) were unable to achieve resolution.

3. **The Corporate Leadership Team (CLT), Executive Directors, Managers, and Supervisors are responsible to:**

- Support the policy including providing guidance and direction when required.
- Promote the program wherever possible to community representatives.

4. **The Executive Director of Parks and Facilities is responsible to:**

- Execute all Adopt-a-Park or Trail applications and agreements, in form satisfactory to the City Solicitor.
- Evaluate the effectiveness of the overall program in general.

5. **The Manager of Parks Development is responsible to:**

- Administer the Adopt-a-Park or Trail program, including but not limited to: process any Adopt-a-Park or Trail applications; Arrange for the installation of signage at the adopted Park, identifying the Organization and its participation in the program;
- Comply with all other terms, conditions and responsibilities set out in the Adopt-a-Park or Trail Agreement.
- Review the Adopt-a-Park or Trail policy every three (3) years after or as required.

6. **The Manager of Parks Operations is responsible to:**
   - Provide safety training and/or other instruction to authorized group representatives in order for them to be able to sufficiently and effectively inform their volunteers how to safely carry out their duties under the program.

- Ensure that program participants have sufficient program supplies to perform the work as contemplated in this policy
- Monitor the work output of program participants.
- Comply with all other terms, conditions and responsibilities set out in the Adopt-a-Park or Trail Agreement.

7. **Organizations are responsible to:**

- Appoint or select an authorized group representative to attend a safety meeting provided by the City and, in turn, supply safety training to all volunteers participating in the program. All volunteers must adhere to the safety requirements set out by the Corporation.
- Require all volunteers participating in the program to execute an Indemnity and Release Form, which shall be provided to the Corporation prior to commencing clean-up activities.
- Conduct clean-up activities at the adopted City properties at least four (4) times per year, only during daylight hours (one hour after sunrise and one hour before sunset);
- Inform the City of Windsor what day/time the organization plans to attend the City property to perform the clean up so that a no charge permit can be issued.
- Where insurance is available, supply the Corporation with proof of $2,000,000 in Commercial General Liability coverage listing the Corporation of the City of Windsor as an additional insured, prior to commencing clean-up activities.
- Where insurance is not available, sign a waiver indemnifying the Corporation of the City of Windsor, from any and all losses that may arise from or in connection with the group or individual's negligence or wilful misconduct. In such cases, individuals signing the waiver indemnifying the Corporation must be at least 18 years old.
- Comply with all other terms, conditions and responsibilities set out in the Adopt-a-Park or Trail Agreement.

8. **Program volunteers are responsible to:**
    - Perform their clean-up activities in a safe manner.
    - Comply with all other terms, conditions and responsibilities set out in the Adopt-a-Park or Trail Agreement.

5. GOVERNING RULES AND REGULATIONS

5.1 The Adopt-a-Park or Trail program allows Organizations and their volunteers to lead by example by participating in clean-up activities

with the goal of beautifying Parks in the community and fostering community pride.

5.2 The Organization shall submit a completed Adopt-a-Park or Trail Application Form ("Application"), proof of Commercial General Liability Insurance, and proof of Incorporation to the Manager of Parks Development.

5.3 The Adopt-a-Park or Trail Application will clearly identify the Organization's preferred location.

5.4 Upon receipt of an Application, the Application shall be referred to the Manager of Parks Development for consideration.

5.5 Should the preferred location already be adopted, the City will provide the Organization an opportunity for an alternate choice and/or recommend an alternate choice.

5.6 If more than one Organization applies to adopt the same location and a suitable alternative cannot be agreed to, the Manager of Parks Development shall make the final determination with respect to the adopted property.

5.7 The Organization shall be notified in writing within thirty (30) days of submission of the Adopt-a-Park or Trail Application, as to approval of the Application.

5.8 If the Adopt-a-Park or Trail Application is approved, the Organization will be required to enter into an Agreement with the City, to the satisfaction of the City Solicitor, prior to engaging in clean-up activities at the adopted property.

5.9 The term of the Agreement shall be determined by the City's representative but for no more than three (3) years.

5.10 Renewal of the Agreement of the expiration of the term shall require the submission of a new Adopt-a-Park or Trail Application.

5.11 The Corporation of the City of Windsor shall not be liable for any costs and expenses of any nature or kind incurred by the volunteers with respect to any matters contemplated by this policy, and the volunteers agree to provide the Corporation its services for free.

5.12 Where insurance is available, Organizations shall furnish the Corporation with a certificate of insurance of a Liability Insurance

Policy covering Public Liability and Property Damage, in a minimum amount of Two Million Dollars ($2,000,000). Such policy shall contain:

1. A cross-liability clause endorsement;
2. An endorsement certifying that the Corporation is included as an additional insured; and
3. An endorsement to the effect that the policy or policies will not be altered, cancelled, or allowed to lapse without thirty (30) days advance written notice to the Corporation.

5.13 Where insurance is not available, groups or individuals shall sign a waiver indemnifying the Corporation of the City of Windsor from any and all losses that may arise from or in connection with the group or individual's negligence or wilful misconduct. In such cases, individuals signing the waiver indemnifying the Corporation must be at least 18 years old.

6. RECORDS, FORMS AND ATTACHMENTS

6.1 The following forms are associated with the Adopt-a-Park or Trail policy:

- Adopt-a-Park or Trail Application Form,
- Indemnity and Release Form,
- Consent Form,
- Adopt-a-Park or Trail Agreement.

6.2 These forms may be amended by the Corporation as required from time to time.

6.3 Records will be retained in accordance with the record retention requirements of the *Municipal Freedom of Information and Protection of Privacy Act* and The City of Windsor's Records Retention Disposal By-Law #21-2013.

Council Report: S 84/2024

Subject: Exemption from Sandwich Demolition Control By-law (DCB) 20-2007- 637 Brock Street (Ward 2)

Reference:

Date to Council: July 22, 2024
Author: Kevin Alexander, MCIP RPP
Senior Planner - Special Projects
(519) 255-6543 x. 6732
kalexander@citywindsor.ca

Danielle Poirier
Community Development Planning Assistant dpoirier@citywindsor.ca
519-255-6543 ext. 6438
Planning & Building Services
Report Date: July 3, 2024
Clerk's File #: Z/8581

To: Mayor and Members of City Council

Recommendation:

I. **THAT** the Chief Building Official **BE AUTHORIZED** to issue a Demolition Permit to the registered owner, Habitat for Humanity Windsor-Essex Inc. (C/O: Pamela Breault) for the single residential dwelling located at 637 Brock Street to facilitate redevelopment of the property into a single residential dwelling (See Appendix 'A'); 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.

III. **THAT** the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:

   i. The redevelopment identified in Appendix 'A' be substantially complete within two (2) years following the issuance of the demolition permit;

   ii. 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,

I. **THAT** the City Solicitor **BE DIRECTED** to register a notice of Condition (i) 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:

On January 29, 2007, Demolition Control By-law 20-2007 was passed to ensure actions are not taken within the Olde Sandwich Towne Community Planning Study Area that negatively impact the neighbourhood. This bylaw focused on restricting the demolition of buildings, which could have the effect of destabilizing its inherent features, the community, and the functions and characteristics of existing buildings. While this By-law is in effect, unless Council provides an exemption, no building or demolition permit can be issued in the Study Area.

Discussion:

Exemption to Demolition Control By-law 20-2007

The property is located within the Sandwich Town Demolition Control By-law (20-2007) area and the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) area (outside of the Sandwich Heritage Conservation District).

Section 3 of the Demolition Control By-law states that *"...no person shall demolish the whole or any part of any residential property in the area of demolition control unless the person is the holder of a demolition permit issued by the council..."* The decision to issue (or not issue) a demolition permit is at City Council's sole discretion.

Section 5 of the Demolition Control By-law 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 to be demolished"* Section 6 states that a demolition permit may be issued on 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 under Section 5, 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.

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."

Section 1.27.12, Vol. II of the City's Official Plan concerns demolition within the Olde Sandwich Towne Community Improvement Plan (CIP) area. The applicant will be required to submit the following prior to obtaining a Building Permit to demolish:

(a) a plan for a redevelopment in conformity with the Official Plan and Zoning Bylaw requirements,

(b) a Site Plan Control, and

(c) appropriate securities to ensure the redevelopment occurs within a specified time period and to fulfill conditions of the Site Plan.

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 Duplex Dwelling, One Semi-Detached Dwelling, One Single Unit Dwelling, and accessory uses.

Demolition Application and Proposed Redevelopment

On June 5th, 2024, the owner, Habitat for Humanity Windsor-Essex Inc., submitted Site Plan and Elevation Drawings for the purpose of demolishing the existing vacant, single-family dwelling located at 637 Brock Street. The subject property contains a one-and-a-half-storey siding-clad single residential detached dwelling (Appendix B). The parcel is 336.12 square metres in size (i.e. 33.5 feet by 108 feet). The property is not listed on the Municipal Heritage Register.

The owner proposes to demolish the existing dwelling (See Appendix A) and replace it with a single detached dwelling, resulting in a total of one residential dwelling unit (See Appendix B). The dwelling is proposed to be 1,535 square feet, with five bedrooms and two bathrooms.

The application and drawings are consistent with the requirements outlined in the City of Windsor's Official Plan, Section 11.11, regarding a Redevelopment Plan.

Risk Analysis:

The Building Department has not received or conducted a review of the building plans to confirm compliance with the Ontario Building Code and applicable law (e.g. zoning by-law). The building permit review process will take into consideration the plan's compliance with the Ontario Building Code and other relevant legislation. The owner has demonstrated there is a redevelopment plan for the property and, should Council decide to approve their request, it is expected that the new dwelling unit will be

constructed within the two-year time frame set out in the Recommendations section of this report.

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 demolition of the existing dwelling affects climate change because the existing structure will not be re-used and may likely end up in a land fill. However, the rehabilitation of the site contributes to the revitalization of the Sandwich Town Neighbourhood and limits urban sprawl through the construction of a new building within an existing built up area of the City. The construction of the new building will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

Climate Change Adaptation:

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property does not appear to be located within a Heat Vulnerability area. However, the rehabilitation of the existing site and construction of the new building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency.

Financial Matters:

There is no financial cost associated with approval for the demolition. Habitat for Humanity is currently exempt from charges related to building construction/redevelopment pursuant to CR102/2020 and has indicated that they will not be applying for additional financial incentives under the Sandwich Community CIP.

The property was purchased by Habitat for Humanity from the City in 2021 is currently assessed at a value of $74,000 . The property is exempt from property taxes based on the current ownership. Once the proposed single detached dwelling is constructed the title will be transferred to a new owner and Habitat for Humanity will hold the mortgage. When construction is complete and has passed inspection, the Municipal Property Assessment Corporation (MPAC) will assess the value of the new property. Taxes will be assessed based on the new ownership.

Consultations:

The following staff have been consulted on this report and application:

Emilie Dunnigan, Manager, Development Revenue and Financial Administration

Carolyn Nelson, Manager, Property Valuation and Administration

Rob Vani, Deputy CBO/Inspections, Building Department

Wira Vendrasco, City Solicitor, Corporate Services

The property owner has also been consulted regarding the application for exemption from Demolition Control By-law 20-2007 and the requirement of a Redevelopment Plan.

Conclusion:

The demolition of the existing residential dwelling at 637 Brock Street will facilitate the construction of a single detached dwelling (one primary unit). The proposed redevelopment complies with Zoning By-law 8600, 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 owner Habitat for Humanity Windsor Essex Inc., 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:

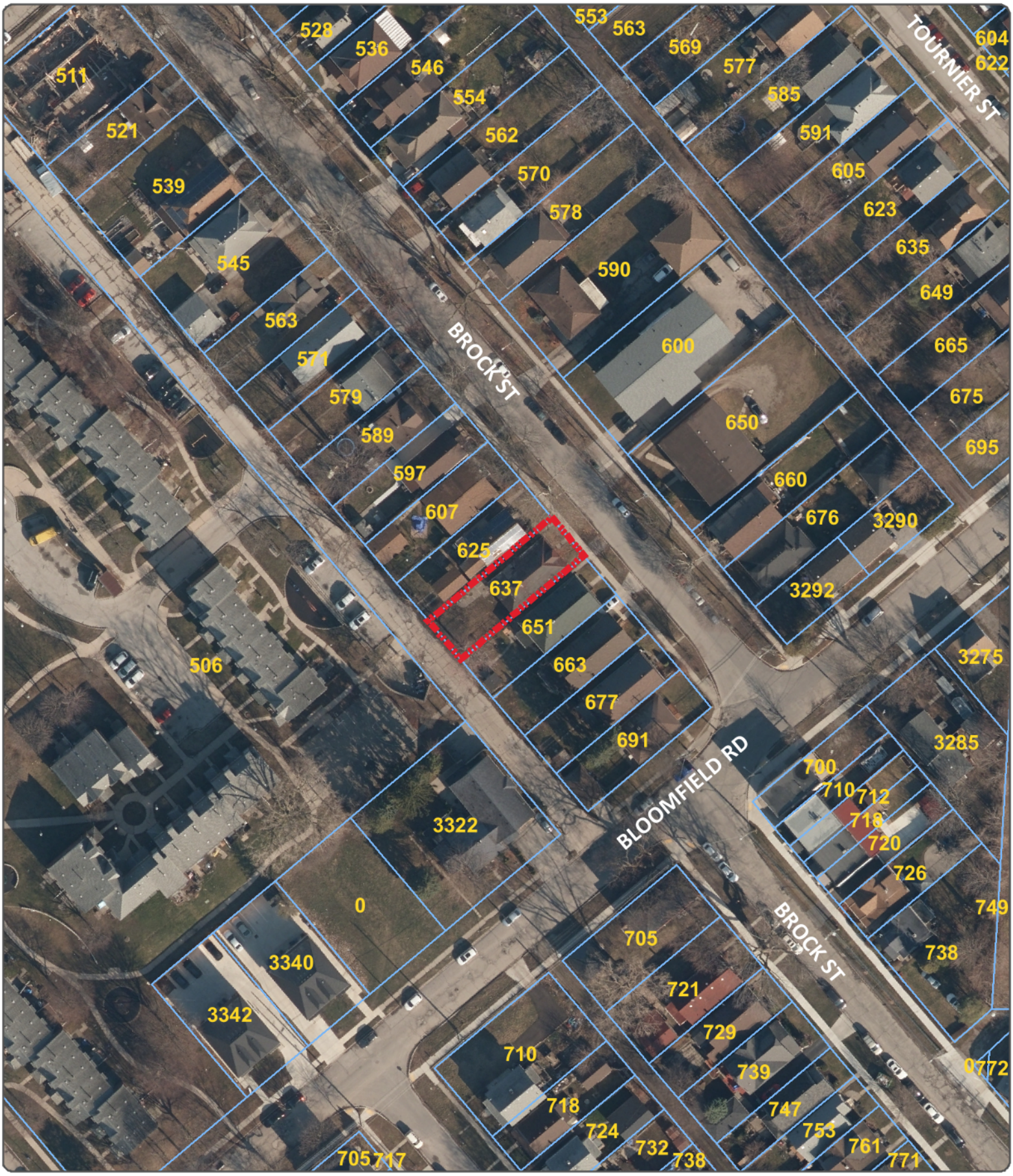
Name	Title
Kevin Alexander	Senior Planner – Special Projects
Josie Gualtieri	Financial Planning Administrator
Jason Campigotto	Deputy City Planner – Growth (A)
John Revell	Chief Building Official
Thom Hunt	City Planner
Kate Tracey	Senior Legal Council
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix ‘A’ - Location Map and Existing Condition
2 Appendix ‘B’ – Proposed Development Plan



LOCATION MAP: 637 BROCK STREET

SUBJECT PROPERTY

0 5 10 20 30 Meters

Source: Google Maps

EXISTING CONDITION: 637 BROCK STREET

Vacant Single Unit Residential Dwelling

NOTE: THE CONTRACTOR SHALL CHECK AND VERIFY THE CONSTRUCTION DOCUMENTS WITH FIELD CONDITIONS, CONFIRMING THAT ALL WORK IS BUILDABLE AS SHOWN, PRIOR TO PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT, IN WRITING, IMMEDIATELY, IF ANY DISCREPANCIES EXIST, PRIOR TO COMMENCEMENT OF WORK, OR AS SOON AS POSSIBLE THEREAFTER. STRUCTURAL ENGINEERING BY OTHERS.

Concept Development

637 Brock Street

PROJECT TEAM CONTACTS

HOMEOWNER:	Habitat for Humanity Windsor Essex	###.###.####
ARCHITECT:	THE ALTER ARCHITECT'S STUDIO	704.577.3632
STRUCTURAL:	Structural Engineer Name	###.###.####
LANDSCAPE:	Landscape Designer Name	###.###.####

ARCHITECTURAL SYMBOLOGY

VIEW TITLE INDICATOR — A1 — THE ALTER ARCHITECT'S STUDIO — Scale: 1/8" = 1'-0"
- DETAIL REFERENCE NUMBER
- DRAWING TITLE
- DRAWING SCALE

BUILDING SECTION INDICATOR — 1 A301 / 1 A301
- DRAWING NUMBER, TYPICAL
- SHEET NUMBER, TYPICAL

WALL SECTION INDICATOR — 1 A301

DETAIL SECTION INDICATOR — 1 A301

ELEVATION INDICATOR — 1 A301

ENLARGED FLOOR PLAN INDICATOR — 1 A301

INTERIOR ELEVATION MARKER — 01 02 03 04 — A601
- DRAWING NUMBER TYPICAL
- SHEET NUMBER TYPICAL

PLAN DETAIL INDICATOR — A1/A601
- SHEET NUMBER TYPICAL
- DRAWING NUMBER TYPICAL

ROOM/SPACE INDICATOR — Bedroom — 12'0" x 12'0" — 144.00 S.F.
- ROOM OR SPACE
- DIMENSIONS AND/OR AREA

PARTITION TYPE INDICATOR — 1 — REFER TO PARTITION TYPES SHEET

WINDOW/ LOUVER TYPE INDICATOR — CA2440 — REFER TO WINDOW SCHEDULE ON A002
- NOMINAL DIM. WxH (INCHES)
- TYPE (CAS/AWN/FIX)

DOOR SIZE MARKER — 3680 — REFER TO DOOR SCHEDULE ON A002
- WIDTH - INCHES
- HEIGHT - INCHES

REVISION INDICATOR — 2

ELEVATION BENCHMARK — FIRST FLOOR — 0"

NORTH ARROW — N

CHANGE BUBBLE

COLUMN TAG BUBBLE — 02

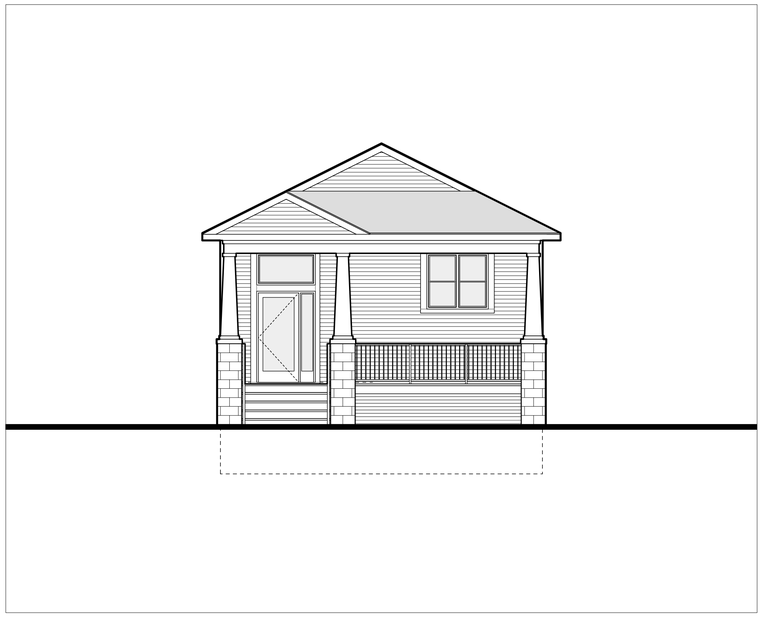
WALL MATERIAL AND FINISH KEY — STL P-1

1 HOUR RATED PARTITION

2 HOUR RATED PARTITION

ABBREVIATIONS

A	A/C	AIR CONDITIONING
	ALT	ALTERNATIVE
	AL	ALUMINUM
	APPROX	APPROXIMATE
	ARCH	ARCHITECT(URAL)
	ASPH	ASPHALT
	AUTO	AUTOMATIC
	AWN	AWNING WINDOW
B	BSMT	BASEMENT
	BRG	BEARING
	BEL	BELOW
	BET	BETWEEN
	BLK	BLOCK
	BLKG	BLOCKING
	BD	BOARD
	BW	BOTH WAYS
	BOT	BOTTOM
	BRK	BRICK
	BLDG	BUILDING
C	CAB	CABINET
	CPT	CARPET(ED)
	CSMT	CASEMENT
	CI	CAST IRON
	CIPC	CAST-IN-PLACE CONCRETE
	CST	CAST STONE
	CK	CALK(ING), CAULK(ING)
	CLG	CEILING
	CEM	CEMENT
	CT	CERAMIC TILE
	CHAM	CHAMFER
	CIR	CIRCLE
	CIRC	CIRCUMFERENCE
	CLR	CLEAR(ANCE)
	CLS	CLOSURE
	CL	CLOSET
	COL	COLUMN
	COMB	COMBINATION
	CONC	CONCRETE
	CMU	CONCRETE MASONRY UNIT
	CORR	CORRUGATED
	CTR	COUNTER
	CFL	COUNTERFLASHING
	CRS	COURSE(S)
	CUFT	CUBIC FOOT
	CUYD	CUBIC YARD
D	DP	DAMPROOFING
	DEM	DEMOLISH, DEMOLITION
	DEP	DEPRESSED
	DET	DETAIL
	DIAG	DIAGONAL
	DIA	DIAMETER
	DIM	DIMENSION
	DIV	DIVISION
	DR	DOOR
	DH	DOUBLE HUNG
	DS	DOWNSPOUT
	DWR	DRAWER
	DRWG	DRAWING
E	EF	EACH FACE
	E	EAST
	ELECT	ELECTRIC(AL)
	EP	ELECTRICAL PANEL BOARD
	EQ	EQUAL
	EQUIP	EQUIPMENT
	EST	ESTIMATE
	EXH	EXHAUST
	EXIST	EXISTING
	EXT	EXTERIOR
F	FO	FACE OF
	FF	FACTORY FINISH
	FAS	FASTENER)
	FN	FENCE
	FBD	FIBERBOARD
	FGL	FIBERGLASS
	FIN	FINISHED)
	FFE	FINISHED FLOOR ELEVATION
	FA	FIRE ALARM
	FE	FIRE EXTINGUISHER
	FPL	FIREPLACE
	FP	FIREPROOF
	FRC	FIRE-RESISTANT COATING
	FRGWB	FIRE-RESISTANT GWB
	FRT	FIRE-RETARDANT
	FLG	FLASHING
	FIX	FIXED GLASS WINDOW
	FLR	FLOOR(ING)
	FD	FLOOR DRAIN
	FPL	FLOOR PLATE
	FTG	FOOTING
	FND	FOUNDATION
	FR	FRAME(D), (ING)
	FBO	FURNISHED BY OTHERS
	FUR	FURR(ED), (ING)
	FUT	FUTURE
G	GA	GAGE, GAUGE
	GC	GENERAL CONTRACT(OR)
	GL	GLASS, GLAZING
	GLB	GLASS BLOCK
	GB	GRAB BAR
	GD	GRADE
	GRAN	GRANITE
	GVL	GRAVEL
	GT	GROUT
	GWB	GUPSUM WALL BOARD
H	HBO	HARDBOARD
	HDW	HARDWARE
	HDR	HEADER
	HTG	HEATING
	HVAC	HEAVING/VENTILATION/AIR COND.
	HT	HEIGHT
	HOR	HORIZONTAL
I	INCL	INCLUDE(D), (ING)
	ID	INSIDE DIAMTER
	INSUL	INSULATE(D), (ION)
	INT	INTERIOR
J	JT	JOINT
	J	JOIST
L	LAD	LADDER
	LAM	LAMINATE(D)
	LAV	LAVATORY
	L	LENGTH
	LT	LIGHT
	LC	LIGHT CONTROL
	LW	LIGHTWEIGHT
	LWC	LIGHTWEIGHT CONCRETE
	LVR	LOUVER
M	MFR	MANUFACTURE(R)
	MRB	MARBLE
	MAS	MASONRY
	MO	MASONRY OPENING
	MATL	MATERIAL(S)
	MAX	MAXIMUM
	MECH	MECHANIC(AL)
	MC	MEDICINE CABINET
	MED	MEDIUM
	MET	METAL
	MWK	MILLWORK
	MIN	MINIMUM
	MISC	MISCELLANEOUS
	MLO	MOLDING, MOULDING
	MRGWB	MOISTURE-RESISTANT GWB
	MT	MOUNTI(ED), (ING)
	MULL	MULLION
N	NA	NOT APPLICABLE
	NAT	NATURAL
	NC	NON-COMBUSTIBLE
	NOM	NOMINAL
	N	NORTH
	NIC	NOT IN CONTRACT
	NTS	NOT TO SCALE
O	OC	ON CENTER
	OP	OPAQUE
	OPG	OPENING
	OPP	OPPOSITE
	OPH	OPPOSITE HAND
	OD	OUTSIDE DIAMETER
	OA	OVERALL
	OH	OVERHEAD
P	PNT	PAINT(ED)
	PNL	PANEL
	PK	PARKING
	PBO	PARTICLE BOARD
	PTN	PARTITION
	PV	PAVE(D),(ING)
	PVMT	PAVEMENT
	PERI	PERIMETER
	PT	PRESSURE TREATED
	PWD	PLYWOOD
	PCC	PRECAST CONCRETE
	PL	PROPERTY LINE
R	R	RADIUS
	RL	RAILING
	REF	REFERENCE
	RFL	REFLECT(ED), (IVE)
	REFR	REFRIGERATOR
	REG	REGISTER
	REM	REMOVE
	RA	RETURN AIR
	RVS	REVERSE (SIDE)
	REV	REVISION(S)
	R	RISER
	RD	ROOF DRAIN
	RFH	ROOF HATCH
	RFG	ROOFING
	RM	ROOM
	RO	ROUGH OPENING
	RB	RUBBER BASE
	RBT	RUBBER TILE
S	SCHED	SCHEDULE
	SECT	SECTION
	SHTHG	SHEATHING
	SHT	SHEET
	SIM	SIMILAR
	S	SOUTH
	SPEC'S	SPECIFICATIONS
	SQ	SQUARE
	SQ FT	SQUARE FOOT
	SQ IN	SQUARE INCH
	SS	STAINLESS STEEL
	STD	STANDARD
	STL	STEEL
	STOR	STORAGE
	STRUCT	STRUCTURE(AL)
	SYM	SYMMETRC
	SYS	SYSTEM
T	THRES	THRESHOLD
	TO	TOP OF
	TB	TOWEL BAR
	TR	TRANSOM
	T	TREAD
	TYP	TYPICAL
U	UNF	UNFINISHED
V	V	VAPOR BARRIER
	VAR	VARNISH
	VEN	VENEER
	VERT	VERTICAL
	VIF	VERIFY IN FIELD
W	WSCT	WAINSCOT
	WF	WALL FABRIC
	WTW	WALL TO WALL
	WC	WATER CLOSET
	WP	WATERPROOF(ING)
	WR	WATER REPELLENT
	W	WEST
	WIN	WINDOW
	WO	WITHOUT
	WD	WOOD
	WB	WOOD BASE



SHEET INDEX

ARCHITECTURAL

G001	Cover	General Notes and Index
A101	Floor Plan	First Floor and Basement
A161	Proposed Roof Plan	
A201	Proposed Elevations	

GENERAL SITE NOTES

1. FIELD VERIFY EXISTING SITE FOR GRADING AND TREE LOCATIONS PRIOR TO SITE PREPARATION/DEMOLITION.
2. ARCHITECT TO CONFIRM EXISTING TREES/PLANTINGS TO REMAIN PRIOR TO SITE PREPARATION/DEMOLITION.
3. CONTRACTOR TO FIELD ERECT PROTECTIVE BARRIER(S) AROUND EXISTING TREES/PLANTINGS TO REMAIN. CANOPY, TRUNK, AND ROOT SYSTEM TO BE PROTECTED.
4. ALL PERIMETER GROUND SURFACES TO SLOPE AWAY FROM STRUCTURE/FOUNDTATION TO ENSURE PROPER DRAINAGE.
5. REPAIR/REPLACE EXISTING SIDEWALKS AS REQUIRED.
6. GC TO VERIFY SEPTIC PRIOR TO DEMO/CONSTRUCTION.

ZONING

ZONING SETBACKS

JURISDICTION	CITY OF WINDSOR			ZONE	RD 2.2
ZONING SETBACKS	FRONT	20'0"	SIDES 4'0"	REAR	25'0"

OPEN SPACE CALCULATIONS

OPEN SPACE REQUIRED	55%	
IMPROVED LOT ALLOWED	45%	
LOT SIZE	0.08 ACRES	= 3,640 SQ FT
ALLOWED COVERAGE	45% OF 3,640 SQ FT	= 1,638 SQ FT
BUILDING FOOTPRINTS	1,535 SQ FT	= 42.2% CVRG
INCLUDES:	PORCHES STRUCTURES UNDER ROOF	

PROPOSED HEATED FLOOR AREAS & OVERALL HEIGHTS

	ALLOWED	SHOWN
MAX AVG HT (FR)	30'0"	17'9"

GENERAL PROJECT NOTES

1. THESE CONSTRUCTION DOCUMENTS ARE INTENDED TO INCLUDE ALL LABOR, MATERIALS, EQUIPMENT, AND SERVICES REQUIRED TO COMPLETE ALL WORK DESCRIBED THEREIN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO BRING TO THE ATTENTION OF THE ARCHITECT ANY CONDITIONS WHICH WILL NOT PERMIT CONSTRUCTION ACCORDING TO THE INTENTIONS OF THE CONSTRUCTION DOCUMENTS. THE ARCHITECT SHALL PROVIDE SUPPLEMENTAL INFORMATION REGARDING DESIGN INTENT WHERE ACCOMMODATIONS FOR EXISTING CONDITIONS OR WHERE SUFFICIENT INFORMATION IS ABSENT FROM THE CONSTRUCTION DOCUMENTS IN ACCORDANCE WITH THE GENERAL CONDITIONS.
2. ALL WORK DESCRIBED BY THESE DOCUMENTS SHALL BE PERFORMED IN FULL ACCORDANCE WITH ALL APPLICABLE CODES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING COES; UNIFORM BUILDING CODE, UNIFORM MECHANICAL CODE, UNIFORM FIRE CODE; NRPA STANDARDS, NATIONAL ELECTRICAL CODE, UNIFORM PLUMBING CODE, ALL AS ADOPTED BY THE CITY OF 'CITY', 'STATE'.
3. CONTRACTOR IS RESPONSIBLE FOR PROVIDING A COMPLETE SET OF CONSTRUCTION DOCUMENTS (DRAWINGS, SPECIFICATIONS, AND ADDENDA) TO EACH SUBCONTRACTOR TO ENSRE THAT THE WORK OF EACH SUBCONTRACTOR IS COORDINATED WITH THE WORK OF ALL OTHER SUBCONTRACTORS.
4. IN NO CASE SHOULD THE DRAWINGS BE SCALED FOR DIMENSIONAL INFORMATION. ALL DIMENSIONS NOTED TAKE PRECEDENCE OVER SCALED DIMENSIONS. N.T.S. DENOTES NOT TO SCALE.
5. ANY QUESTIONS REGARDING THE INTENT OF THE CONSTRUCTION DOCUMENTS ARE TO BE CLARIFIED WITH THE ARCHITECT PRIOR TO ORDERING MATERIALS OR PROCEEDING WITH THE RELATED WORK.
6. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS, CUT SHEETS, AND SAMPLES WHEN REQUIRED BY THE CONTRACT DOCUMENTS FOR REVIEW BY THE ARCHITECT PRIOR TO COMMENCING RELATED WORK. ALL WORK RELATED TO SUCH SAMPLES SHALL CONFORM WITH REVIEWED AND ACCEPTED SAMPLES. WORK WHICH DOES NOT CONFORM SHALL BE REVIEWED AND REPLACED AT THE CONTRACTOR'S EXPENSE. SUBCONTRACTORS SHALL SUBMIT FOR REVIEW THROUGH THE GENERAL CONTRACTOR. CONTRACTOR IS TO REVIEW ALL SHOP DRAWINGS PRIOR TO SUBMISSION TO THE ARCHITECT. ALL SUBMITTALS AND SAMPLES SHALL BE SUBMITTED IN SUCH A MANNER AS TO ALLOW FIVE (5) BUSINESS DAYS FOR REVIEW, OR AS OTHERWISE NOTED IN THE CONSTRUCTION DOCUMENTS AND AS NOT TO DELAY WORK IN PROGRESS.
7. ANY PROPOSED SUBSTITUTION OF SPECIFIED MATERIALS / PRODUCTS SHALL BE PRESENTED TO THE ARCHITECT FOR REVIEW IN ACCORDANCE WITH THE PROCEDURES DESCRIBED IN THE CONSTRUCTION DOCUMENTS. SUBSTITUTIONS WILL BE CONSIDERED ONLY IF MORE ADVANTAGEOUS DELIVERY DATE OR LESSER COST, WITH CREDIT TO THE OWNER, ARE PROVIDED WITHOUT SACRIFICING QUALITY, APPEARANCE, AND / OR FUNCTION. UNDER NO CIRCUMSTANCES WILL THE ARCHITECT BE REQUIRED TO PROVE THAT A PRODUCT SUBSTITUTION DOES NOT AUTHORIZE THE CONTRACTOR TO CHANGE THE SPECIFIED PRODUCT UNTIL THE ARCHITECT HAS APPROVED THE SUBSTITUTION.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY AND CARE OF ADJACENT PROPERTIES DURING CONSTRUCTION, FOR COMPLIANCE WITH FEDERAL AND STATE O.S.H.A. REGULATIONS, AND FOR THE PROTECTION OF ALL WORK UNTIL IT IS DELIVERED TO THE OWNER.
9. ALL ITEMS ARE NEW UNLESS CALLED OUT AS EXISTING.
10. ALL WORK SHALL BE ERECTED PLUMB AND TRUE-TO-LINE IN ACCORDANCE WITH THE BEST PRACTICES OF THE TRADE. MANUFACTURER'S RECOMMENDATIONS FOR THE PARTICULAR PRODUCT, IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS, AND IN ACCORDANCE WITH ALL APPLICABLE BUILDING CODES.
11. CONTRACTOR SHALL NOTIFY APPLICABLE LOCAL GOVERNMENT AGENCIES WHEN THERE IS A NEED OF INSPECTIONS REQUIRED BY THE APPLICABLE CODE OR BY ANY LOCAL CODE OR ORDINANCE.
12. ALL MATERIALS, FINISHES, MANUFACTURED ITEMS, AND EQUIPMENT SHALL BE INSTALLED IN FULL ACCORDANCE WITH THE SUPPLIER'S OR MANUFACTURER'S WRITTEN RECOMMENDATIONS OR THESE DOCUMENTS, WHICHEVER IS MORE STRINGENT.
13. CONTRACTOR SHALL VERIFY AND COORDINATE ALL OPENINGS THROUGH FLOORS, CEILINGS, AND WALLS WITH ALL ARCHITECTURAL, STRUCTURAL, MECHANICAL, PLUMBING, ELECTRICAL, AND OTHER DISCIPLINES DRAWINGS AND SPECIFICATIONS, AS WELL AS WITH EXISTING CONDITIONS.
14. CONTRACTOR TO VERIFY ALL SPACE DIMENSIONS AS SHOWN WITH THE EXISTING JOB CONDITIONS PRIOR TO STARTING WORK.
15. CONTRACTOR SHALL CHECK AND VERIFY THE CONSTRUCTION DOCUMENTS WITH FIELD CONDITIONS, CONFIRMING THAT ALL WORK IS BUILDABLE AS SHOWN, PRIOR TO PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY IF ANY DISCREPANCIES EXIST, PRIOR TO COMMENCEMENT OF WORK OR AS SOON AS POSSIBLE THEREAFTER.
16. WHERE WORK IS INSTALLED OR EXISTING FINISHES ARE DISTURBED, SUCH AREAS SHALL BE REFINISHED TO MATCH TO AREA PRIOR TO THE DISTURBANCE.
17. EACH MISCELLANEOUS ITEM OF CUTTING, PATCHING, OR FITTING IS NOT NECESSARILY DESCRIBED IN THE DOCUMENTS. NO SPECIFIC DESCRIPTION OF CUTTING, PATCHING, OR FITTING REQUIRED TO PROPERLY ACCOMMODATE THE SCOPE OF WORK SHALL RELIEVE THE CONTRACTOR FROM THE RESPONSIBILITY TO PERFORM SUCH WORK AS REQUIRED.
18. STRUCTURAL ENGINEERING BY OTHERS.
19. ALL WORKMANSHIP, MATERIAL, AND EQUIPMENT SHALL BE GUARANTEED FOR ONE YEAR FROM DATE OF OWNER ACCEPTANCE. ANY FAILURE OR DETERIORATION WITHIN THIS PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
20. SCOPE OF WORK IS TO 'DETAILED STATEMENT OF WORK'. CONTRACTOR SHALL SUPPLY FOLLOWING PROJECT WORK: ALL INTERIOR BUILD OUT, DOORS, FRAMES, HARDWARE, MILLWORK, FIXTURES, FINISHES, MECHANICAL, PLUMBING, AND ELECTRICAL WORK AS CALLED OUT ON SHEETS 'FIRST SHEET' THROUGH 'LAST SHEET' OF THIS DRAWING SET, EXCEPT AS SPECIFICALLY NOTED OTHERWISE.
21. MATCH EXISTING MATERIALS AND DETAILS PRESENT ON SITE. CONTACT ARCHITECT IF EXACT REPLACEMENT IS NOT POSSIBLE, PRIOR TO EXECUTING RELATED WORK.

alter ARCHITECTS

Alter Studio d'Abri, Inc.
981 Parkview Ave
Windsor, ON N8S 2X5
alterarchitects.com
ph: 519.816.6852

NOT FOR CONSTRUCTION

637 Brock Street

Prepared for Habitat for Humanity Windsor Essex
Project Address: 637 Brock Street
Windsor, ON

Project Name/#: Alter Project Number
CAD File Name: 637BrockSt.vwx

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- DO NOT SCALE DRAWINGS -

Mark	Date	Description
A	May 15, 2024	Initial Ideas
B	June 4, 2024	Concept Development

G001

NOTE: THE CONTRACTOR SHALL CHECK AND VERIFY THE CONSTRUCTION DOCUMENTS WITH FIELD CONDITIONS, CONFIRMING THAT ALL WORK IS BUILDABLE AS SHOWN, PRIOR TO PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT, IN WRITING, IMMEDIATELY, IF ANY DISCREPANCIES EXIST, PRIOR TO COMMENCEMENT OF WORK, OR AS SOON AS POSSIBLE THEREAFTER. STRUCTURAL ENGINEERING BY OTHERS.

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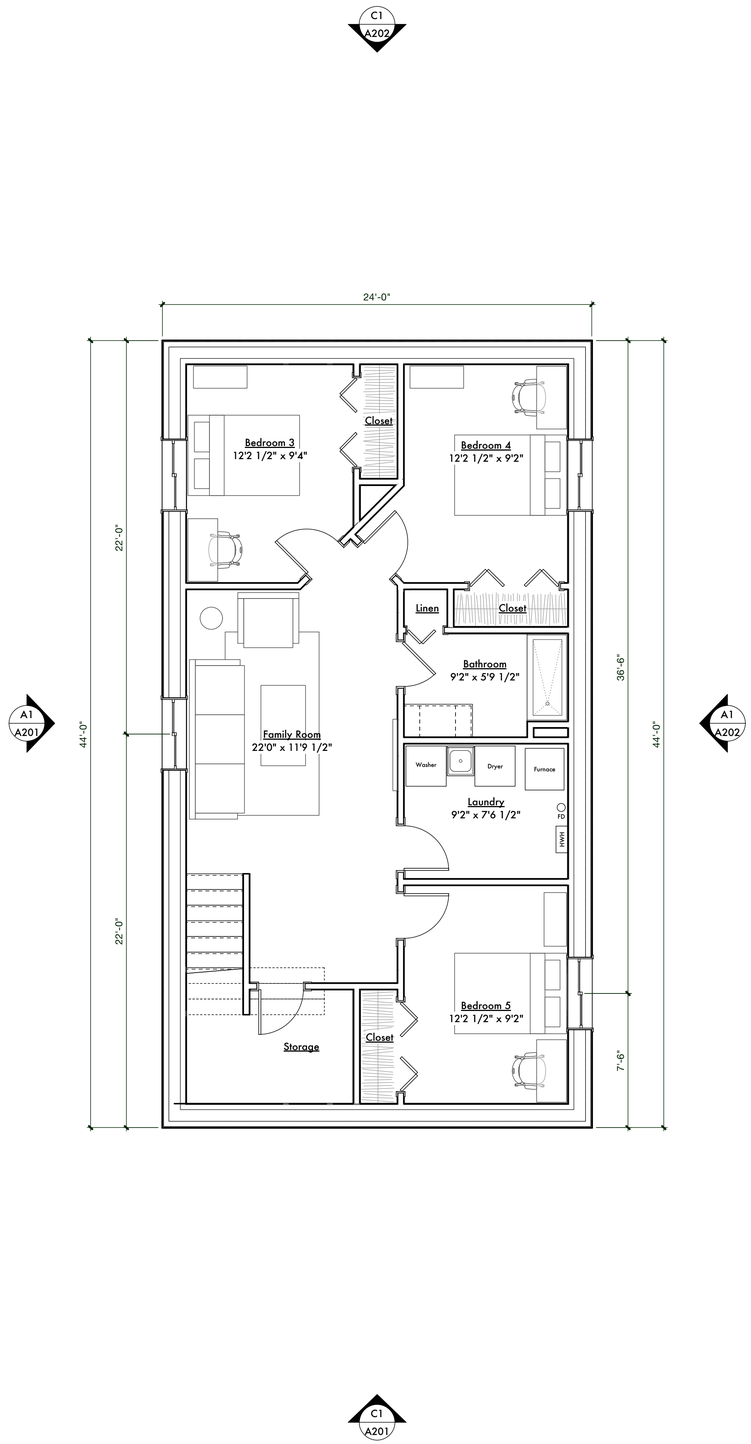
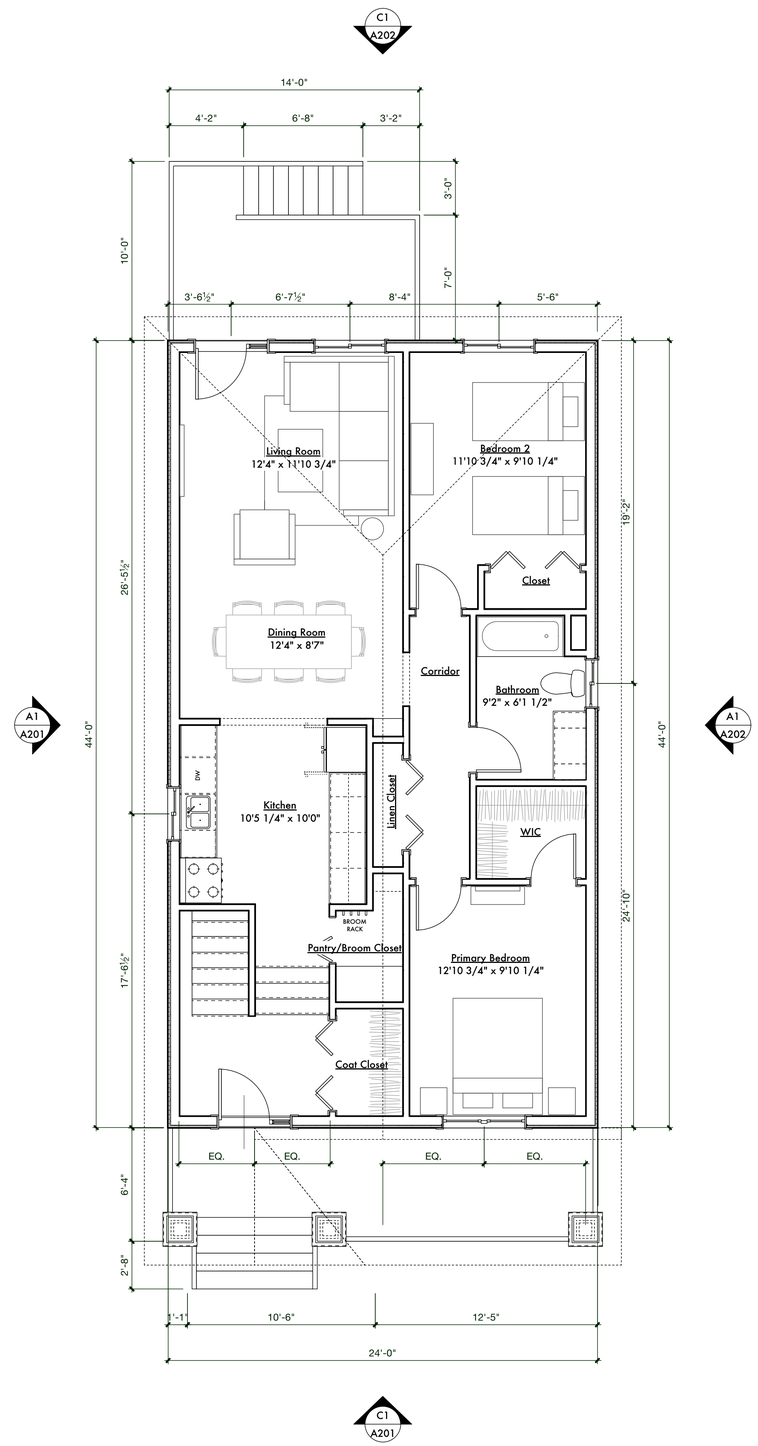


4 Proposed Basement Plan Notated
Scale: 1/4" = 1'-0"



A1 Proposed First Floor Plan Notated
Scale: 1/4" = 1'-0"

alter ARCHITECTS
Alter Studio d'Abri, Inc.
981 Parkview Ave
Windsor, ON N8S 2X5
alterarchitects.com
ph: 519.816.6852

NOT FOR CONSTRUCTION

637 Brock Street

Prepared for Habitat for Humanity Windsor Essex
Project Address: 637 Brock Street
Windsor, ON

Project Name/#: Alter Project Number
CAD File Name: 637BrockSt.vwx

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- DO NOT SCALE DRAWINGS -

Mark	Date	Description
A	May 15, 2024	Initial Ideas
B	June 4, 2024	Concept Development

Floor Plan
First Floor and Basement

A101

NOTE: THE CONTRACTOR SHALL CHECK AND VERIFY THE CONSTRUCTION DOCUMENTS WITH FIELD CONDITIONS, CONFIRMING THAT ALL WORK IS BUILDABLE AS SHOWN, PRIOR TO PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT, IN WRITING, IMMEDIATELY, IF ANY DISCREPANCIES EXIST, PRIOR TO COMMENCEMENT OF WORK, OR AS SOON AS POSSIBLE THEREAFTER. STRUCTURAL ENGINEERING BY OTHERS.

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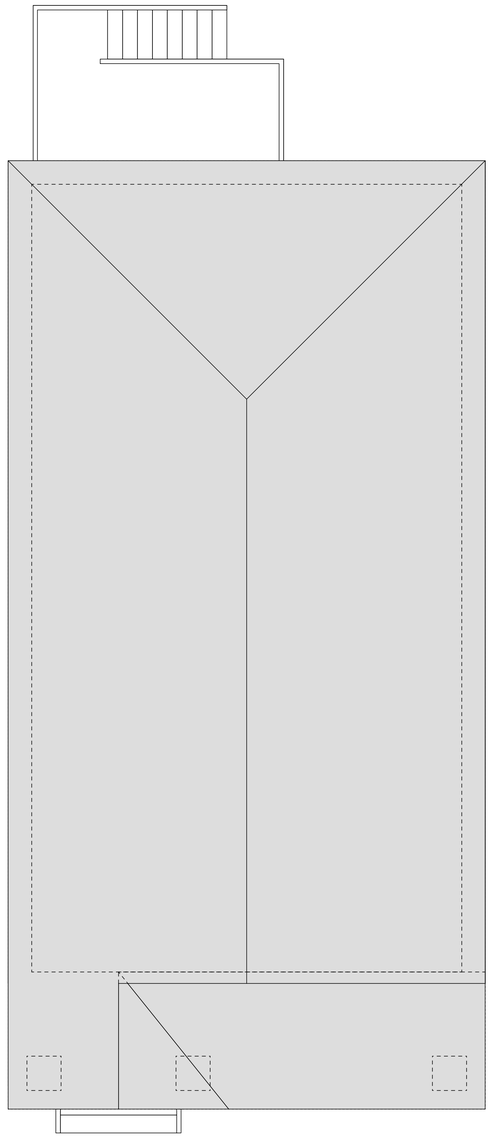

ROOF PLAN NOTES

1. PROVIDE NON-CORROSIVE FLASHING AT ALL WALL/ROFF INTERSECTIONS.
2. PROVIDE NON-CORROSIVE VALLEY FLASHING AT ALL VALLEY CONDITIONS.
3. PROVIDE CHIMNEY CAP WITH PEST SCREENING.
4. FIELD VERIFY ALL ROOF SLOPES.
5. PLUMBING AND HVAC VENTS SHALL BE GROUPED IN ATTIC TO LIMIT ROOF PENETRATIONS.
6. GC TO CONFIRM THE SQ IN/FT VENTED AREA WITH THE MANUFACTURER OF VENTING PRODUCTS USED FOR THIS CONSTRUCTION TO COMPLY WITH THE CALCULATED SQ IN/FT OF VENTED AREA REQUIRE.

A1 Proposed Roof Plan
Scale: 1/4" = 1'-0"

0 4 8 12 FT

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Mark	Date	Description
A	May 15, 2024	Initial Ideas
B	June 4, 2024	Concept Development

Proposed Roof Plan

A161

NOTE: THE CONTRACTOR SHALL CHECK AND VERIFY THE CONSTRUCTION DOCUMENTS WITH FIELD CONDITIONS, CONFIRMING THAT ALL WORK IS BUILDABLE AS SHOWN, PRIOR TO PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT, IN WRITING, IMMEDIATELY, IF ANY DISCREPANCIES EXIST, PRIOR TO COMMENCEMENT OF WORK, OR AS SOON AS POSSIBLE THEREAFTER. STRUCTURAL ENGINEERING BY OTHERS.

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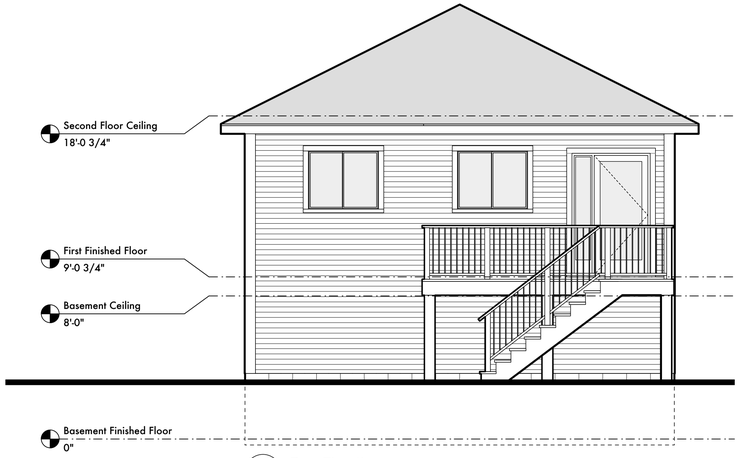
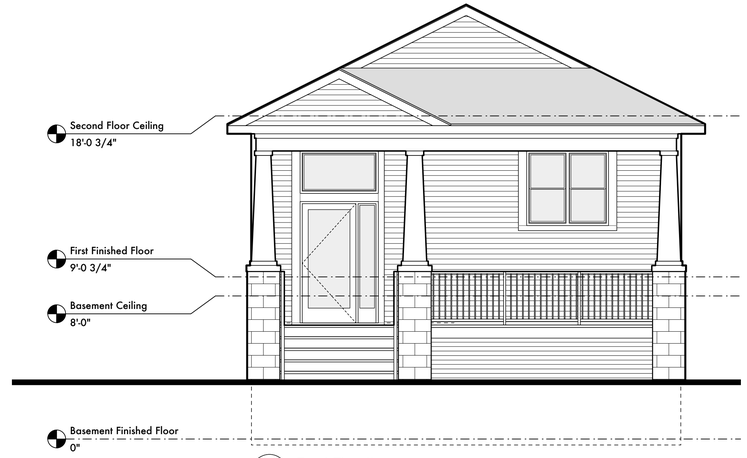


2 Rear Elevation
Scale: 1/4" = 1'-0"



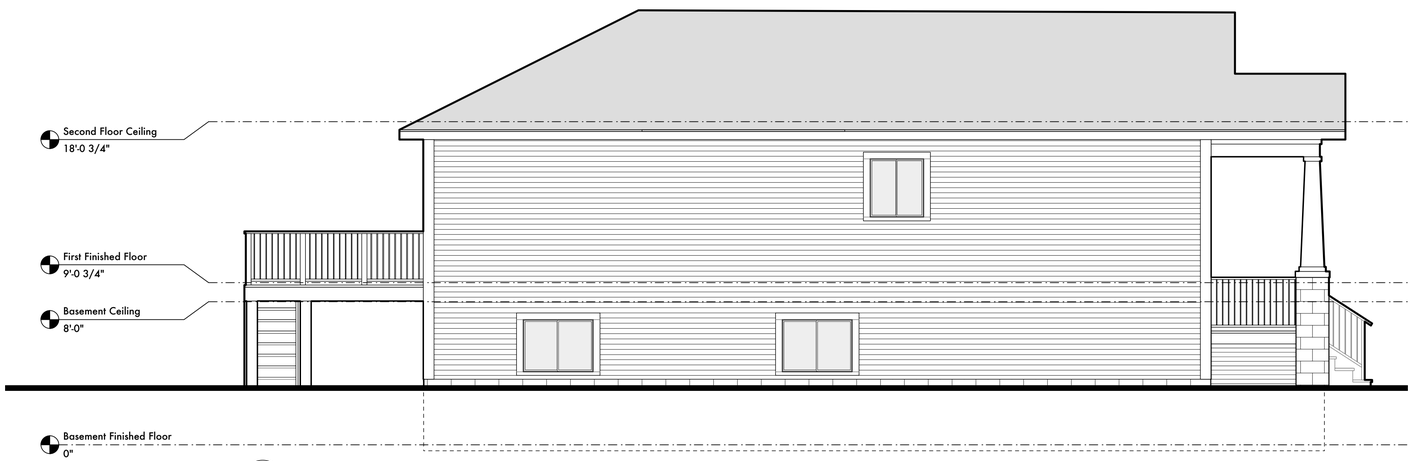
1 Front Elevation
Scale: 1/4" = 1'-0"

MATERIAL LEGEND

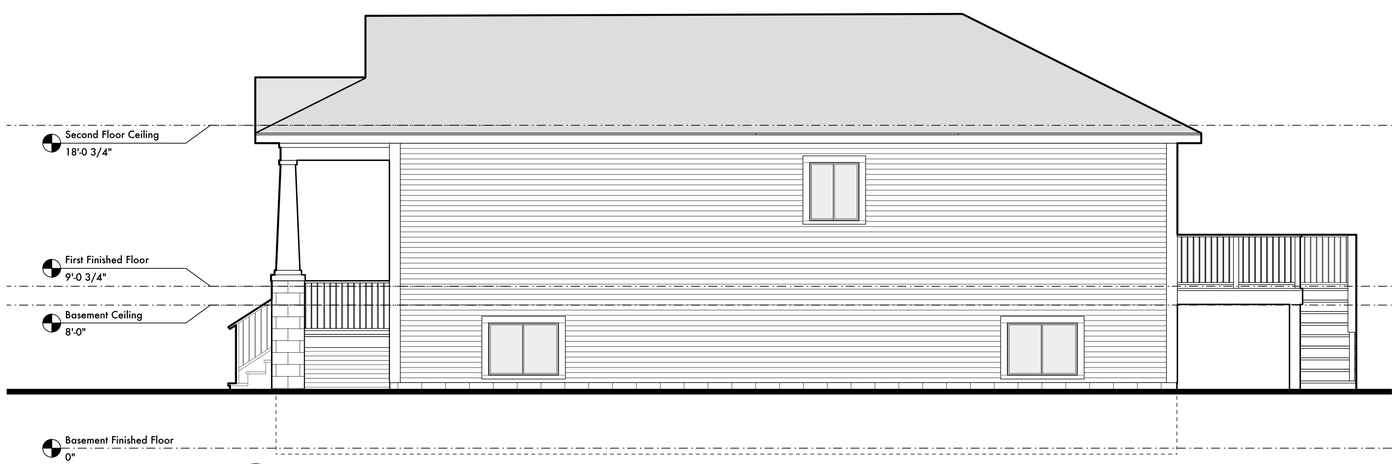
- CMU FOUNDATION WALL
- VINYL SIDING
- ASPHALT SHINGLE ROOFING
- VINYL TRIM

EXTERIOR NOTES

1. FINISH SELECTIONS BY HABITAT FOR HUMANITY WINDSOR ESSEX.
2. VINYL SIDING PER HABITAT FOR HUMANITY WINDSOR ESSEX.
3. 30YR ARCHITECTURAL SHINGLES.
4. GC TO COORDINATE HARDSCAPE MATERIALS, RETAINING FEATURES, AND PATIO DETAILS WITH ARCHITECT AND HABITAT FOR HUMANITY WINDSOR ESSEX.
5. NEW DRIVEWAY DESIGN, SEE LANDSCAPE PLAN.
6. NEW DECK WITH RAILING AND DETAILS TBD.
7. PROVIDE 2 TANKLESS WATER HEATERS.



3 Left Elevation
Scale: 1/4" = 1'-0"



4 Right Elevation
Scale: 1/4" = 1'-0"

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Mark	Date	Description
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Proposed Elevations

A201

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THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 78/2024

Subject: Asset Retirement Obligations Policy

Reference:

Date to Council: July 22, 2024
Author: Stephen Cipkar
scipkar@citywindsor.ca
519-255-6100 ext. 6234
Financial Accounting
Report Date: July 2, 2024
Clerk's File #: AF2024

To: Mayor and Members of City Council

Recommendation:

THAT City Council **APPROVE** the draft Asset Retirement Obligations Policy (attached as Appendix A).

Executive Summary:

N/A.

Background:

The Public Sector Accounting Board (PSAB) sets accounting standards policy for all public sector organizations in Canada. Periodically, new accounting standards are developed to fill a reporting gap that has been identified via consultations with public sector entities across the country and the accounting profession more generally.

PSAB developed PS 3280 *Asset Retirement Obligations* to help public sector organizations inform elected officials and users of public sector financial statements identify the size of organizations' potential liability for retiring assets that are currently in productive service. Public sector organizations generally own significant inventories of tangible capital assets (TCAs) in productive service. The eventual end of life costs of these assets can be substantial and were previously not fully disclosed in PSAB financial statements, but were included in Capital budget projections and the City's Asset Management Plan (AMP). The new standard PS 3280 is intended to fill the financial statement gap.

The Financial Accounting department engaged with consulting specialists at KPMG LLP to acquire assistance in the implementation of PS 3280, including the development of a policy to govern this accounting function.

Discussion:

With assistance from KPMG LLP, the Financial Accounting department developed the draft Asset Retirement Obligations Policy attached as Appendix A. This policy will govern the asset retirement obligations (ARO) process starting with the year of adoption (2023 Consolidated Financial Statements) and in the future. The policy establishes the criteria for identifying, valuing, recording and reporting on AROs in the City's consolidated financial statements.

This policy will be essential for Finance staff in the years ahead to guide them through the annual process to evaluate and update the City's ARO liability. Although City staff were able to rely on KPMG's expertise in the initial year of ARO reporting, that expertise will not be available in future years. The development of a detailed policy was essential, therefore, to provide a blueprint for City staff to follow in subsequent years so that this accounting standard can be successfully observed.

Risk Analysis:

KPMG LLP, as the City's external auditor, routinely requests to be provided with updated copies of key policies and procedures that govern the City's accounting process and establishes the City's control environment.

The absence of a policy to govern the City's ARO accounting process might be perceived as a control gap and could lead to an audit finding for the City. Additionally, having a detailed policy in place is generally considered a best practice.

Climate Change Risks

Climate Change Mitigation:

N/A.

Climate Change Adaptation:

N/A.

Financial Matters:

As referenced above, the City retained KPMG to provide expertise in the initial implementation of ARO reporting and to provide guidance and advice in the development of an ARO policy and ARO note disclosure for the financial statements.

With the project now complete, there is no additional cost to the City to formally adopt this policy. The ARO process will be maintained on an ongoing basis by Financial Accounting department's existing staff complement.

Consultations:

KPMG LLP

Conclusion:

It is recommended that the draft Asset Retirement Obligations Policy be approved and that it be applied to the development of the City's consolidated financial statements for 2023 and all subsequent fiscal years as required by the Public Sector Accounting Board.

Approvals:

Name	Title
Stephen Cipkar	Manager of Financial Accounting
Dan Seguin	Deputy Treasurer, Financial Accounting & Corporate Controls
Janice Guthrie	Commissioner of Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications: N/A.

Appendices:

1 Appendix A - Asset Retirement Obligations Policy - Draft

THE CORPORATION OF THE CITY OF WINDSOR

POLICY

Service Area:	**Commissioner of Finance**	Policy No.:	
Department:	**Financial Accounting**	Approval Date:	**July 22, 2024**
Division:	Financial Accounting & Reporting	Approved By:	**Janice Guthrie**
		Effective Date:	**January 1, 2023**
Subject:	**Asset Retirement Obligations**	Procedure Ref.:	
Review Date:	**January 1, 2029**	*Pages:*	Replaces: N/A.
Prepared By:	Stephen Cipkar		Date:

1. POLICY

1.1. The Corporation of the City of Windsor will employ necessary and appropriate controls for the recording and reporting requirements of Asset Retirement Obligations (AROs) compliant with generally accepted accounting principles as outlined in the Public Sector Accounting Board (PSAB) 3280 standard (compliance required by legislation).

2. PURPOSE

2.1. This policy will facilitate PSAB 3280 compliance in establishing criteria for:

2.1.1. The identification, valuation and write-downs of AROs.
2.1.2. The recording and reporting of AROs on the City's consolidated financial statements.
2.1.3. The monitoring of compliance to PS 3280 and other related corporate policies and procedures.

3. SCOPE

3.1. This policy applies to all City of Windsor departments, Agencies, Board and Commissions (ABCs) funded by the City of Windsor, in whole or in part, or whose governing body contains City of Windsor representation AND whose transactions are accounted for within the City of Windsor's financial systems.

3.2. Exclusion:
3.2.1. ABCs that produce their own audited financial statements.

4. RESPONSIBILITY

4.1. The **Mayor and Council** are responsible to:

4.1.1. Ensure, through administration, that policies and procedures are in place to provide for the recording and reporting of all City of Windsor AROs.

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4.2. The **Chief Administrative Officer** or designate is responsible to:

4.2.1. Ensure compliance with this policy and all related ARO procedures that facilitate the recording and reporting of AROs.

4.3. The **City Treasurer** or designate is responsible for/to:

4.3.1. Compliance with PS 3280 reporting requirements for AROs.
4.3.2. Providing an acceptable accounting structure that supports the recording and reporting of AROs.
4.3.3. Providing communication, training and ongoing support on the use of this Policy and related procedures.
4.3.4. Direct the review of this Policy and related procedures or schedules at a minimum every five **(5)** years, or sooner if required, and recommend updates as necessary in consultation with the City's external auditors.

4.4. The **Manager of Financial Accounting** is responsible for/to:

4.4.1. Assessing current TCAs with an asset retirement obligation for completeness, accuracy and suitability for audit examination.
4.4.2. Assessing newly acquired or constructed TCAs to determine the existence of an asset retirement obligation according to the requirements of PS 3280.
4.4.3. Maintain the City's continuity schedule of AROs that are reported on the City's consolidated financial statements.
4.4.4. Liaise with the City's external auditors when required on the City's reported AROs.

5. GOVERNING RULES AND REGULATIONS

5.1. Definitions:

Asset Retirement Obligation (ARO): A legal obligation associated with the retirement of a tangible capital asset (TCA)**.** ARO activities may include decommissioning or dismantling of TCAs, remediation of TCA contamination, post-retirement activities, and constructing other TCAs to perform post-retirement activities. Examples of AROs include, but are not limited to**:**

- Asbestos
- Lead
- Landfills
- Closure and post-closure care, etc.

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Tangible Capital Asset (TCA): A physical asset held for service delivery and administrative purposes within the city of Windsor **(See Tangible Capital Policy)**.

5.2. Recognition

5.2.1. A TCA is considered within the scope of this policy if it meets the following criteria:

5.2.1.1. The asset is a TCA (See TCA Policy).
5.2.1.2. The City controls the asset, including leased TCAs.
5.2.1.3. A legal or contractual obligation exists for the city to perform retirement activities for the TCA.
5.2.1.4. The asset is in productive use or not in productive use.

5.2.2. A liability must be recognized when all the criteria below are present as at the financial reporting date:

5.2.2.1. There is a legal obligation to incur retirement costs related to an TCA.
5.2.2.2. The past transaction or event resulting in this obligation has already occurred.
5.2.2.3. It is expected that the City will have to give up future economic benefits.
5.2.2.4. A reasonable estimate of the amount can be made.

5.3. Legal Obligation

5.3.1. A legal obligation establishes a clear duty or responsibility to another party that the City must fulfill. An obligation can result from:

5.3.1.1. Agreements or contracts.
5.3.1.2. Legislation from higher level of government.
5.3.1.3. The City's own legislation.
5.3.1.4. A promise made to another party that could be legally enforced.

5.4. Exclusions

5.4.1. Certain retirement and disposal activities not directly attributable to fulfilling required and predictable costs are excluded from the cost of an ARO. These include:

5.4.1.1. Acquisition – original costs to acquire, construct or develop the related TCA.
5.4.1.2. Replacement – costs relating to routine replacement of TCAs. For example, infrastructure such as roads and bridges are typically

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subject to maintenance rather than permanent removal from service due to a legal requirement.

5.4.1.3. Maintenance – Costs relating to routine maintenance of TCAs. These costs shall be expensed as incurred.

5.4.1.4. Remediation of contamination – Remediation of contamination that is not a predictable result of the normal use of the TCAs, such as contamination from accidents or spills. Contamination that is beyond the threshold set by environmental regulations is accounted for separately and not within the scope of this policy.

5.4.1.5. Catastrophic events – costs resulting from catastrophic events such as flooding or fires.

5.4.1.6. Repurposing – costs relating to the preparation of a TCA for an alternative use.

5.4.1.7. Clean up and by-products – costs related to clean up of waste or by-products produced by the TCAs normal use. These costs represent routine operations and are not associated with the retirement of the asset.

5.4.1.8. Improper use – costs caused by improper use of an asset.

5.4.1.9. Sale or disposal – costs to prepare a TCA for sale or disposal that arises from the plan to sell or dispose of the TCA rather than a legal or contractual requirement.

5.5. Measurement

5.5.1. The estimate of the ARO must include all costs directly attributable to required retirement activities as best estimated at the financial reporting date. The estimate should include:

5.5.1.1. Materials and equipment.

5.5.1.2. Payroll and benefits.

5.5.1.3. Directly attributable overhead costs.

5.5.1.4. Legal and professional fees.

5.5.1.5. Post-retirement operation, maintenance and monitoring required to fulfill the ARO.

5.5.1.6. Cost of new TCAs acquired solely for asset retirement activities. For example, as part of retiring a landfill, new water monitoring wells might be constructed.

5.5.2. Sources of cost information to estimate the ARO may include:

5.5.2.1. Third party proposals and quotes for the required activities.

5.5.2.2. External quotes and market data on costs of similar activities.

5.5.2.3. Historical costing information on similar activities completed by the City.

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5.5.3. When the cash flows and timing required to fulfill the retirement obligation can be reasonable estimated, a present value technique shall be used to account for the obligation. The liability is discounted to its present value upon initial recognition and adjusted yearly for accretion expense.

5.5.4. When there is uncertainty about the amount or timing of cash flows to settle the ARO, the present value technique may not be used. Uncertainties about timing and amount to settle an ARO does not remove the obligation but will affect its measurement. Any such uncertainty must be identified and disclosed in the notes to the financial statements.

5.5.5. The ARO asset must be amortized in a systematic manner over the useful life of the TCA it relates to. The amortization of ARO assets for the City should be done in a manner consistent with the City's treatment of the TCA it relates to.

5.6. Re-measurement

5.6.1. The estimate of the ARO should be based on the best available information on the financial reporting date.

5.6.2. Over time, as new information becomes available, estimates used to calculate the ARO are likely to change. Estimates (including the amount and timing of retirement costs and, if applicable, the discount rate used) must be reviewed every fiscal year and appropriately reflected in the financial statements.

5.6.3. Examples of new information that will impact the estimate include:

5.6.3.1. Revisions to the useful life of the TCA (see TCA Policy).
5.6.3.2. New information on the cost of the ARO activities.
5.6.3.3. Changes in expectations of market inputs, such as discount and inflation rates.
5.6.3.4. New, more cost-effective technologies.
5.6.3.5. Changes to the legal requirements.

5.6.4. Accretion due to passage of time must be accounted for first, prior to applying any changes in estimates. Any change in estimate should be applied prospectively as a revision to the ARO liability, with a corresponding adjustment to the TCA asset if it is a recognized TCA in productive use.

5.6.5. When a TCA is no longer in productive use, all subsequent changes in the estimate of the related ARO liability should be recognized as an expense in the fiscal year it is incurred.

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5.6.6. The liability for an ARO continues to be recognized until it is settled or otherwise extinguished.

5.6.7. On retirement of a TCA:

5.6.7.1. Asset retirement costs should be deducted from the ARO liability as the related cash flows are incurred.
5.6.7.2. If the actual cash flows are higher than the ARO liability recognized by the City, the excess cash flows should be expensed in the period incurred.
5.6.7.3. If the actual cash flows are less than the ARO liability recognized by the City, the excess liability should be offset by a prior year recovery.

5.6.8. Any changes to the ARO asset due to changes in estimate must be applied prospectively in the period of the change without any revision to amortization previously booked. The revised ARO asset is amortized over the remaining useful life of the related TCA.

5.7. Recoveries

5.7.1. If a portion of the asset retirement costs are recoverable by the City from another party, the recovery must be accounted for. The amount recovered will be accounted for as revenue in the fiscal year it is received.

5.7.2. A recovery related to ARO should be recognized when:

5.7.2.1. The recovery can be appropriately measured.
5.7.2.2. A reasonable estimate of the amount can be made.
5.7.2.3. It is expected that future economic benefits will be obtained.

5.7.3. A recovery shall not be netted against the liability.

5.7.4. The sale of an asset on retirement may qualify as a recovery if the criteria above for a recovery are met, however a plan to sell an asset in the future would not be sufficient to confirm that future economic benefits will be received or result in a reasonable measurement of the recovery.

6. RECORDS, FORMS AND ATTACHMENTS

6.1. Tangible Capital Assets Policy and related procedures.

DRAFT

Council Report: C 79/2024

Subject: 2023 City of Windsor Consolidated Financial Statements - City Wide

Reference:

Date to Council: July 22, 2024
Author: Stephen Cipkar
Manager of Financial Accounting
519-255-6100 ext. 6234
scipkar@citywindsor.ca
Financial Accounting
Report Date: July 2, 2024
Clerk's File #: AF/14508

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE AND ACCEPT** the draft 2023 City of Windsor Annual Report, which contains the Audited Consolidated Financial Statements for the year ended December 31, 2023, including the City of Windsor Trust Fund Statements; and That Council **AUTHORIZE** Administration to publish the final audited Statements for the fiscal year ended December 31, 2023, upon receiving the 2023 City of Windsor Annual Report

Executive Summary:

N/A

Background:

The Corporation of the City of Windsor's 2023 Annual Report which contains the Audited Consolidated Financial Statements and the City of Windsor Trust Fund Financial Statements for the year ended December 31, 2023 is attached as Appendix A. The Audit Findings Report of KPMG LLP is attached as Appendix B.

Section 296 of the Municipal Act requires that all municipalities undertake an annual audit of their accounts and that the external auditor shall express an opinion on the consolidated financial statements based on the audit. The City's external auditor is the firm of KPMG LLP, Chartered Professional Accountants and their report is contained in the 2023 Annual Report.

Discussion:

Please refer to the Financial Statement and Analysis section of the attached 2023 Annual Report

Risk Analysis:

There are no significant or critical risks associated with this report. As well as the Municipal Act requirement discussed in Section 2, other individuals wishing to review the City's financial position and operations, such as rate payers, banks, and bond rating agencies, rely on audited consolidated financial statements. The risk of publishing a material misstatement is mitigated by the independent external audit and the City's internal control structure.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Key financial highlights and analysis of the 2023 Consolidated Financial Statements are included in the attached 2023 Annual Report.

Consultations:

N/A

Conclusion:

It is recommended that the City of Windsor 2023 Annual Report containing the audited Consolidated and Trust Fund Financial Statements of the City for the year ending December 31, 2023 be received and accepted.

Approvals:

Name	Title
Stephen Cipkar	Manager of Financial Account
Dan Seguin	Deputy Treasurer, Financial Accounting & Controls
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix A – City of Windsor Annual Financial Report 2023
Appendix B – KPMG LLP Audit Findings Report

City of Windsor

Annual Financial Report

2023

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Mayor's Message

Drew Dilkens
Mayor

On behalf of City Council, I am pleased to present the City of Windsor's 2023 Annual Financial Report. This report includes information on the City's financial performance and decisions and actions we have taken to address issues important to Windsor. Windsor stands at an inflection point – facing the evolving needs, opportunities, and challenges that go hand in hand with incredible economic growth, creation of new jobs, and a rapidly growing population.

As an international gateway between Canada and the United States and the busiest trade corridor between the two countries, we are eagerly watching as the Gordie Howe International Bridge moves toward completion. Windsor's game-changing NextStar Energy EV battery manufacturing plant is solidifying our status as the Automotive and Automobility Capital of Canada.

Meanwhile, the new Windsor-Essex Acute Care Hospital is coming to life and will transform healthcare in our region, and we continue with work to plan for and develop the critical Sandwich South lands. All of this has cemented our position as one of the most important communities to watch in Ontario and Canada; a 'Revival City' with promising economic growth and unparalleled opportunities. I have never been more optimistic and excited about our City's future than I am today.

From the back half of 2023, through the front half 2024, the City has launched major initiatives aimed at leveraging this incredible time of growth. From the **Housing Solutions Made for Windsor** strategy to increase Windsor's housing supply to meet evolving needs… to the **Strengthen the Core: Downtown Windsor Revitalization Plan** to address safety and security, improve cleanliness, expand activations, and attract new investments, businesses, and residents to the core… we are **Building Windsor's Future**.

To undertake this important work, Council relies on an administrative team that shares our commitment to forward-thinking, service delivery, fiscal responsibility, and to delivering budgets that continue to invest in infrastructure, economic development, affordability, safety, and quality of life. Some important Corporate highlights over the last year include:

- Issuing permits with a collective construction value amounting to $1,183,925,853, with 1793 permits processed;
- Processing 223 development applications and 23 Community Improvement Plan incentive applications;
- Moving forward with significant projects under the Sewer and Coastal Flood Protection Master Plan – as of December 31, 2023, approximately $300M has been allocated within the current 10-year capital plan, with $60M of that spent to date, on projects focused on flood mitigation;
- Opening the Meadowbrook Development mixed-market building, featuring 145 units, including 76 affordable housing units and 69 units offered at market rates;
- Receiving the 2023 Ontario Municipal Social Services Association Local Municipal Champions awards for impactful assistance to asylum claimants, and for the Housing and Homelessness Help Hub (H4) operation's work integrating and managing human services;
- Opening 20 new playgrounds, 2 new off leash dog parks and installed 16 new courts (3 tennis, 12 pickleball, 1 basketball) across the city;
- Introducing the 418X new semi-express route and a new Special Events service through Transit

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Windsor, and ordering 20 new buses to be delivered in 2024;
- Approving the first Corporate Technology Strategy Plan;
- Earning an A Score – Leadership Level from the Carbon Disclosure Project;
- Planting 2577 new trees;
- Endorsing a new Vision Zero Policy and Plan to support the goal of zero fatalities and serious collision injuries on Windsor's streets;
- Installing 20 Level 2 EV chargers at three corporate facilities;
- Unveiling the Rosalie Trombley Commemorative Sculpture;
- Welcoming 100,000 visitors to our award-winning Bright Lights Windsor festival;
- Delivering innovative programming at all Windsor Public Library branches; and
- Successfully hosting FireFest in recognition of first responders;

Meanwhile, some important 2023 highlights for the broader community, possible through significant support from the City of Windsor, include:

- Maclean's Magazine spotlighting Windsor as one of the top 10 destinations worth exploring in Canada;
- Windsor being included in the 2024 Ontario Budget, with Premier Ford confirming ongoing support for our new regional hospital, the widening of Highway 3, a new interchange to connect Highway 401 to Lauzon Parkway, and $50M committed to help build a new interchange at Banwell Road and E.C. Row Expressway;
- Announcement that production of innovative new Dodge products is coming to the Windsor Assembly Plant;
- Opening of the Malden Park Observation Deck overlooking the new bridge, and connecting the bridge and our community to the 28,000 km Trans Canada Trail;
- Significant progress toward creation of the Ojibway National Urban Park, in partnership with upper levels of government;
- Grand inauguration of Dongshin Motech's $100M manufacturing facility in Windsor-Essex;
- Supporting a $35M investment by Bobaek America Inc., through our CIP program.

Through the ongoing commitment of Council, expertise of our dedicated Corporate Leadership Team, and the efforts of all City staff, we will continue to create more jobs, more housing, and plan for the infrastructure needed to support our exponential growth, helping to ensure that the City of Windsor is ready to seize opportunities as we continue to move toward a bold and bright future.

Drew Dilkens
City of Windsor Mayor

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City Council

Mayor and City Council, 2022-2026

Back row: **Fabio Costante** (Ward 2), **Renaldo Agostino** (Ward 3), **Jo-Anne Gignac** (Ward 6), **Gary Kaschak** (Ward 8), **Mark McKenzie** (Ward 4), **Angelo Marignani** (Ward 7).

Front row: **Fred Francis** (Ward 1), **Jim Morrison** (Ward 10), **Drew Dilkens** (Mayor), **Kieran McKenzie** (Ward 9), **Ed Sleiman** (Ward 5)

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CAO Message

Joe Mancina
Chief Administrative Officer (CAO)

I am pleased to share The Corporation of the City of Windsor's 2023 Annual Financial Report. This report offers an opportunity to reflect on the past year's achievements as the City continues to leverage its strong financial profile and budgetary performance towards the continued provision of excellent services to the residents and business owners of Windsor.

As 2023 was the first full year of operations post-pandemic, the budget presented new and unprecedented challenges. Given this new reality and the significant financial impacts to the City, Administration undertook a very detailed review of the 2023 budget submissions with enhanced scrutiny of all expenditures while seeking opportunities for revenue enhancements. The 2023 budget achieved a well balanced and fiscally responsible business plan to maintain or improve the levels and quality of services to our citizens while ensuring modest impacts on property taxes.

Now, Windsor is experiencing an incredible period of growth and renewed optimism. From the near completion of the Gordie Howe Bridge to the billion-dollar NextStar Energy battery plant emerging on the eastern limits of the City, our local economy continues to soar to extraordinary levels. Add the construction of the new state-of-the-art mega hospital, and it's not hard to see how Windsor is changing for the better.

As we continue to experience unprecedented growth and the opportunities which that presents, the City needs to be prepared to proactively respond to the change in our economy, and I'm happy to say that work has already begun. Over the past year, the City has positioned itself well in a number of key areas:

- The City is responding to the increasing service-level demands of a growing and prospering community by adding a contingent of new, energized, and passionate municipal employees to our team.
- Key resource enhancements have been made in such areas as Building, Planning, Economic Development, Transit and Huron Lodge, just to name a few.
- The adoption and roll out of a Corporate Technology Strategy to accelerate our digital transformation goals is well underway.
- The City has targeted red tape and created new portals to allow easy access to key municipal services,
- The City has prepared itself to tackle growth by making strategic investments in our municipal infrastructure, and continue to invest in roads, sewers and other key assets that provide vital service to the community.

Among the 2023 highlights, you'll read about the City's record 10-year capital funding plan which outlines investments of $1.76B for a number of ambitious capital projects, including significant investments in Transit as a result of leveraging funds from Investing in Canada Infrastructure Program (ICIP), a $10M investment to support the development of a community Housing Hub, the roll out of major initiatives from our Sewer Master Plan, and various upgrades to roads, parks and recreation facilities.

Perhaps less visible, but no less important, City Council has endorsed a robust forward looking plan that addresses "Employee Experience" and "Retention Strategies" in order to better position the City to successfully retain top talent, optimize employee experience, mitigate labour market challenges, assess current corporate technology needs, identify relevant risks, and define a vision for the future.

As we look to the future, there are several exciting projects and initiatives on the horizon including redefining our corporate vision statement and developing a North Star that will deliver on the goals and the vision established by City Council. There is much to do and creating a positive and inclusive workplace remains at the forefront. We remain committed to promoting a culture of diversity and inclusion, where every employee feels valued and empowered to contribute their best. Together we can do great things!

Sincerely,
Joe Mancina
Chief Administrative Officer

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Administration

Joe Mancina
Chief Administrative Officer (CAO)

- Management of human, fiscal, and physical resources
- Implementation of approved policies and programs
- Provide leadership and direction to all departments

Corporate Leadership Team (CLT)

Ray Mensour
Commissioner, Community Services

- Parks & Facilities
- Recreation & Culture
- Library Services
- Fire & Rescue Services

Andrew Daher
Commissioner, Human & Health Services

- Employment & Social Services
- Housing & Children's Services
- Huron Lodge

Janice Guthrie
Commissioner, Finance & City Treasurer

- Asset Planning
- Financial Accounting
- Financial Planning
- Taxation & Financial Projects

Jelena Payne
Commissioner, Economic Development

- Economic Development & Climate Changes
- Planning & Development Services
- Building Services
- Transit Windsor

Mark Winterton
Commissioner, Infrastructure Services

- Engineering
- Pollution Control
- Public Works Operations

Dana Paladino
Commissioner, Corporate Services

- Legal Services
- Corporate Security
- Information Technology
- Human Resources & Employee Relations
- Communications & Customer Services
- Equity, Diversity, Inclusion, Accessibility & Indigenous Affairs
- Purchasing, Risk Management & Provincial Offences

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Windsor at a Glance

229,660

Population

(2021 StatsCan Census)

$1,183,925,853

Total Construction Value

(2023 Planning Dept)

5.7%

Population Growth

(2021 StatsCan Census)

1,311

Total Number of Dwelling Units

(2023 Planning Dept)

146.32 KM2

City Area

(Planning Dept)

$556,451

MLS Average Selling Price

(YTD Dec 2023 Windsor Essex County Association of Realtors)

40

Median Age

(2021 StatsCan Census)

1793

Total Number of Permits Issued

(Planning Dept)

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Flowers, fountain, and gazebo at the Queen Elizabeth II Sunken Gardens.

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Janice Guthrie
Commissioner, Finance
& City Treasurer

City Treasurer's Message

The Corporation of the City of Windsor (The City) is pleased to present its Annual Financial Report for the year ended December 31, 2023. This report provides an overview of The City's 2023 operational responsibilities and financial performance. The City achieved an annual surplus of $157 million on revenues of $1.103 billion and expenses of $946 million. Contained in this report are the City's audited 2023 Consolidated Financial Statements, a review of the financial statements and statistical information. KPMG LLP has issued a clean audit report for the year ended December 31, 2023 with no significant findings noted.

The Financial Statement Discussion and Analysis (FSD&A) section communicates to residents, businesses, and stakeholders on how the City's financial resources are being managed to provide municipal services and infrastructure. The FSD&A presents analysis of the City's 2023 financial performance between reporting years, as well as between approved budget and actual results. The FSD&A also identifies trends, risks and anticipated events that could have financial implications.

In 2023, the City continued to improve its financial sustainability and mitigate service impacts which resulted from the COVID-19 pandemic. While 2023 continued to be a challenging year, services adapted quickly and efficiently to the changing needs of the community to support its citizens and businesses. There were changes within the City's local government as a result of the municipal election held in October 2022 with three new Councillors being elected to join the returning Councillors to represent each of the ten municipal wards remaining committed to identifying and delivering on City-specific plans, programs and initiatives and to support the post pandemic and downtown economic recovery. Responding to mental health and safety/security within the City's downtown core continued to be a strategic initiative.

The 2023 Consolidated Financial Statements demonstrate the City's sound financial position. Liquidity has increased in 2023 with the value of cash and investments increasing by approximately $112 million due to $52.5 million in issued long-term debt, an increase in deferred revenue of $19 million and $21 million due to the performance of the City's investments over budget, with the balance due to the City's normal operating activities. The City's long-term debt increased by $52 million due to $45 million in new City debt related to industrial development and $7 million in additional debt issued by the Windsor Essex Community Housing Corporation. Consolidated long-term debt totalled $107.3 million as of December 31, 2023. Of that debt, $57.7 million was issued by the City, with the balance issued by the Essex Windsor Solid Waste Authority and the Windsor Essex Community Housing Corporation. Further, $44.7 million of the $107.3 million in long-term debt is repayable through general taxation, with the balance repayable via dedicated user fees.

Employee future benefit liabilities have increased by approximately $3 million compared to 2022 based on an actuarial valuation, largely due to an increase in the WSIB portion of the liability. Currently the Corporation is funding this actuarial liability on a cash basis as actual payments are required. The total liability of approximately $697 million represents the estimated present value of all future payments. Recent Council decisions aimed at controlling post- retirement benefit costs will gradually yield benefits and savings over the years and decades ahead, with the liability being reduced over the long term. While the reserve levels of the City remain below that of its peers, improvements to the balance of the reserve funds continue via the City's Reserve Enhancement Plan.

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In 2023, S&P Global Ratings has affirmed its long-term issuer credit and senior unsecured debt ratings for the City of Windsor as AA+ citing that "Windsor will continue to exhibit strong financial management, with a stable and highly experienced management team."

S&P also issued a stable outlook for the City, noting an expectation that "Windsor's prudent and forward-looking financial management practices will continue supporting the City's typically strong budgetary results."

The AA+ rating is an affirmation to residents of the City of Windsor of Administration's and Council's commitment to fiscal financial responsibility and signifies that the City is considered a low-risk investment within the financial capital markets.

2023 Budget Process

The 2023 Budget process was undertaken with consideration to providing options to meet Council's fiscal targets of a 0% tax increase option along with 5% departmental reduction targets being brought forward for each department. This mandate also applied to all City Agencies, Boards, and Commissions (ABCs). Further, Administration was directed to develop the 2023 10-year Capital Budget based on current funding level projections, inclusive of the operational (tax levy based) transfers to capital being maintained at current 2022 levels.

City departments were also asked to bring forward detailed requirements to maintain current service levels and new initiatives to improve operations. At the same time, efforts were made to identify revenue increases and operating efficiencies to achieve an overall budget that fell below the rate of inflation.

Key Factors Impacting the 2023 Budget

- Ongoing COVID-19 pressures. While many City services had returned to normal levels as a result of restrictions being lifted, there were some services and revenue shortfalls that were expected to be impacted indefinitely from their historical levels.
- Inflationary pressures.
- Service Enhancements and Master Plans. The announcement of the NextStar Energy plant along with other economic development initiatives and other master plans required additional o9perating and capital funding.

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Public Engagement and Other Inputs into the Annual Budget Process

On November 23, 2022, the City launched 3 separate public engagement tools designed to provide residents with insight and involvement into the City's 2023 budget process.

- **Prioritize**. A new engagement tool that allowed residents to provide input on their priorities for the upcoming 10-year capital plan. Users are able to select the capital investment areas that are important to them and then rank their preferences. The resulting data provided a deeper insight into the priorities of residents as they relate to competing capital funding and corporate initiatives.
- **Budget Balancing Simulation.** Allowed residents to adjust the City of Windsor's 2022 Approved Property Tax Funded Operating Budget by increasing, decreasing, or maintaining spending for various city services, including Police, Fire & Emergency, Infrastructure, Payments to School Boards, Capital Projects & Reserves, Human & Health Services, Community Services, General Corporate Support, and Economic Development & Innovation. Once users make their adjustments, a coloured pie chart was updated to reflect the percentage of spending on each service. Users were able to adjust each service to a maximum of approximately 10 percent.
- **Tax Receipt Generator.** Allowed residents to input their 2022 municipal property taxes and generate an estimated tax receipt that showed a breakdown of how their tax dollars were spent.

In addition, virtual ward meetings were held which provided an avenue of public input and consultation. Public interaction and constituent feedback gathered during these ward sessions and public consultations helped to inform municipal decisions by elected officials and administrative staff. This public feedback helped guide Council as they prioritize service level decisions during the development of the 2023 municipal budget.

On April 3, 2023, City Council approved the 2023 Operating and Capital Budget reflective of an overall increase of 5.09% inclusive of growth from new property taxes.

Reconciliation of The City's 2023 Budget to Audited Consolidated Financial Statements

The City's annual budget is prepared on a cash basis for the purpose of calculating the property tax levy whereas the audited financial statements are prepared on an accrual basis of accounting. The audited financial statements are prepared in accordance with generally accepted accounting principles (GAAP) for local governments as recommended, from time to time, by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada (CPAC). There are certain budgeted revenues and expenses within the financial statements that need to be eliminated (such as transfers between funds, debt principal repayments, and dividend receipts) for financial reporting purposes. There are a few other non-budgeted adjustments included to help align with actual numbers. BIA consolidations, amortization of capital assets and accruals for liabilities based upon actuarial valuations such as future benefit and pension obligations. The chart below helps break down the reconciliation between the City's budget and the audited financial statements.

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Adjustments to Approved Operating Budget for Financial Statement Presentation

Expenses	2023 ($)
Approved 2023 Operating Budget (all property tax levy supported funds)	997,771
Plus: Net of budgeted sewer surcharge and eliminations of internal cost recoveries	10,096
Less: Budgeted transfers to / from reserves and capital	(173,982)
Less: Education payments to school boards	(52,481)
Plus: PSAB adjustments (actual post-retirement benefit and WSIB liabilities)	16,367
Plus: Actual amortization and tangible capital asset adjustments	117,923
Plus: Consolidated entity budgeted expenses	77,852
Less: Eliminate budgeted transactions with consolidated entities	(62,505)
Adjusted budgeted expenses	931,041

Revenues	2023 ($)
Approved 2023 Operating Budget (all property tax levy supported funds)	997,771
Plus: Net of budgeted sewer surcharge and eliminations of internal cost recoveries	10,096
Less: Budgeted transfers to / from reserves and capital	(15,515)
Less: Capital fund adjustments	(6,777)
Less: Education amounts collected on behalf of school boards	(52,284)
Plus: Consolidated entity budgeted revenues	74,885
Less: Eliminate budgeted transactions with consolidated entities	(57,075)
Adjusted budgeted revenues	951,101
Budgeted Surplus	20,060

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Two people walk through a trail on Peche Island.

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Financial Statements Review

The annual financial statements are the responsibility of Management and are prepared in accordance with generally accepted accounting principles (GAAP) for local governments as recommended by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada (CPAC). Contained in this document are The City's 2023 Consolidated Financial Statements and the City of Windsor Trust Fund Financial Statements as of December 31, 2023.

The City's 2023 Consolidated Financial Statements consist of:

- **Consolidated Statement of Financial Position** – summary of financial and non-financial assets, liabilities, and accumulated surplus at year-end.
- **Consolidated Statement of Operations** – summary of revenues, expenses and annual surplus for the year.
- **Consolidated Statement of Change in Net Financial Assets** – summary of changes in financial
- assets and liabilities.
- **Consolidated Statement of Remeasurement Gains & Losses** - details the unrealized change in the value of financial instruments, such as investments, being measured at fair market value at the Statement of Financial Position date as well as the year end conversion of balances held in foreign currency.
- **Consolidated Statement of Cash Flows** – summary of the sources and uses of cash in the year.

Also included are the Notes to the Consolidated Financial Statement which provide detailed information on significant accounting policies, reporting practices, use of estimates and amounts included in the Statements. The Notes form an integral part of the Consolidated Financial Statements.

The City's Consolidated Financial Statements reflect the assets, liabilities, revenues and expenditures of all organization and enterprises accountable for the administration of their financial affairs and resources to City Council and which are owned or controlled by The City. The City Consolidated Financial Statements also include, on a modified equity basis those corporations which are considered to be Government Business Entities (GBE).

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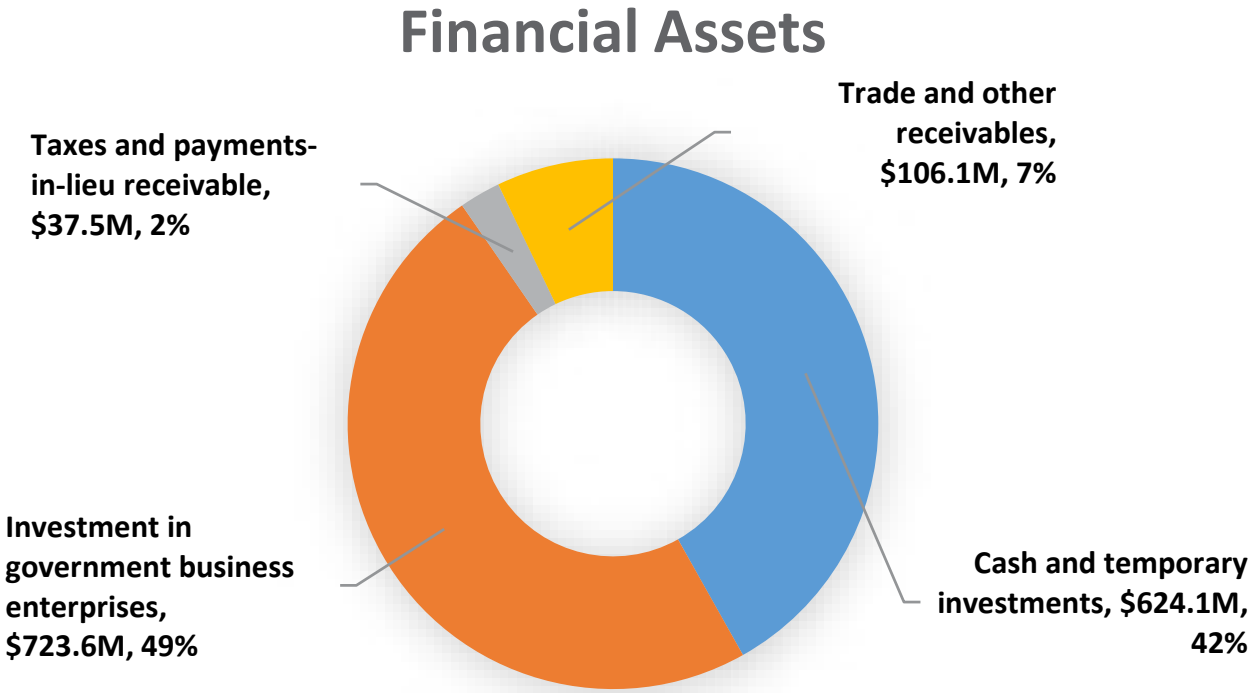
Consolidated Statement of Financial Position

The Consolidated Statement of Financial Position of a municipality provides a snapshot of its financial health at a specific point in time. It provides stakeholders an understanding of the municipality's financial stability and capacity to meet future obligations. The statement includes information about the City's assets, liabilities, net financial assets (net debt) and accumulated surplus/deficit.

Financial Assets

The financial assets of a municipality are the economic resources held by the government, which can be utilized to finance services, infrastructure, and various community needs. These assets are essential for a municipality's ability to manage its budget, invest in community projects, address emergencies, and sustain overall financial health.



Financial Assets ('000's)	2023 ($)	2022 Restated ($)	Change ($)	Change (%)
Cash and temporary investments	624,101	511,906	112,195	21.92%
Investment in government business enterprises	723,606	694,728	28,878	4.16%
Taxes and payments-in-lieu receivable	37,462	35,593	1,869	5.25%
Trade and other receivables	106,088	87,222	18,866	21.63%
Total	**1,491,257**	**1,329,449**	**161,808**	**12.17%**

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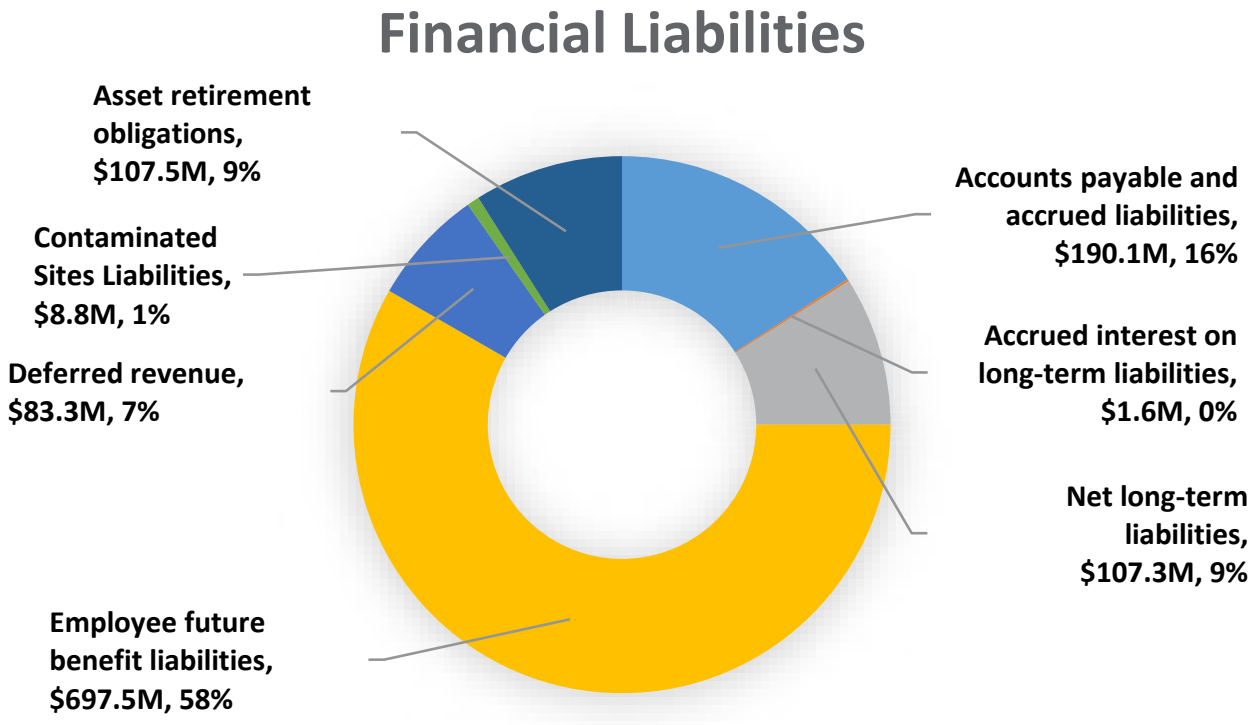
The City's financial assets have improved over the prior year largely due to:

- Cash and temporary investments have increased by $112 million as compared to 2022. The Statement of Cash Flows details the various activities that contributed to this increase.
- Investment in Government Business Enterprises (GBE) increased in 2023 by approximately $28.9 million due to net surpluses of GBE's during the year.
- Taxes and payments-in-lieu receivable increased by $1.9 million in 2023 compared to 2022.
- Trade and other receivables have increased by approximately $18.9 million, primarily due to increases in accrued interest receivable, social services receivables, recreation receivables and slightly increased receivables at consolidated entities.

Financial Liabilities

Financial liabilities of a municipality are the obligations and debts that a municipal government must pay in the future. Understanding these financial liabilities is crucial for assessing a municipality's financial health, its ability to meet obligations, manage its budget effectively, and secure long-term fiscal stability.



Financial Liabilities ('000's)	2023 ($)	2022 Restated ($)	Change ($)	Change (%)
Accounts payable and accrued liabilities	190,106	181,274	8,832	4.87%
Accrued interest on long-term liabilities	1,604	848	756	89.15%
Net long-term liabilities	107,251	54,807	52,444	95.69%
Employee future benefit liabilities	697,502	694,431	3,071	0.44%
Deferred revenue	83,347	64,168	19,179	29.89%
Contaminated Sites Liabilities	8,847	8,774	73	0.83%
Asset retirement obligations	107,490	107,299	191	0.18%
TOTAL	**1,196,147**	**1,111,601**	**84,546**	**7.61%**

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The increase in financial liabilities is attributed to:

- Accounts payable and accrued liabilities have increased by approximately $8.8 million as compared to 2022. Payables were generally stable overall other than an increase in salary and wage provisions.
- Employee future benefit liabilities have increased by approximately $3 million compared to 2022 based on an actuarial valuation, largely due to changes in WSIB regulations concerning certain diseases and how they are included in WSIB liability valuations. This was verified through an independent actuarial valuation of the City's WSIB liability, which comprises $83.9 million of the $697 million total for employee future benefits liabilities. Currently, the Corporation is funding this actuarial liability on a cash basis as actual payments are required
- Deferred revenue of $83.3 million (2022 $64.2 million) has been recorded as a financial liability on the Statement of Financial Position. This results primarily from the unused balance of various legislated reserves as well as the contra-reserve that was established in 2012 to offset the building permit reserve fund deficit.
- Asset retirement obligations (AROs) are a new reporting requirement in 2023 as a consequence of PS 3280 being approved by the Public Sector Accounting Board (PSAB). AROs represent an estimate of the future liability to retire current assets from service according to the environmental and other regulations currently in place. For the City and its consolidated entities, the AROs being reported consist entirely of landfill post-closure perpetual care obligations and asbestos remediation obligations in buildings. The implementation of PS 3280 required that the previous amount reported for landfill post-closure perpetual care be reversed and new estimates for all AROs reported in its place. Further, the City was required to re-state its 2022 results as if PS 3280 had been in place for that year to provide a basis for comparison with the 2023 results. Asset retirement obligations for 2023 totalled $107.5 million, a modest increase from $107.3 million in 2022, due entirely to landfill accretion expenses for the Essex Windsor Solid Waste Authority landfill.
- Inactive contaminated sites liabilities represent a very specific estimate for:
    - City responsibility for sites not in productive use (generally vacant land or unused buildings).
    - Sites that likely contain contamination that exceeds an environmental standard and would require the City to incur costs to remediate to that standard based on the current or intended use.

Like other unfunded liabilities, such as employee future benefit obligations, the City is not required to budget for or fund this liability. The liability has increased by less than $0.1 million in 2023 largely due to inflationary increases.

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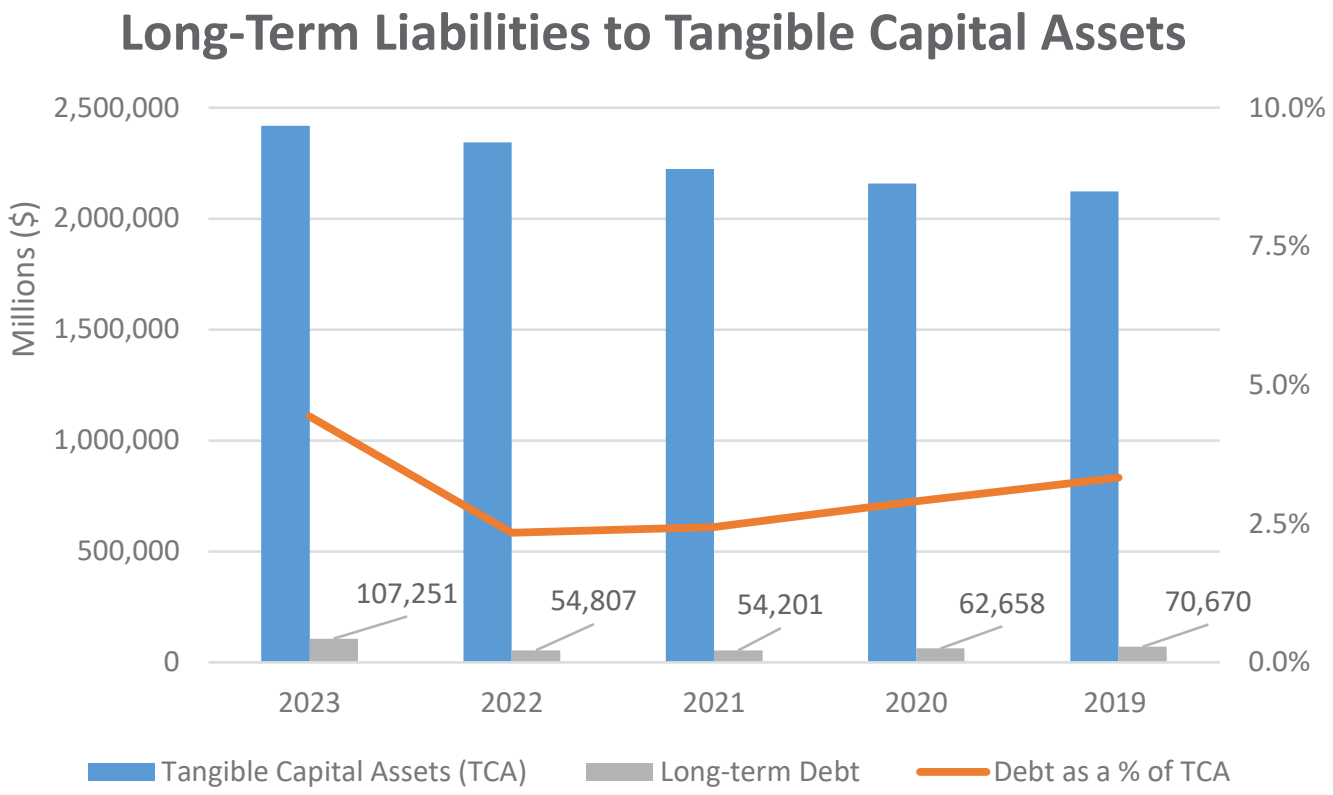
Long-term Liabilities

Municipalities use debt to fund large capital projects, manage cash flow, and distribute the cost of infrastructure investments over its useful life. Municipalities adopt formal debt policies outlining the purpose, type, limits, and management practices for debt usage. The development of such polices contributes to the prudent use of debt and proper alignment with strategic financial goals.

City Administration has the responsibility to assess the municipality's capacity and ability to utilize and repay debt. This requires the evaluation of existing debt levels, revenue streams and economic conditions to ensure that the financial stability of the municipality is not compromised when assuming debt. In addition, City Administration continuously monitors the interest rate environment and financial market conditions for the timely issuance of debt to secure favourable terms. Furthermore, City Administration proactively plans for debt repayment through budget allocations and revenue streams when applicable to ensure debt obligations are met without disrupting municipal operations.



Long-term liabilities have increased by $52.5 million. Of the total long-term debt of $107.3 million, $44.7 million is repayable from general taxation – the remainder is repayable through dedicated user fees. Further, of the total long-term debt of $107.3 million, $57.7 million was issued by the Corporation of the City of Windsor. Approximately $23.7 million is the City's share of approximately $47 million in debt issued by the Essex Windsor Solid Waste Authority. The remaining $25.9 million was issued by the Windsor Essex Community Housing Corporation.

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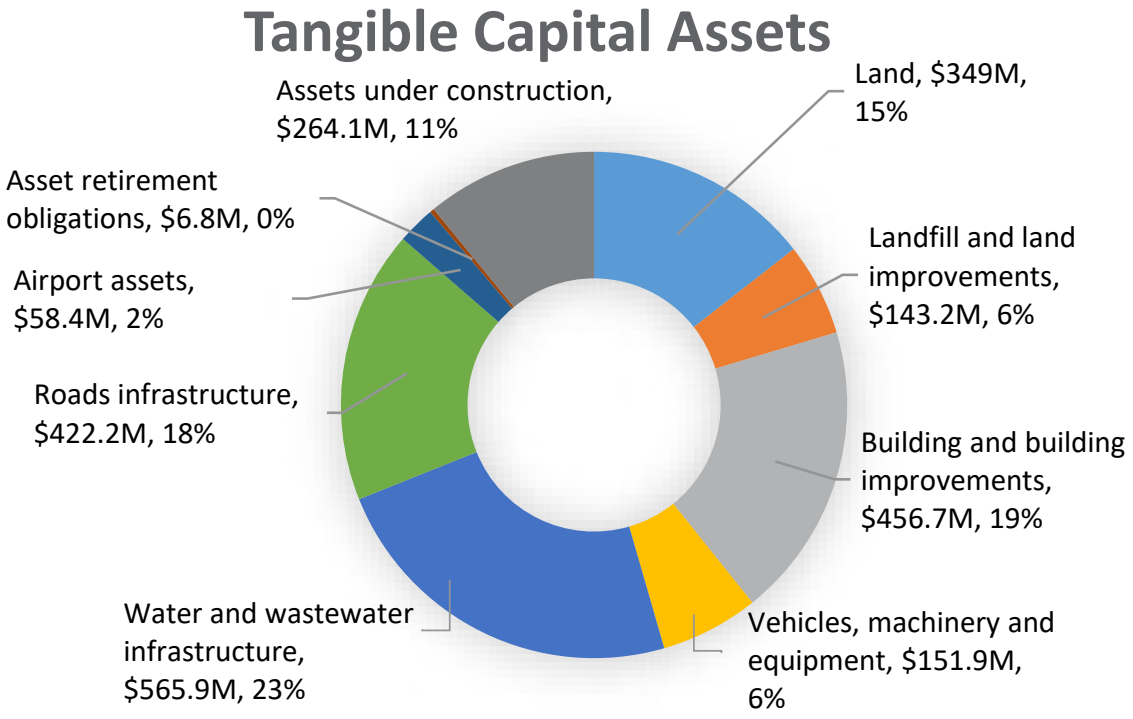
Non-Financial Assets

Non-financial assets of a municipality are comprised of tangible capital assets, such as buildings, roads, and land and intangible assets such as prepaid expenses and inventory and supplies. This section is mostly comprised of tangible capital asset that are the result of capital investment, which is essential in providing services and programs to the community.

Tangible Capital Assets

Tangible capital assets are valued and managed by a municipality through a structured process that involves stewardship, accountability, and asset management planning. This approach ensures that these critical assets are used efficiently, maintained properly, and replaced or enhanced to continue in providing essential services to the community.



Non-financial Assets ('000's)	2023 ($)	2022 Restated ($)	Change ($)	Change (%)
Tangible capital assets	2,418,816	2,344,337	74,479	3.18%
Inventory and assets held for resale	3,585	3,664	-79	-2.16%
Prepaid expenses	17,821	14,950	2,871	19.20%
TOTAL	**2,440,222**	**2,362,951**	**77,271**	**3.27%**

Prepaid expenses, also included in Non-Financial Assets have increased by $2.8 million in 2023 due to the timing of payments.

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Accumulated Surplus

The Consolidated Statement of Operations reflects an annual surplus of $157 million for Public Sector Accounting Board (PSAB) financial reporting purposes.

The annual surplus results from the inclusion of various mandated PSAB expenses for financial reporting purposes and the removal of purchased tangible capital assets from expenditures. Examples of included expenses include post-retirement expenses, accrued interest on long-term debt and amortization of tangible capital assets.

Accumulated Surplus	2023	2022 Restated
Invested in tangible capital assets	2,311,565	2,289,530
Invested in government business enterprises	723,606	694,728
Unfunded employee future benefit obligations	(697,502)	(694,431)
Unfunded contaminated sites liabilities	(8,847)	(8,774)
Unfunded asset retirement obligations	(107,490)	(116,073)
Other	62,048	112,720
Reserves and reserve funds	451,952	294,325
Total accumulated surplus	**2,735,332**	**2,580,799**

The main components of 'Other' include timing differences of funding expenditures including the capital fund balance, and other unfunded accruals (such as interest on long-term debt). The capital fund balance, which is maintained in the City's accounts, reflects the cumulative fund balance position of the City of Windsor consolidated capital fund. The City approves a capital budget annually, which includes a number of capital projects for which the timing of the actual expenditures and their permanent financing may vary significantly. Due to this timing difference, it is normal to have an unexpended or unfinanced capital fund position in any one year, which will impact the accumulated surplus 'Other' category.

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Reserves and Reserve Funds

Reserves and reserve funds for a municipality involves the allocation of funds for the purpose of meeting future capital expenditure needs or contingencies. Reserves provide a safety net allowing the municipality to manage financial risk and uncertainties, while continuously delivering services during fiscal challenges. To ensure the proper management, review and usage of these funds, municipalities establish formal policies containing guidelines and criteria for proper creation and administration. Healthy reserve levels can positively influence a municipality's credit rating, leading to better borrowing terms and lower interest rates.

Reserves and reserve funds ('000's)	2023 ($)	2022 ($)	Change ($)	Change (%)
Reserves set aside for a specific purpose by Council:				
Working funds	35,563	34,618	945	2.73%
Encumbrances	5,447	6,493	-1,046	-16.11%
Future planning	2,230	1,857	373	20.09%
Post retirement death benefit	106	287	-181	-63.07%
Recreation services	1,106	1,292	-186	-14.40%
Fire services	1,648	1,530	118	7.71%
Environmental services	24,924	24,582	342	1.39%
Occupational illness	1,762	3,310	-1,548	-46.77%
Others	3,811	3,979	-168	-4.22%
Total reserves	**76,597**	**77,948**	**-1,351**	**-1.73%**
Reserve funds set aside for a specific purpose by Council:				
Replacement of equipment	74,475	59,275	15,200	25.64%
Capital expenditures	140,572	99,319	41,253	41.54%
Insurance	8,818	7,756	1,062	13.69%
Health benefits rate stabilization	10,217	12,063	-1,846	-15.30%
Sanitary sewer expenditures	47,080	4,183	42,897	1025.51%
Budget stabilization	11,480	12,918	-1,438	-11.13%
Children's fund	791	752	39	5.19%
Social housing	-12,136	-30,889	18,753	-60.71%
Recreation	245	377	-132	-35.01%
Transit debt repayment	1,096	1,160	-64	-5.52%
Public health	72,741	31,368	41,373	131.90%
Tax appeals	19,976	18,095	1,881	10.40%
Total reserve funds	**375,355**	**216,377**	**158,978**	**73.47%**
Total reserves and reserve funds	**451,952**	**294,325**	**157,627**	**53.56%**

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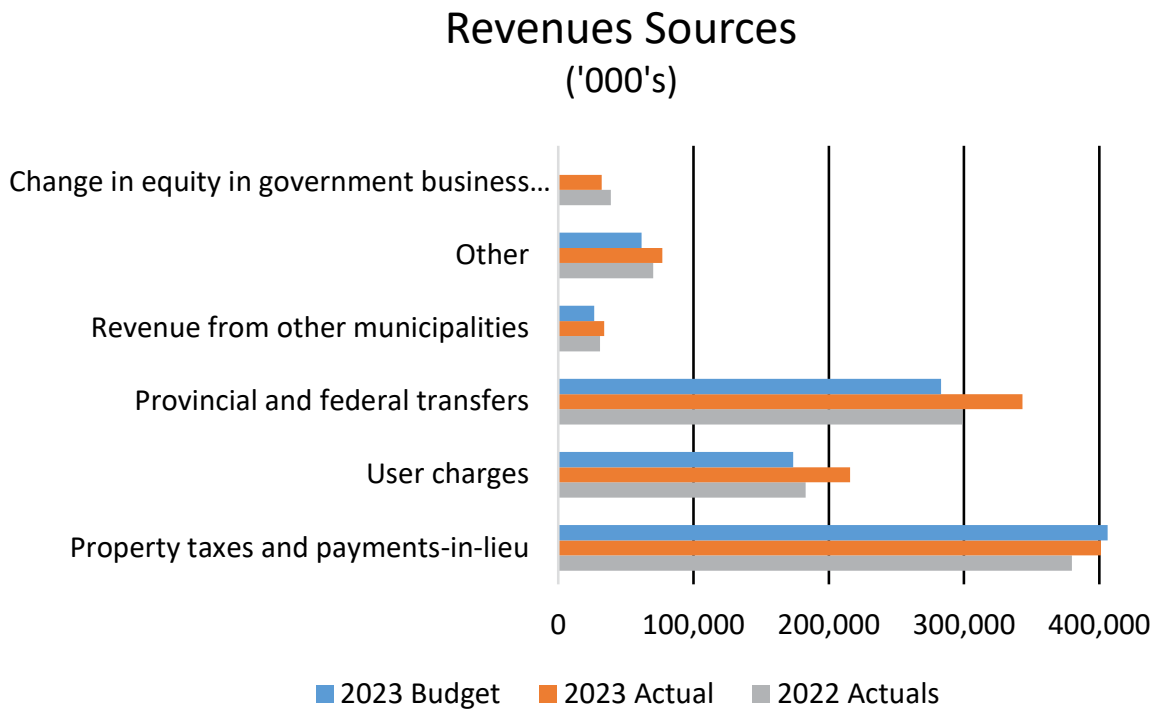
Consolidated Statement of Operations

The Consolidated Statement of Operations provides a comprehensive overview of the municipality's revenues, expenses, and results of operations over its fiscal reporting year. It provides insight into the municipality's financial performance and economic health and ensures accountability over the usage and management of public funds. Furthermore, the municipality utilizes this information for strategic planning in forecasting future financial needs and priorities.

Budget data presented in the Consolidated Financial Statements is based on the 2023 Council approved operating budget. Certain adjustments were required to convert the budget from an essentially cash basis to an accrual basis consistent with PSAB financial reporting standards. Included in these adjustments are the elimination of budgeted internal charges and recoveries, budgeted transfers to and from reserves and budgeted transactions with consolidated entities. Since certain significant items are not included in the annual operating budget (e.g. amortization, the changes in employee future benefits and landfill post-closure liabilities), the assumption of using the actual accrued amount as the budget amount was used. The budget figures included on the Consolidated Statement of Operations are for financial statement presentation only.

Revenue Sources

The City's revenue sources consist of the following:



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Revenues ('000's)	2023 Budget ($)	2023 Actual ($)	2022 Actuals ($)	Budget Variance ($)	Yr ever Yr Variance ($)
Property taxes and payments-in-lieu	406,113	401,249	379,771	-4,864	21,478
User charges	173,803	215,860	182,668	42,057	33,192
Provincial and federal transfers	282,954	343,265	298,797	60,311	44,468
Revenue from other municipalities	26,631	33,967	30,840	7,336	3,127
Other	61,600	76,867	70,170	15,267	6,697
Change in equity in government business enterprises	0	32,120	38,983	32,120	-6,863
TOTAL	**951,101**	**1,103,328**	**1,001,229**	**152,227**	**102,099**

Explanations of the year-over-year changes in actual revenues are as follows:

- Increase in net municipal property taxes and payments-in-lieu of taxes reflects the impacts of assessment growth and new development.
- The increase in user fees revenue is led by increased building activity ($6.3M), increased transit ridership due to new routes and resumed tunnel special event service ($5M), the impact of sewer surcharge rates ($10.2M), increased utilization of recreation facilities and programs ($4.5M) and increased rent revenue ($3.6M).
- Provincial grants increased for regional employment services program delivery and existing social assistance, childcare and social housing($20M). Federal grants for social housing also increased by ($11.2M). these increases were offset by the end of Safe Restart and other pandemic related grant programs (-$13.7M). Other Federal and provincial grants for several transportation projects, which were at high levels in 2022, returned to normal in 2023 (-$24M).
- Increased contributions for wastewater processing ($1.8M) from neighbouring municipalities was the primary driver for the increase in other municipal revenue.
- Increase in other income was derived from the performance of the City's investments which led to an increase of $21M in investment income. Additionally, the City's casino gaming hosting fee increased by $1.7M as Windsor continue to recover from the pandemic. These gains were offset by a decrease in donations of $21M which was recognized in 2022 due to a one-time transfer of assets to the City.

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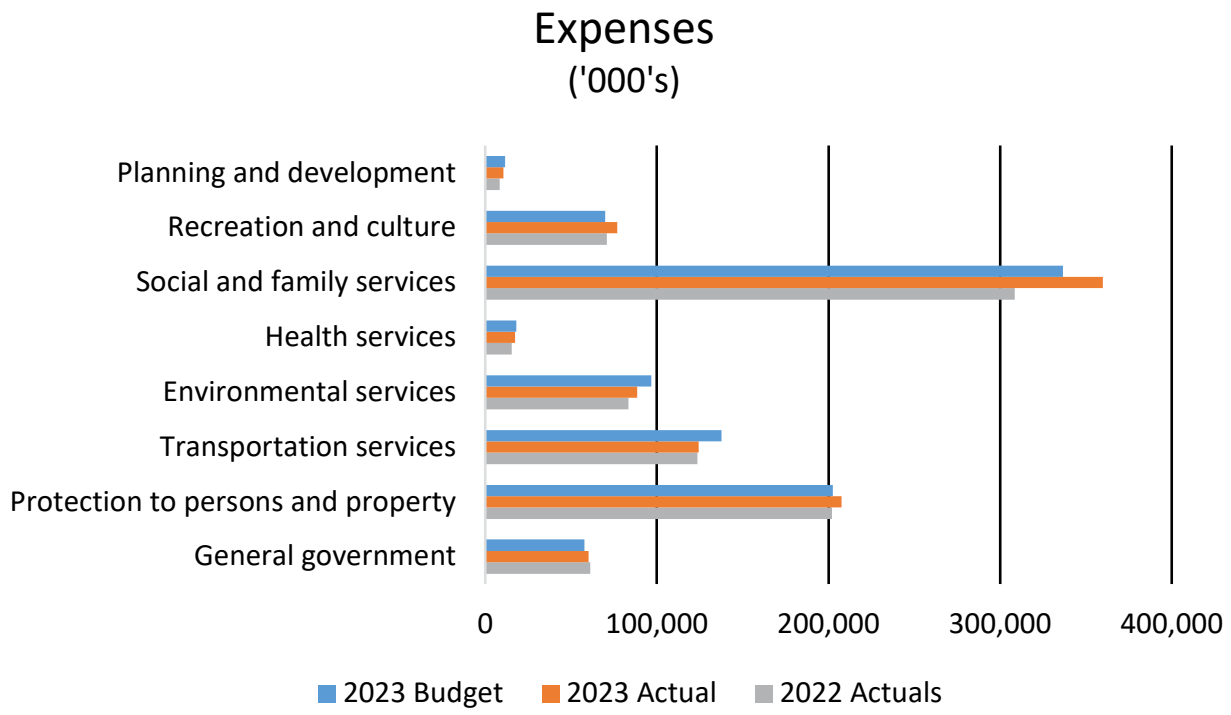
Expenses

The City's expenses consist of the following:



Expenses ('000's)	2023 Budget ($)	2023 Actual ($)	2022 Actuals ($)	Budget Variance ($)	Yr ever Yr Variance ($)
General government	57,867	60,168	61,199	2,301	-1,031
Protection to persons and property	202,495	207,671	202,075	5,176	5,596
Transportation services	137,677	124,328	123,557	-13,349	771
Environmental services	96,833	88,586	83,501	-8,247	5,085
Health services	18,051	17,479	15,472	-572	2,007
Social and family services	336,667	359,861	308,621	23,194	51,240
Recreation and culture	69,862	77,010	70,927	7,148	6,083
Planning and development	11,589	10,680	8,452	-909	2,228
TOTAL	**931,041**	**945,783**	**873,804**	**14,742**	**71,979**

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Explanations of the year-over-year changes to actual expenses are as follows:

- Protection to persons and property expenses increased as a result of negotiated salary and wage increases which were partially offset by decreased post-retirement actuarial valuations.
- The increase in transportation service expenses was attributed to contractual salary and wage increases which were offset by deferred winter control cost due to a mile winter and reductions in post-retirement benefit cost.
- Environmental service expenditures were impacted by contractual salary and wage increases and the general inflationary environment.
- The City's share of Land Ambulance costs increased by $1.3M and the contribution to the Windsor Health Unit increased by $0.7M.
- Social and family service expenditures increased because of the implementation of a regional employment services program as well as increases Ontario Works costs due to rising caseloads. Childcare expenses increased $20M due to the Provincial move to affordable service.
- Recreation and culture expenditures reflect increase cost of services which resumed post pandemic.
- Planning and development expenditures increased because of capital costs associated with streamlining the development approval process.

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INDEPENDENT AUDITOR'S REPORT

To the Mayor, Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

Opinion

We have audited the financial statements of the Corporation of the City of Windsor (the City), which comprise:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statements of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of remeasurement gains and losses for the year then ended
- the consolidated statement of cash flows for the year then ended
- and the notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the City as at December 31, 2023, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the ***"Auditor's Responsibilities for the Audit of the Financial Statements"*** section of our auditor's report.

We are independent of the City in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

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Emphasis of Matter – Comparative Information

We draw attention to Note 2 to the financial statements, which explains that certain comparative information presented for the year ended December 31, 2022 has been restated.

Note 2 explains the reason for the restatement and also explains the adjustments that were applied to restate certain comparative information.

Our opinion is not modified in respect of this matter.

Other Matter – Comparative Information

As part of our audit of the financial statements for the year ended December 31, 2023, we also audited the adjustments that were applied to restate certain comparative information presented for the year ended December 31, 2022. In our opinion, such adjustments are appropriate and have been properly applied.

Responsibility of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the City's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the City or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the City's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

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The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the City's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the City's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the City to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities with the Group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

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Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

Approval Date

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THE CORPORATION OF THE CITY OF WINDSOR

Consolidated Statement of Financial Position
Year Ended December 31, 2023
($000's)

	2023	2022 Restated (note 2)
	$	$
Financial Assets		
Cash and temporary investments	624,101	511,906
Investment in government business enterprises [note 4 (a)]	723,606	694,728
Taxes and payments-in-lieu of taxes receivable [note 1 (b) (iii)]	37,462	35,593
Trade and other receivables	106,088	87,222
	1,491,257	1,329,449
Financial Liabilities		
Accounts payable and accrued liabilities	190,106	181,274
Accrued interest on long-term liabilities	1,604	848
Net long-term liabilities [note 5 (a)]	107,251	54,807
Employee future benefit liabilities [note 6 (b)]	697,502	694,431
Deferred revenue [note 8 (b)]	83,347	64,168
Liability for contaminated sites [note 1 (b) (x)]	8,847	8,774
Asset retirement obligations [note 7]	107,490	107,299
	1,196,147	1,111,601
Net Financial Assets	295,110	217,848
Non-Financial Assets		
Tangible capital assets [schedule 2]	2,418,816	2,344,337
Inventory and assets held for resale	3,585	3,664
Prepaid expenses	17,821	14,950
	2,440,222	2,362,951
Accumulated surplus [note 8 (a)]	2,738,344	2,580,799
Accumulated remeasurement losses	(3,012)	-
	2,735,332	**2,580,799**

Commitments and contingencies [notes 3, 6 (a), 9, 11, 13, 14 and 15]

The accompanying notes and schedules are integral parts of these consolidated financial statements.

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THE CORPORATION OF THE CITY OF WINDSOR

Consolidated Statement of Operations
Year Ended December 31, 2023
($000's)

	Budget	2023	2022 Restated
	$	$	$
Revenues [note 10, schedule 1]			
Net municipal property taxes and payments-in-lieu of taxes	406,113	401,249	379,771
User charges	173,803	215,860	182,668
Provincial and federal transfers	282,954	343,265	298,797
Revenue from other municipalities	26,631	33,967	30,840
Other	61,600	76,867	70,170
Change in equity in gov't business enterprises [note 4(a)]	-	32,120	38,983
Total Revenues	951,101	1,103,328	1,001,229
Expenses [note 10, schedule 1]			
General government	57,867	60,168	61,199
Protection to persons and property	202,495	207,671	202,075
Transportation services	137,677	124,328	123,557
Environmental services	96,833	88,586	83,501
Health services	18,051	17,479	15,472
Social and family services	336,667	359,861	308,621
Recreation and culture	69,862	77,010	70,927
Planning and development	11,589	10,680	8,452
Total Expenses	931,041	945,783	873,804
Annual Surplus	**20,060**	**157,545**	**127,425**
Accumulated surplus, beginning of year	2,580,799	2,580,799	2,453,374
Accumulated surplus, end of year [note 8 (a)]	2,600,859	2,738,344	2,580,799

The accompanying notes and schedules are integral parts of these consolidated financial statements.

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THE CORPORATION OF THE CITY OF WINDSOR

Consolidated Statement of Change in Net Financial Assets
Year Ended December 31, 2023
($000's)

	2023	2022 Restated
	$	$
Annual surplus	157,545	127,425
Acquisition of tangible capital assets (schedule 2)	(171,370)	(208,005)
Amortization of tangible capital assets (schedule 2)	94,631	92,383
Loss on disposal of tangible capital assets	(2,579)	2,428
Proceeds on sale of tangible capital assets	4,839	585
Net change in inventory and assets held for resale	79	(615)
Net consumption of prepaid expenses	(2,871)	248
Change in net financial assets excluding net remeasurement	80,274	14,449
Net remeasurement osses	(3,012)	-
Net financial assets, beginning of year	217,848	203,399
Net financial assets, end of year	**295,110**	**217,848**

The accompanying notes and schedules are integral parts of these consolidated financial statements.

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THE CORPORATION OF THE CITY OF WINDSOR

Consolidated Statement of Remeasurement Gains & Losses
Year Ended December 31, 2023
($000's)

	2023 $	2022 $
Remeasurement gains, beginning of year	-	-
Enwin other comprehensive loss	(2,684)	-
WUC other comprehensive loss	(155)	-
WDBL other comprehensive loss	(403)	-
WECHC unrealized investment income	230	-
Change in remeasurement gains/(losses)	(3,012)	-
Remeasurement losses, end of year	**(3,012)**	**-**

The accompanying notes and schedules are integral parts of these consolidated financial statements.

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THE CORPORATION OF THE CITY OF WINDSOR

Consolidated Statement of Cash Flows
Year Ended December 31, 2023
($000's)

	2023	2022 Restated
	$	$
Operating and other activities:		
Annual Surplus	157,545	127,425
Amortization of tangible capital assets	94,631	92,383
Unrealized remeasurement gains	230	-
(Gain) loss on disposal of tangible capital assets	(2,579)	2,428
(Increase) decrease in taxes and payments-in-lieu receivable	(1,869)	1,016
Increase in trade and other receivables	(18,866)	(25,455)
Decrease (increase) in inventory and assets held for resale	79	(615)
(Increase) decrease in prepaid expenses	(2,871)	248
Increase in accounts payable and accrued liabilities	8,832	18,777
Increase (decrease) in accrued interest on long term liabilities	756	(63)
Increase in employee future benefit liabilities	3,071	27,033
Increase (decrease) increase in deferred revenue	19,179	(613)
Increase in contaminated site liability	73	270
Increase (decrease) in asset retirement obligations	191	(2,312)
Net cash provided by operating and other activities	258,402	240,522
Capital activities:		
Proceeds on sale of tangible capital assets	4,839	585
Cash used to acquire tangible capital assets	(171,370)	(208,005)
Net cash used in capital activities	(166,531)	(207,420)
Financing activities:		
Net long term liabilities issued	52,444	606
Investing activities:		
Increase in investment in government business enterprises	(32,120)	(38,983)
Increase (decrease) in cash and temporary investments	112,195	(5,275)
Cash and temporary investments, beginning of year	511,906	517,181
Cash and temporary investments, end of year	**624,101**	**511,906**

The accompanying notes and schedules are integral parts of these consolidated financial statements.

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1. Summary of significant accounting policies and reporting practices

(a) Reporting entity

These consolidated statements reflect the assets, liabilities, revenues and expenses of the reporting entity. The reporting entity is comprised of all organizations and enterprises accountable for the administration of their financial affairs and resources to City Council and which are owned or controlled by the City of Windsor ("the City").

(i) **Consolidated entities**

In addition to the general City departments, the reporting entity includes the following where deemed material:

Windsor Police Service
Roseland Golf and Curling Club
Transit Windsor
Windsor Chartabus Limited
The Corporation of the City of Windsor Public Library Board
Windsor-Essex Community Housing Corporation
Downtown Windsor Business Improvement Association
Ford City Business District
Via Italia—Erie Street Business Improvement Area
Ottawa Street Business Improvement Area
Olde Riverside Town Centre Business Improvement Area
Walkerville Business Improvement Area
Wyandotte Town Centre Business Improvement Area
Olde Sandwich Towne Business Improvement Area
Pillette Village Business Improvement Area

The Essex Windsor Solid Waste Authority ("EWSWA"), a joint partnership with the County of Essex, is consolidated on the basis of one half of the total operations and financial position of the total entity.

All interfund assets, liabilities, revenues and expenses have been eliminated.

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1. **Summary of significant accounting policies and reporting practices (continued)**

(ii) **Entities included on a modified equity basis**

Certain corporations are accounted for on a modified equity basis, consistent with the generally accepted accounting treatment for a Government Business Enterprise ("GBE"). Under the modified equity basis, the business enterprise's accounting principles are not adjusted to conform with those of the City, and inter-organizational transactions and balances are not eliminated. Under the modified equity basis of accounting, the carrying value of the investment in the GBE is adjusted to reflect the City's share of the net asset change of the investee.

The entities accounted for under this method are:

Windsor-Canada Utilities Ltd. ("WCUL")
Windsor-Detroit Tunnel Corporation ("WDTC")
Windsor Detroit Borderlink Limited ("WDBL")
Windsor Utilities Commission ("WUC")
Your Quick Gateway (Windsor) Inc. ("YQG")

(iii) **Non-consolidated entity**

The following joint local board and municipal enterprise is not consolidated:
Windsor Essex County Health Unit.

(iv) **Accounting for school board transactions**

Although the Corporation collects taxation on behalf of the school boards, the assets, liabilities, revenues and expenses relating to the operations of the school boards are not reflected in these consolidated financial statements. During the year, $51,821 of taxation was collected on behalf of and remitted to the school boards (2022—$50,966).

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1. **Summary of significant accounting policies and reporting practices (continued)**

(v) **Trust funds**

Trust funds and their related operations administered by the City are not consolidated, but are reported separately on the trust funds statement of continuity and statement of financial position.

(b) **Basis of accounting**

(i) **PSAB recommendations**

These consolidated financial statements have been prepared in accordance with Canadian public sector accounting standards.

(ii) **Accrual basis of accounting**

These consolidated financial statements have been prepared on an accrual basis except for Provincial Offences Administration. Under this basis, revenues are accounted for in the period in which the transactions or events occurred that gave rise to the revenues. Expenses are accounted for in the period that the goods and services are acquired.

(iii) **Taxes receivable and related revenues**

Property tax billings are prepared by the City based on assessment rolls issued by the Municipal Property Assessment Corporation ("MPAC"). Tax rates are established annually by City Council, incorporating amounts to be raised for local services and amounts the City is required to collect on behalf of the Province of Ontario in respect of education taxes. A normal part of the assessment process is the issuance of supplementary assessment rolls, which provide updated information with respect to changes in property assessment. Once a supplementary assessment roll is received, the City determines the taxes applicable and renders supplementary tax billings. Taxation revenues are recorded at the time tax billings are issued. Assessments and the related property taxes are subject to appeal. Tax adjustments as a result of appeals are recorded when the result of the appeal process is reasonably certain. The City has established a tax appeals reserve fund to provide funding to help offset the results of any future appeal decisions. The City is entitled to collect interest and penalties on overdue taxes. These revenues are recorded in the period the interest and penalties are levied. Tax revenue is recorded net of reductions. Taxes receivable are reported net of any expense or allowance for doubtful accounts.

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1. **Summary of significant accounting policies and reporting practices (continued)**

(iv) **Trade and other receivables**

Trade and other receivables are reported net of any allowance for doubtful accounts.

(v) **Tangible capital assets**

Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital assets, excluding land and landfill sites, are amortized on a straight line basis over their estimated useful lives as follows:

Asset classfication and amortization schedule

Classification	Useful Life (years)
Land	Infinite
Land improvements	10 - 75
Buildings and building improvements	10 - 60
Vehicles, machinery and equipment	3 - 35
Water and wastewater infrastructure	25 - 100
Roads infrastructure	25 - 100
Airport	6 - 40

The landfill has an estimated service capacity of 8,000,000 tonnes and is being amortized using the units of production method based on capacity used during the year.

Contributed Assets

Contributed assets are recognized at their fair market value as of the date of contribution to the City.

Works of art and historical treasures

The City owns both works of art and historical treasures. These items have cultural, aesthetic or historical value and are worth preserving perpetually. Works of art and historical treasures are not recognized as tangible capital assets pursuant to the guidelines of PSAB Section 3150 and PSAB 3210.

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1. **Summary of significant accounting policies and reporting practices (continued)**

(vi) **Employee future benefit liability**

The City has adopted the accrual method of accounting for employee future benefits as required by PSAB. The cost of future benefits earned by employees is actuarially determined using the projected benefit method prorated on service and assumptions of mortality and termination rates, retirement age and expected inflation rate.

Past service costs from plan amendments, if any, are deferred and amortized on a straight-line basis over the average remaining service period of employees active at the date of amendment. Actuarial gains and losses on the accrued benefit liability arise from differences between actual and expected experience and from changes in the actuarial assumptions used to determine the accrued benefit liability. The excess of the net actuarial gains or losses are amortized over the average remaining service period of active employees, which is 14.0 years (2022 – 14.0 years).

(vii) **Inter-entity Transactions**

Inter-entity Transactions (PSAB 3420) specifically addresses the reporting of transactions between entities controlled by the City from both a provider and recipient perspective. Inter-entity transactions are classified by the following types:

- For inter-entity transactions that are undertaken similar to an arm's length transaction or allocating cost and recovery transactions, these are to be recognized at the exchange amount by both parties.
- For inter-entity transactions that involve transfer or exchange of assets and/or liabilities for no or nominal consideration, both parties record the transaction at the carrying amount.
- Any difference between the exchange amount and carrying amount for asset or liability transfers are recorded as a gain or loss in the statement of operations.
- Cost allocations and recoveries to/from commonly controlled entities are recorded on a gross basis in the statement of operations.

The City does not recognize any amount in the consolidated financial statements in respect to shared services received for which no costs are allocated. PSAB 3420 requires the City to assess inter-entity transactions for disclosure when there are inter-entity transfers of assets or liabilities, material transactions recorded that are not at the exchange amount or unallocated costs to determine whether or not the transaction is given accounting recognition. This standard has no impact on the consolidated financial statements, as all transactions with consolidated entities and government business enterprises have been recorded at the exchange amount.

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1. **Summary of significant accounting policies and reporting practices (continued)**

(viii) **Related party disclosure**

Related Party Disclosure (PSAB 2200) defines a related party and identifies disclosures for related parties and related party transactions. Parties are considered related when one party has the ability to exercise control or shared control over the other. A related party could be an individual or an entity and includes key management personnel. Key management personnel include members of Council, Corporate Leadership Team (CLT) personnel and their close family members including spouses and dependents.

PSAB 2200 requires the City to assess related party transactions that have occurred at a value different from that which would have been arrived at if the parties were not related. Only those transactions that have or could have a material effect on the financial statements are disclosed. There are no material transactions for disclosure.

(ix) **Government Grant Revenue Recognition**

Grant revenue related to compensation for loss of revenue or operational expenses is recorded in the period in which the loss or expenses are recognized if there is reasonable assurance that it will be received and conditions for receiving the grant are met.

(x) Inactive contaminated sites liabilities

The City adopted Public Sector Accounting Board Standard *PS 3260 Liability for Contaminated Sites* in 2015. Under *PS 3260*, contaminated sites are defined as the result of contamination being introduced in air, soil, water or sediment of a chemical, organic, or radioactive material or live organism that exceeds an environmental standard. This Standard relates to sites that are not in productive use. The liability represents the estimated cost to remediate inactive sites to within the environmental standard.

(xi) **Asset retirement obligations**

An asset retirement obligation is recognized when, as at the financial reporting date, all of the following criteria are met:

- There is a legal obligation to incur retirement costs in relation to a tangible capital asset;

- The past transaction or event giving rise to the liability has occurred;

- It is expected that future economic benefits will be given up; and

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1. **Summary of significant accounting policies and reporting practices (continued)**

(xi) **Asset retirement obligations (continued)**

- A reasonable estimate of the amount can be made.

The liability for closure of operational sites and post-closure care relating to landfill sites has been recognized based on estimated future expenses. An additional liability for the removal of asbestos in several of the buildings owned by the City has also been recognized based on estimated future expenses on closure of the site and post-closure care. Under the modified retroactive method, the discount rate and assumptions used on initial recognition are those as of the date of adoption of the standard. Assumptions used in the subsequent calculations are revised yearly.

The landfill portion of the liability is discounted using a present value calculation and adjusted annually for accretion expense. The recognition of a liability resulted in an accompanying increase to the respective tangible capital assets. The landfill tangible capital asset is amortized using the units of production method, while the buildings tangible capital assets affected by the asbestos liability are being amortized with the building following the amortization accounting policies outlined in note 1 (b) (v).

(xii) **Financial Instruments**

PS 3450, *Financial Instruments*, establishes the standards on accounting for and reporting all types of financial instruments including derivatives. This standard is now effective for fiscal periods beginning on or after April 1, 2022 (the City's December 31, 2023 year-end). Financial instruments are reported at cost, and include certain fixed income securities and pooled equity instruments (i.e. ONE Fund).

Other financial instruments, including cash, accounts receivable, accounts payable and accrued liabilities are initially recorded at their fair value and are subsequently measured at cost, net of any provisions for impairment.

(c) **Provincial Offences Act**

The City, under the authority of Part X of the Provincial Offences Act ("POA"), provides for and administers the POA courts in the Windsor-Essex Court Service Area, arranges for court support, has carriage of Part 1 prosecutions and associated appeals, and is responsible for the collection of related fines and fees. In accordance with policies adopted by other Provincial Offences offices and as a result of the nature of business activities, revenue is recognized on a cash basis.

(d) **Use of estimates**

The preparation of the consolidated financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting periods.

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(d) **Use of estimates (continued)**

Significant items subject to such estimates and assumptions include valuation allowances for receivables, certain accrued liabilities and obligations related to employee future benefits and contaminated sites, the carrying value of tangible capital assets and the evaluation of contingencies. Actual results could differ from these estimates.

2. Significant Changes in Accounting Policies—Adoption of new accounting standards

(a) PS 1201 *Financial Statement Presentation* replaces PS 1200 *Financial Statement Presentation*. This standard establishes general reporting principles and standards for the disclosure of information in government financial statements. The standard introduces the Statement of Remeasurement Gains and Losses separate from the Statement of Operations. Requirements in PS 2601 *Foreign Currency Translation*, PS 3450 *Financial Instruments*, and PS 3041 *Portfolio Investments*, which are required to be adopted at the same time, can give rise to the presentation of gains and losses as remeasurement gains and losses.

(b) PS 2601 *Foreign Currency Translation* replaces PS 2600 *Foreign Currency Translation*. The standard requires monetary assets and liabilities denominated in a foreign currency and non-monetary items denominated in a foreign currency that are reported as fair value, to either be adjusted to reflect the exchange rates in effect at the financial statement date, or for changes in value due to exchange rate fluctuations to flow through the Statement of Operations. Once selected, the policy cannot be rescinded or altered. The City has opted to flow all exchanges in value due to exchange rates through the Statement of Operations.

(c) PS 3041 *Portfolio Investments* replaces PS 3040 *Portfolio Investments*. The standard provides revised guidance on accounting for, and presentation and disclosure of, portfolio investments to conform to PS 3450 *Financial Instruments*. The distinction between temporary and portfolio investments has been removed in the new standard, and upon adoption, PS 3030 *Temporary Investments* no longer applies.

(d) PS 3450 *Financial Instruments* establishes accounting and reporting requirements for all types of financial instruments including derivatives. The standard requires fair value measurement of derivatives and portfolio investments in equity instruments that are quoted in an active market. All other financial instruments will generally be measured at cost or amortized cost. Unrealized gains and losses arising from changes in fair value are presented in the Statement of Remeasurement Gains and Losses.

The City does not hold any equity instruments that are considered traded in an active market. Additionally, the non-rescindable decision to flow all exchange rate changes in value through the Statement of Operations (see note on PS 2601 *Foreign Currency Translation* above) will not result in any material values being reported on the Statement of Remeasurement Gains and Losses. However, the Statement of Remeasurement Gains and Losses will reflect the accumulated other comprehensive income from the five government business enterprises as well as unrealized remeasurement gains and losses from the Windsor Essex Community Housing Corporation.

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2. Significant Changes in Accounting Policies—Adoption of new accounting standards (continued)

(e) PS 3280 *Asset Retirement Obligations* addresses the reporting of legal obligations associated with the retirement of certain tangible capital assets, such as asbestos removal in retired buildings by public sector entities. The new accounting standard has resulted in a withdrawal of the existing accounting standard *PS 3270 Solid Waste Landfill Closure and Post-Closure Liability.* The standard was adopted on the modified retroactive basis at the date of adoption, which was extended a year to January 1, 2023 due to the pandemic.

The City removed the landfill liability that had been recognized to date and recognized an asset retirement obligation upon adoption of *PS 3280* on January 1, 2023, using the modified retroactive method. The liability represents the required closure and post-closure care for the landfill sites owned by the City and its consolidated entities.

On January 1, 2023, the City recognized an additional asset retirement obligation relating to several buildings owned by the City that contain asbestos. The buildings were originally purchased at various times and the liability was measured as of the date of purchase of the buildings, when the liability was assumed.

In accordance with the provisions of this new standard, the City reflected the following adjustments at January 1, 2023:

	2022 Previous	Adjustments	2022 Restated
Statement of Financial Position	**$**		**$**
Tangible Capital Assets	2,337,493	6,844	2,344,337
Landfill post-closure liability	15,442	(15,442)	-
Asset Retirement Obligations	-	107,299	107,299
Accumulated Surplus (Deficit)	2,665,812	(85,013)	2,580,799
Statement of Operations			
Amortization/accretion expense	90,582	1,801	92,383
Annual Surplus	129,226	(1,801)	127,425
Statement of Change in Net Financial Assets			
Annual Surplus	129,226	(1,801)	127,425
Amortization/accretion expense	90,582	1,801	92,383

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3. Contributions to non-consolidated board

The following contribution was made by the City to this non-consolidated joint board:

The City is contingently liable for its share, which is approximately 14%, of any deficits which may arise.

	2023 $	2022 $
Windsor-Essex County Health Unit	3,875	3,803

4. Government Business Enterprises ("GBE")

The consolidated financial statements of the City include, on a modified equity basis, the following GBE:

Windsor Canada Utilities Ltd. ("WCUL")

WCUL is a wholly owned subsidiary of the City. WCUL is a holding company which wholly owns two subsidiaries: Enwin Utilities Ltd. and Enwin Energy Ltd. Through these subsidiaries, WCUL is responsible for the transmission and distribution of electricity, maintenance of the area's powerlines, as well as the marketing of retail and wholesale utility services and products.

Windsor Detroit Borderlink Limited ("WDBL")

WDBL is a wholly owned subsidiary of the City. WDBL manages and operates the Tunnel while WDTC owns the assets.

Windsor-Detroit Tunnel Corporation ("WDTC")

WDTC is a wholly owned subsidiary of the City. WDTC owns the portion of the Windsor-Detroit Tunnel situated in Canada, while WDBL manages and operates the Tunnel.

Windsor Utilities Commission ("WUC")

WUC is a wholly owned subsidiary of the City engaged largely in the treatment and distribution of the area's potable water.

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4. **Government Business Enterprises ("GBE") (continued)**

Your Quick Gateway (Windsor) Inc. ("YQG")

YQG is a wholly owned subsidiary of the City which provides management services for the Windsor airport.

(a) Investment in GBE

The City has investments in GBE totaling $723,606 (2022—$694,728), which is comprised of the following:

	2023	2022
	$	$
WCUL	202,327	200,874
WDTC	127,131	130,011
WDBL	10,712	6,306
WUC	374,581	350,035
YQG	8,855	7,502
	723,606	694,728

A continuity of the investment in GBE is as follows:

	WCUL	WDTC	WDBL	WUC	YQG	2023 Total	2022 Total
	$	$	$	$	$	$	$
Opening investment	200,874	130,011	6,306	350,035	7,502	694,728	655,745
Dividends declared	(4,000)	-	(500)	-	-	(4,500)	(4,000)
Other comprehensive income/(loss)	(2,684)	-	(403)	(155)	-	(3,242)	23,697
Current income/(loss)	8,137	(2,880)	5,309	24,701	1,353	36,620	19,286
Current change in investment	1,453	(2,880)	4,406	24,546	1,353	28,878	38,983
Closing investment	202,327	127,131	10,712	374,581	8,855	723,606	694,728

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4. Government Business Enterprises (continued)

(b) Supplementary information of GBE

(i) WCUL

	2023 $	2022 $
Financial position		
Current assets	90,295	91,204
Property, plant and equipment	261,513	252,912
Other assets	72,723	69,981
Total assets	424,531	414,097
Current liabilities	45,816	42,170
Long-term liabilities	176,388	171,053
Total liabilities	222,204	213,223
Shareholder's equity	202,327	200,874
Total liabilities and equity	424,531	414,097

	2023 $	2022 $
Results of operations		
Revenue from distribution of electricity	276,984	283,559
Services provided to Windsor Utilities Commission	20,745	18,719
Other revenue	4,917	6,040
Total revenue	302,646	308,318
Cost of electrical energy	227,931	244,530
Other net expenses	66,578	63,176
Total expenses	294,509	307,706
Net income	8,137	612

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4. Government Business Enterprises (continued)

Related Party Transactions

The following transactions are in the normal course of operations and are measured at the exchange amount, which is the cost of consideration established and agreed to by the related parties:

- On November 6, 2012 WCUL and WUC entered into a Water System Operating Agreement ("WSOA"), whereby WCUL agreed to provide services to WUC with respect to certain management, administrative services, construction operations, and maintenance services. Pursuant to the terms of the WSOA, WUC has transferred all employees of WUC to WCUL.
- WCUL provides sewer surcharge billing and collection and street lighting for the City. The total charged to the City and included in other revenue for the year ended, December 31, 2023 was $3,826 (2022—$3,826).
- WCUL collects and remits the sewer surcharge on behalf of the City. The total amount owing to the City at December 31, 2023 relating to sewer surcharge was $9,391 (2022—$8,165).
- The amounts due from related parties which are included in current assets consist of:

	2023 $	2022 $
Due from Windsor Utilities Commission	4,660	3,317

- The amounts due from related parties which are included in other assets consist of:

	2023 $	2022 $
Due from Windsor Utilities Commission	52,000	52,000

- The amounts due to related parties which are included in current liabilities consist of:

	2023 $	2022 $
Due to the City of Windsor (net)	9,054	7,527

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4. Government Business Enterprises (continued)

(ii) WDTC

	2023 $	2022 $
Financial position		
Current assets	2,171	879
Property, plant and equipment	136,271	138,400
Total assets	138,442	139,279
Total liabilities	11,311	9,268
Shareholder's equity	127,131	130,011
Total liabilities and equity	138,442	139,279

	2023 $	2022 $
Results of operations		
Total revenues	1,295	990
Operating expenses	4,175	4,581
Net loss	(2,880)	(3,591)

Related Party Transactions

Windsor Detroit Borderlink (WDBL) is the sister company of WDTC. WDTC transferred the operations of the Tunnel to WDBL and only holds the assets of the Tunnel, commencing January 1, 2018. The following transactions are in the normal course of operations and are measured at the exchange amount, which is the cost of consideration established and agreed to by the related parties:

- The amounts due to related parties which are included in current liabilities consist of:

	2023 $	2022 $
Due to WDBL	3,217	845

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4. Government Business Enterprises (continued)

(iii) WDBL

	2023 $	2022 $
Financial position		
Current assets	15,593	9,986
Property, plant and equipment	202	223
Total assets	15,795	10,209
Current and long-term liabilities	5,083	3,903
Shareholder's equity	10,712	6,306
Total liabilities and shareholder's equity	15,795	10,209

	2023 $	2022 $
Results of operations		
Tolls	11,338	8,152
Other revenues	503	658
Total revenues	11,841	8,810
Operating expenses	6,532	6,157
Net income	5,309	2,653

Related Party Transactions

Windsor Detroit Tunnel Corporation (WDTC) is the sister company of WDBL. WDTC transferred the operations of the Tunnel to WDBL and only holds the assets of the Tunnel, commencing January 1, 2018.

- The amounts due from related parties which are included in current assets consist of:

	2023 $	2022 $
Due from WDTC	3,217	845

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4. Government Business Enterprises (continued)

- The amounts due to related parties which are included in current liabilities consist of:

	2023 $	2022 $
Due to the Corporation of the City of Windsor	557	142

(iv) WUC

	2023 $	2022 $
Financial position		
Current assets	44,020	40,340
Property, plant and equipment and sinking fund	411,670	392,227
Total assets	455,690	432,567
Current liabilities	11,737	12,950
Long-term liabilities	69,372	69,582
Total liabilities	81,109	82,532
Shareholder's equity	374,581	350,035
Total liabilities and equity	455,690	432,567

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4. Government Business Enterprises (continued)

	2023 $	2022 $
Results of operations		
Retail water sales	61,832	59,792
Other revenue	2,567	1,035
Total revenue	64,399	60,827
Cost of production	21,523	20,445
Depreciation and amortization	10,370	10,074
Operating and other net expenses	7,805	10,425
Total expenses	39,698	40,944
Net income	24,701	19,883

Related party transactions

The following transactions are in the normal course of operations and are measured at the exchange amount, which is the cost of consideration established and agreed to by the related parties.

- The City provides support for capital water main projects and road repairs to WUC. The total amount charged to WUC for the year ending December 31, 2023 was $13,611 (2022—$8,907).
- The amounts due to related parties which are included in current liabilities consist of:

	2023 $	2022 $
Due to Enwin Utilities Ltd.	4,660	3,317
Due to the Corporation of the City of Windsor	2,470	3,825
	7,130	7,142

- The amounts due to related parties which are included in long-term liabilities consist of:

	2023 $	2022 $
Due to Enwin Utilities Ltd.	51,451	51,432

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4. Government Business Enterprises (continued)

(v) YQG

	2023 $	2022 $
Financial position		
Total assets	9,730	9,225
Total liabilities	875	1,723
Shareholder's equity	8,855	7,502
Total liabilities and equity	9,730	9,225

	2023 $	2022 $
Results of operations		
Airport operating revenues	5,134	3,709
Management fees and other revenues	1,355	834
Total revenue	6,489	4,543
Operating and other expenses	5,136	4,814
Net income (loss)	1,353	(271)

Related party transactions

The following transactions are in the normal course of operations and are measured at the exchange amount, which is the cost of consideration established and agreed to by the related parties.

- Amounts owing to the City relate mainly to capital purchases which are to be reimbursed and dividends payable. The amounts due to related parties which are included in total liabilities are non-interest bearing and consist of:

	2023 $	2022 $
Due from (to) the Corporation of the City of Windsor	31	(44)

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5. Net long-term liabilities

(a) The balance of the net long-term liabilities reported on the consolidated statement of financial position is made up of the following:

	2023 $	2022 $
Total long term liabilities	107,251	54,807
Less amount repayable from user fees	(62,603)	(54,807)
Net amount repayable from general taxation	44,648	-

The amount repayable from user fees is comprised of:

	2023 $	2022 $
Essex-Windsor Solid Waste Authority	23,675	25,486
Sewer Surcharge fund	12,266	14,457
Transit Windsor	751	857
Windsor Essex Community Housing Corporation	25,911	14,007
Long term liabilities repayable by user fees	62,603	54,807

At December 31, 2023, the net long-term liability as reported on the financial statements of EWSWA, which the City is responsible for 50%, consists of:

	2023 $	2022 $
Debenture payable	47,350	50,971
Accrued interest	1,409	1,566
	48,759	52,537

The City has assumed no debt from other municipalities.

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5. Net long-term liabilities (continued)

(b) Of the long-term liabilities in (a) of this note, $34,048 in principal payments are repayable from 2024 to 2028, $18,336 from 2029 to 2033 and $54,867 thereafter.

These amounts will require funding in those periods and are summarized as follows:

	2024-2028	2029-2033	Thereafter	Total
	$	$	$	$
From general taxation	4,915	4,118	35,615	44,648
From user fees	29,133	14,218	19,252	62,603
	34,048	18,336	54,867	107,251

c) Approval of the Ontario Municipal Board or a Treasurer's Certificate relative to the Authorized Repayment Limit of the City has been obtained for the long-term liabilities in (a) issued in the name of the City.

d) Total interest expenses for the year for net long-term liabilities which are reported on the consolidated statement of operations and accumulated surplus are as follows:

	2023	2022
	$	$
Interest funded from general property taxes	1,441	49
Interest funded from user fees	1,738	2,402
	3,179	2,451

6. Employee benefits

(a) Pension agreements

The City makes contributions to the Ontario Municipal Employees Retirement System ("OMERS"), on behalf of members of its staff. The plan is a multi-employer defined-benefit plan which specifies the amount of the retirement benefit to be received by the employees based on length of service and rates of pay. The multi-employer plan is valued on a current market basis for all plan assets.

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6. Employee benefits (continued)

The City accounts for the OMERS plan by expensing contributions in the period in the consolidated statement of operations and accumulated surplus. Any surplus or deficit of the OMERS plan is accounted for by OMERS.

The amount contributed to OMERS for current service for 2023 was $25,408 (2022—$24,081). At December 31, 2023 the OMERS plan is in a deficit position, which is being addressed through managing contribution rates, benefit levels, and investment returns.

The Transit Windsor contributory pension plan, covering substantially all of its employees, was frozen effective December 31, 1999 with pension benefits for service on and after January 1, 2000 being covered by OMERS. As required by the Pension Benefits Standards Act, the City has issued a letter of credit to the pension plan regarding the plan funding balance. At December 31, 2023 the plan has, for accounting purposes and including the unfunded letter of credit, pension assets of $10,740 (2022—$9,665) and is in a funding surplus of $7,867 (2022—$7,915).

(b) Employee future benefits liabilities

Employee future benefit liabilities are future liabilities of the City to its employees and retirees for benefits earned but not taken as at December 31, 2023 and consist of the following:

	2023 $	2022 $
Post-retirement benefits	595,352	593,229
Post-employment benefits	7,073	7,477
WSIB future benefits	83,872	81,434
Accrued vested sick leave	10,652	10,911
Vacation and banked overtime	3,426	3,130
Transit Windsor pension asset	(2,873)	(1,750)
	697,502	694,431

(i) Post-retirement and post-employment benefits

The post-retirement and post-employment benefit liabilities are based on an actuarial valuation performed by the City's actuaries. Post-employment benefits include amounts accrued under the City's self-funded long-term disability policy. The significant actuarial assumptions adopted in estimating the City's liabilities are as follows:

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6. **Employee benefits (continued)**

- Discount rate 4.45% (2022—4.75%)
- Health care discount rate 6.50% (2022—6.50%)

Information about the City's future obligations with respect to post-retirement benefits are as follows:

	2023 $	2022 $
Accrued benefit liability at the beginning of the year	593,229	571,034
Current service cost	7,895	16,308
Interest	19,250	18,146
Amortization of actuarial net (gains) losses	(10,466)	1,064
Benefits paid	(14,556)	(13,323)
Accrued benefit liability at the end of the year	595,352	593,229
Unamortized net actuarial gains	(155,072)	(187,022)
Accrued benefit obligations at the end of the year	440,280	406,207

The measurement date of the employee future benefits obligation coincides with the City's fiscal year. An actuarial comprehensive valuation was completed as of August 1, 2022 and the next required valuation will be as of August 1, 2025.

(ii) Liability for Workplace Safety and Insurance

The post-retirement and post-employment benefit liabilities are based on an actuarial valuation performed by the City's actuaries. The estimated liability recorded at December 31, 2023 is $83,872 (2022—$81,434).

(iii) **Accrued vested sick leave**

Accrued vested sick leave refers to the balance of unused sick leave credits which is payable to eligible employees of the City upon their retirement. Under the sick leave plan, unused sick leave can accumulate and certain employees may become entitled to a cash payment upon leaving the City's employment. In 2023, an amount of $978 (2022—$737) has been paid and is reported as an expense on the consolidated statement of operations.

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7. Asset retirement obligations

The City's asset retirement obligations consist of several obligations as follows:

Landfill obligation:

The City through its consolidated entities owns and operates a number of landfill sites. The liability for the closure of operational sites and post-closure care has been recognized under *PS 3280 Asset Retirement Obligations*.

The City's liability for landfills consists of two parts, the Regional Landfill and perpetual care costs for Landfill #3, which was closed in 1997. The City's asset retirement obligations for the Regional Landfill at December 31, 2023 are comprised of the City's proportion of the Regional Landfill closure and post-closure obligations of $16,845 (2022—$16,161). This obligation is reflected in the EWSWA line in the summary chart below.

The Essex County Landfill #3 was closed in 1997 and requires care for estimated period of 40 years from the date of closure. The December 31, 2022 liability for post-closure expenditures of $6,743 (2022—$7.036) is based on the annual payment to EWSWA of $610 (2022—$610) and inflation adjusted at 2% per annum (2022—2%) and discounted to December 31, 2023 using a discount rate of 4.45% (2022—4.75%). This obligation is reflected in the City of Windsor line in the summary chart below.

Asbestos obligation:

The City and its consolidated entities own and operate several buildings that are known to have asbestos, which represents a health hazard upon demolition of the building and there is a legal obligation to remove it. Following the adoption of *PS 3280 Asset Retirement Obligations*, the City recognized an obligation relating to the removal and post-removal care of the asbestos in these buildings as estimated at January 1, 2022. These obligations are reflected in the City of Windsor, Windsor Essex Community Housing Corporation and Windsor Public Library lines in the summary chart below.

	2023	2022 Restated (note 2)
	$	$
City of Windsor	22,378	22,871
Windsor Essex Community Housing Corporation	68,067	68,067
Essex Windsor Solid Waste Authority	16,845	16,161
Windsor Public Library	200	200
	107,490	107,299

The transition and recognition of asset retirement obligations involved an accompanying increase to tangible capital assets and the restatement of prior year balances (see Schedule 2).

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7. Asset retirement obligations (continued)

A reconciliation of the beginning and ending liability for asset retirement obligations is below:

	2023 $	2022 Restated (note 2) $
Liability for ARO, beginning of year	107,299	109,611
Net accretion expense during the year	191	(2,312)
Liability for ARO, end of year	107,490	107,299

8. Municipal position

(a) Accumulated surplus

Accumulated surplus consists of individual fund surplus and reserves and reserve funds as follows:

	2023 $	2022 Restated (note 2) $
Surplus:		
Invested in tangible capital assets	2,311,565	2,289,530
Invested in government business enterprises	723,606	694,728
Unfunded employee future benefit liabilities	(697,502)	(694,431)
Unfunded contaminated sites liabilities	(8,847)	(8,774)
Unfunded asset retirement obligations	(107,490)	(107,299)
Other	62,048	112,720
Total Surplus	2,283,380	2,286,474
Reserves set aside for a specific purpose by Council:		
Working funds	35,563	34,618
Encumbrances	5,447	6,493
Future planning	2,230	1,857
Post retirement death benefit	106	287
Recreation services	1,106	1,292
Fire services	1,648	1,530
Environmental services	24,924	24,582
Occupational illness	1,762	3,310
Others	3,811	3,979
Total reserves	76,597	77,948

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8. Municipal position (continued)

	2023 $	2022 Restated (note 2) $
Reserve funds set aside for a specific purpose by Council:		
Replacement of equipment	74,475	59,275
Capital expenditures	140,572	99,319
Insurance	8,818	7,756
Health benefits rate stabilization	10,217	12,063
Sanitary sewer expenditures	47,080	4,183
Budget stabilization	11,480	12,918
Children's fund	791	752
Social housing	(12,136)	(30,889)
Recreation	245	377
Transit debt repayment	1,096	1,160
Public health	72,741	31,368
Tax appeals	19,976	18,095
Total reserve funds	375,355	216,377
Total accumulated surplus	2,735,332	2,580,799

(b) **Deferred revenues**

The following funds totalling $83,347 (2022—$64,168) relate to net inflows (outflows) which have statutory restrictions and as such are classified as deferred revenue on the consolidated statement of financial position:

	Beginning Balance 2023 $	2023 Inflows $	2023 Outflows $	Ending Balance 2023 $
Parkland Acquisition	2,063	864	(340)	2,587
Development charges fund	29,232	6,640	(248)	35,624
Building permit fund (net)	2,612	7,500	(6)	10,106
Provincial gas tax fund	4,136	4,682	(4,426)	4,392
Federal gas tax fund	26,069	17,595	(13,085)	30,579
Federal public transit fund	56	3	-	59
	64,168	37,284	(18,105)	83,347

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8. Municipal position (continued)

The parkland acquisition fund is utilized to fund purchases of parkland and other recreation expenditures. The development charges fund is utilized to fund growth related capital works. The building permit fund is utilized to fund the building permit department. Surpluses or deficits of net building permit income (loss) are transferred to this fund. The Provincial gas tax fund is utilized to fund public transportation programs. The Federal gas tax fund is utilized to fund environmentally sustainable municipal infrastructure projects. The Federal public transit fund is utilized to fund transit infrastructure to increase ridership.

9. Commitments

As at December 31, 2023, the City is committed to making the following payments:

(a) Contracts for various capital construction projects, at a cost of $113,318 (2022—$125,535) in the aggregate, to be financed generally by pay as you go funding from the operating fund.

(b) Payments for various operating leases through 2028 of $507 (2022—$539).

(c) The City has approved Community Improvement Plans ("CIP") that contain financial incentive programs for Brownfield Redevelopment, Economic Revitalization, Olde Sandwich Towne, Ford City, University and Downtown Community Improvement.

The CIPs allow the City to provide grants to property owners/tenants, or to undertake other community improvement activities to further the objectives of each CIP, which would otherwise be prohibited by Ontario's *Municipal Act*. At December 31, 2023, there were 24 approved grant applications under the Economic Revitalization CIP, 12 approved grant applications under the Brownfield Redevelopment CIP, 17 approved grant applications under the Olde Sandwich Towne CIP, 8 approved grant applications under the Ford City CIP and 18 grant applications under the Downtown CIP. The amount of grant funding is directly tied to the increase in municipal property taxes as a result of assessment growth so there will be no net financial cost to the City. The program will not reduce current revenue levels but forego incremental tax revenue. Grants are paid over a period not to exceed 10 years with the maximum amount of grant funding equal to eligible costs incurred by the applicant.

The estimated value of remaining approved grants is $91,028 (2022—$97,791)

(d) In 2013, the City purchased the land and building which house the Art Gallery of Windsor ("AGW") for $2,500. The City is obligated to lease a portion of the building to AGW for 40 years at one dollar per year.

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10. Budget figures

Budget data presented in these consolidated financial statements is based on the 2023 Council approved operating budget. Certain adjustments were required to convert the budget from a cash basis to an accrual basis consistent with PSAB financial reporting standards. Included in these adjustments were the elimination of budgeted internal charges and recoveries, budgeted transfers to and from reserve and budgeted transactions with consolidated entities. Since certain significant items are not included in the annual operating budget, the assumption of using the actual accrued amount as the budget amount was used. These full accrued budget estimates are for financial statement presentation only.

Adjustments to Approved Operating Budget for Financial Statement Presentation

Expenses	2023 $
Approved 2023 Operating Budget (all property tax levy supported funds)	997,771
Plus: Net of budgeted sewer surcharge and eliminations of internal cost recoveries	10,096
Less: Budgeted transfers to / from reserves and capital	(173,982)
Less: Education payments to school boards	(52,481)
Plus: PSAB adjustments (actual post-retirement benefit and WSIB liabilities)	16,367
Plus: Actual amortization and tangible capital asset adjustments	117,923
Plus: Consolidated entity budgeted expenses	77,852
Less: Eliminate budgeted transactions with consolidated entities	(62,505)
Adjusted budgeted expenses	931,041

Revenues	2023 $
Approved 2023 Operating Budget (all property tax levy supported funds)	997,771
Plus: Net of budgeted sewer surcharge and eliminations of internal cost recoveries	10,096
Less: Budgeted transfers to / from reserves and capital	(15,515)
Less: Capital fund adjustments	(6,777)
Less: Education amounts collected on behalf of school boards	(52,284)
Plus: Consolidated entity budgeted revenues	74,885
Less: Eliminate budgeted transactions with consolidated entities	(57,075)
Adjusted budgeted revenues	951,101
Budgeted Surplus	20,060

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11. Public liability insurance

The City has an insurance deductible for general liability claims up to $500 (2022—$500) for any individual claim. Outside coverage is in place for claims in excess of this amount.

At December 31, 2023, the City has insured through Marsh Canada (formerly JLT), an insurance broker, and has been since 2017. Previously, the City was insured with the Ontario Municipal Insurance Exchange ("OMEX"), an insurance reciprocal whose members pool their insurance coverage. As a member of a reciprocal, the City agrees to assume a certain percentage of the entire group's liabilities and losses for the period of time that the City was a member. In the event that an annual premium funding become insufficient to cover claims and claim reserves, the reciprocal has the ability to re-assess each member to appropriately fund the difference. Likewise, in the event of a surplus, the member is entitled to a refund. Although the City is no longer insured with OMEX, it still has exposure for the years in which the City was a member that have not yet been closed. The City paid $ nil in retroactive assessments in 2023 (2022—$ nil). The City has established a reserve fund for self-insurance, which at December 31, 2023 amounted to $8,818 (2022—$7,756).

The City budgets each year for premiums and claims. Any budget excess may be credited to the reserve fund. Payment of premiums and claims are shown as expenses on the consolidated statement of operations and accumulated surplus.

12. Segmented information

The City of Windsor is a diversified single tier municipality that provides a wide range of services to its citizens, including police, fire, ambulance, public transit, water and many others. These services are provided by departments and related entities of the City and their activities are reported by segment in these consolidated financial statements.

For each reported segment, revenues and expenses represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis. Net municipal property taxes and payments-in-lieu of taxes are allocated to segments based on the net expenses of that segment. The accounting basis used in these segments is consistent with that followed in the preparation of the consolidated financial statements as discussed in Note 1. For additional information, please see the consolidated schedule of segmented net revenue (schedule 1). The City's reportable operating segments and their associated activities are as follows:

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12. Segmented information (continued)

General government is comprised of Finance, Administration, Governance, Legal, Human Resources and other activities to support the other segments of the City.

Protection to persons and property is comprised of Police, Fire, Conservation Authority, Provincial Offences and Protective Inspection activities.

Transportation services is comprised of Public Transportation, Roadway Maintenance, Winter Control, Central Garage and Airport.

Environmental services is comprised of Sanitary and Storm Sewers, Solid Waste Collection and Disposal, and Recycling.

Health Services is comprised of Ambulance and Public Health services.

Social and family services is comprised of Social Services, Social Housing, Child Care, Assistance to the Aged.

Recreation and culture is comprised of Parks, Recreation Facilities, and Libraries

Planning and development is comprised of Planning and Zoning, Commercial and Industrial, and Business Improvement Areas.

13. Contingent liabilities

(a) During the normal course of operations, the City is subject to various legal actions, including some of which can be substantial. The settlement of the actions that can be reasonably estimated is not expected to have a material effect on the consolidated financial statements of the City. Other legal actions may be at an early stage and therefore the likelihood and magnitude of impact cannot be reasonably determined.

(b) Based on the outcome of legal proceedings regarding the expropriation of lands within the Spring Garden Area of Natural and Scientific Interest ("ANSI"), the City could be obligated to pay an additional amount. The City has recognized an estimate of this obligation within accounts payable and accrued liabilities, although the actual amount owed may differ.

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13. Contingent liabilities (continued)

(c) Construction of a new Huron Lodge Home for the Aged began in 2004. The project was substantially completed in March 2007 in compliance with Ministry of Health requirements. The contractor has registered a lien and claiming damages in the amount of $4,677. Whether the contractor will recover all, some or none of that amount is undeterminable.

(d) The City is the subject of a class action lawsuit relating to bingo/lottery licence fees. Depending on the outcome of the legal proceedings, the City could incur a liability of up to approximately $70,000.

(e) The City is the subject of several class action lawsuits relating to the Covid-19 pandemic. Depending on the outcome of the legal proceedings, the City's potential liability cannot be determined at this time.

14. Contingent assets

During the normal course of operations, the City may bring various legal actions, including some which can be substantial. The settlement of these actions may result in the City's favour and any favourable settlement amounts will be available for the City's use. Contingent assets are not recorded in the consolidated financial statements as they not meet the definition of an asset.

15. Contractual rights

Contractual rights are rights to economic resources arising from contracts or agreements that will result in revenues and assets in the future. The City's contractual rights arise because of contracts entered into for various services, long-term leases, and rental contracts. Contractual rights arise from the normal course of operations and are not reflected in the consolidated financial statements until revenues or assets are received. The following table summarizes the contractual rights of the City for future assets:

	2024	2025	2026	2027	2028	2029+
	$	$	$	$	$	$
Service contracts	9,384	6,726	6,458	6,458	5,973	215
Long term leases	3,344	2,539	1,308	1,033	971	4,805
	12,728	9,265	7,766	7,491	6,944	5,020

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16. Financial risks arising from financial instruments

The City is exposed to a variety of financial risks including credit risks, liquidity risk and market risk. The City's overall risk management program focuses on the unpredictability of financial markets and seeks to minimize potential adverse effects on the Corporation's financial performance.

(a) Credit risk:
The City's principal financial assets that are subject to credit risk are cash and accounts receivable. The carrying amounts of financial assets on the Statement of Financial Position represent the City's maximum credit exposure as at the Statement of Financial Positiondate.

(b) Liquidity risk:
The City mitigates liquidity risk by monitoring cash activities and expected outflows through extensive budgeting. Accounts payable and accrued liabilities are all current. There have been no significant changes from the previous year in the City's exposure to liquidity risk or policies, procedures and methods used to measure the risk. All accounts payable and accrued liabilities will be paid within twelve (12) months.

(c) Market risk:
The City's financial instruments consist of cash, investments, accounts receivable, accounts payable and accrued liabilities. It is City's opinion that it is not exposed to significant interest rate or currency risks arising from these financial instruments except as otherwise disclosed.

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THE CORPORATION OF THE CITY OF WINDSOR

Schedule 1

Consolidated Statement of Segmented Net Revenue—2023

Year Ended December 31, 2023

($000's)

2023	General government	Protection to persons and property	Transportation services	Environmental services	Health services
Expenses					
Salaries, wages and benefits	39,184	168,052	45,269	20,480	-
Interest	-	-	19	1,930	-
External transfers	2,266	1,851	1,363	-	17,476
Amortization	3,515	6,157	39,633	23,528	3
Goods and services	15,203	31,611	38,044	42,648	-
Total Expenses	60,168	207,671	124,328	88,586	17,479
Revenues excluding taxation					
User charges	16,047	20,729	28,570	94,268	195
Provincial and federal transfers	24,803	12,769	19,107	1,957	-
Revenue from other municipalities	-	7,202	1,049	5,301	-
Other	36,796	6,037	7,711	7,609	-
Change in equity in government business enterprises	32,120	-	-	-	-
Total revenues excluding taxation	109,766	46,737	56,437	109,135	195
Net municipal property taxes and payments-in-lieu of taxes					
Annual (deficit) surplus	**49,598**	**(160,934)**	**(67,891)**	**20,549**	**(17,284)**

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THE CORPORATION OF THE CITY OF WINDSOR

Schedule 1

Consolidated Statement of Segmented Net Revenue—2023

Year Ended December 31, 2023

($000's)

2023	Social and family services	Recreation and culture	Planning and development	Total
Expenses				
Salaries, wages and benefits	56,237	34,236	3,744	367,202
Interest	180	-	1,050	3,179
External transfers	220,740	775	1,366	245,837
Amortization	7,874	13,105	816	94,631
Goods and services	74,830	28,894	3,704	234,934
Total Expenses	359,861	77,010	10,680	945,783
Revenues excluding taxation				
User charges	34,862	20,024	1,165	215,860
Provincial and federal transfers	283,334	1,295	-	343,265
Revenue from other municipalities	20,415	-	-	33,967
Other	14,597	950	3,167	76,867
Change in equity in government business enterprises	-	-	-	32,120
Total revenues excluding taxation	353,208	22,269	4,332	702,079
Net municipal property taxes and payments-in-lieu of taxes				401,249
Annual (deficit) surplus	**(6,653)**	**(54,741)**	**(6,348)**	**157,545**

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THE CORPORATION OF THE CITY OF WINDSOR

Schedule 1 (continued)
Consolidated Statement of Segmented Net Revenue—2022
Year Ended December 31, 2023
($000's)

2022 (Restated - note 2)	General government	Protection to persons and property	Transportation services	Environmental services	Health services
Expenses					
Salaries, wages and benefits	41,293	170,730	45,366	21,376	400
Interest	-	49	21	2,098	-
External transfers	2,948	1,754	1,199	-	3,803
Amortization	3,393	5,778	38,866	23,987	3
Goods and services	13,565	23,764	38,105	36,040	11,266
Total Expenses	61,199	202,075	123,557	83,501	15,472
Revenues excluding taxation					
User charges	13,982	13,801	20,206	84,891	-
Provincial and federal transfers	32,016	13,990	43,466	1,182	-
Revenue from other municipalities	12	6,936	818	3,484	-
Other	47,876	6,738	5,410	4,986	-
Change in equity in government business enterprises	38,983	-	-	-	-
Total revenues excluding taxation	132,869	41,465	69,900	94,543	-
Net municipal property taxes and payments-in-lieu of taxes					
Annual surplus (deficit)	**71,670**	**(160,610)**	**(53,657)**	**11,042**	**(15,472)**

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THE CORPORATION OF THE CITY OF WINDSOR

Schedule 1

Consolidated Statement of Segmented Net Revenue—2022

Year Ended December 31, 2023

($000's)

2022 (Restated - note 2)	Social and family services	Recreation and culture	Planning and development	Total
Expenses				
Salaries, wages and benefits	54,317	32,958	4,054	370,494
Interest	283	-	-	2,451
External transfers	192,368	485	1,383	203,940
Amortization	6,851	12,698	807	92,383
Goods and services	54,802	24,786	2,208	204,536
Total Expenses	308,621	70,927	8,452	873,804
Revenues excluding taxation				
User charges	32,761	15,460	1,567	182,668
Provincial and federal transfers	206,322	1,821	-	298,797
Revenue from other municipalities	19,590	-	-	30,840
Other	3,947	924	289	70,170
Change in equity in government business enterprises	-	-	-	38,983
Total revenues excluding taxation	262,620	18,205	1,856	621,458
Net municipal property taxes and payments-in-lieu of taxes				379,771
Annual surplus (deficit)	**(46,001)**	**(52,722)**	**(6,596)**	**127,425**

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THE CORPORATION OF THE CITY OF WINDSOR

Schedule 2

Tangible Capital Assets—2023

Year Ended December 31, 2023

($000's)

2023				
Cost	Balance, beginning of year	Additions	Disposals	Balance, end of year
Land	300,228	50,187	(909)	349,506
Landfill and land improvements	212,328	10,450	(1,616)	221,162
Building and building improvements	781,437	80,168	(5,897)	855,708
Vehicles, machinery and equipment	324,691	16,920	(10,227)	331,384
Water and wastewater infrastructure	985,302	10,112	(252)	995,162
Roads infrastructure	1,032,445	28,773	(58,345)	1,002,873
Airport assets	98,632	3,430	-	102,062
Asset retirement obligations	91,858	366	-	92,224
Assets under construction	293,146	142,742	(171,778)	264,110
Total	4,120,067	343,148	(249,024)	4,214,191
Accumulated amortization				
Landfill and land improvements	72,719	6,542	(1,307)	77,954
Building and building improvements	384,421	20,382	(5,743)	399,060
Vehicles, machinery and equipment	168,839	20,657	(10,035)	179,461
Water and wastewater infrastructure	410,641	18,771	(164)	429,248
Roads infrastructure	613,563	24,815	(57,737)	580,641
Airport assets	40,533	3,081	-	43,614
Asset retirement obligations	85,014	383	-	85,397
Total	1,775,730	94,631	(74,986)	1,795,375
Net book value				
Land	300,228			349,506
Landfill and land improvements	139,608			143,208
Building and building improvements	397,016			456,648
Vehicles, machinery and equipment	155,852			151,923
Water and wastewater infrastructure	574,662			565,914
Roads infrastructure	418,882			422,232
Airport assets	58,099			58,448
Asset retirement obligations	6,844			6,827
Assets under construction	293,146			264,110
Total	2,344,337			2,418,816

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THE CORPORATION OF THE CITY OF WINDSOR

Schedule 2

Tangible Capital Assets—2022

Year Ended December 31, 2023

($000's)

2022 Restated (note 2)				
Cost	Balance, beginning of year	Additions	Disposals	Balance, end of year
Land	297,944	2,292	(8)	300,228
Landfill and land improvements	212,585	1,213	(1,470)	212,328
Building and building improvements	759,705	22,217	(485)	781,437
Vehicles, machinery and equipment	306,410	31,669	(13,388)	324,691
Water and wastewater infrastructure	956,732	32,997	(4,427)	985,302
Roads infrastructure	1,023,454	10,433	(1,442)	1,032,445
Airport assets	98,355	277	-	98,632
Asset retirement obligations	91,858	-	-	91,858
Assets under construction	186,923	143,022	(36,799)	293,146
Total	3,933,966	244,120	(58,019)	4,120,067
Accumulated amortization				
Landfill and land improvements	67,716	5,861	(857)	72,720
Building and building improvements	365,675	19,231	(485)	384,421
Vehicles, machinery and equipment	162,522	19,397	(13,080)	168,839
Water and wastewater infrastructure	395,554	18,219	(3,133)	410,640
Roads infrastructure	590,019	24,881	(1,337)	613,563
Airport assets	37,540	2,993	-	40,533
Asset retirement obligations	83,213	1,801	-	85,014
Total	1,702,239	92,383	(18,892)	1,775,730
Net book value				
Land	297,944			300,228
Landfill and land improvements	144,869			139,608
Building and building improvements	394,030			397,016
Vehicles, machinery and equipment	143,888			155,852
Water and wastewater infrastructure	561,178			574,662
Roads infrastructure	433,435			418,882
Airport assets	60,815			58,099
Asset retirement obligations	8,645			6,844
Assets under construction	186,923			293,146
Total	2,231,727			2,344,337

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INDEPENDENT AUDITOR'S REPORT

To the Mayor, Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

Opinion

We have audited the financial statements of the Trust Funds of the Corporation of the City of Windsor (the Trusts), which comprise:

- the statement of financial position as at December 31, 2023
- the statement of financial activities and continuity of fund balances for the year then ended
- and the notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Trusts as at December 31, 2023, and its financial activities for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the ***"Auditor's Responsibilities for the Audit of the Financial Statements"*** section of our auditor's report.

We are independent of the Trusts in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

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Responsibility of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Trust's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Trust or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Trust's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

  The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the Trust's internal control.

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

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- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Trust's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Trust to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

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Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

Approval Date

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THE CORPORATION OF THE CITY OF WINDSOR

Trust Funds Statement of Financial Position
Year Ended December 31, 2023
($000's)

	Huron Lodge Residents' Comfort	Willistead Furnishings	Windsor Justice Facility Capital Maintenance	Heritage Endowment Fund	EWSWA Landfill Expansion Fund
	$	$	$	$	$
Assets					
Current assets					
Cash and equivalents	73	6	4,413	526	-
Due from City of Windsor			46	3	
Total current assets	73	6	4,459	529	-
Long term assets (note 2):					
Investments			2,105		5,172
Total assets	73	6	6,564	529	5,172
Liabilities					
Due to Current Fund City of Windsor					
Due to Capital Fund City of Windsor					
Due to Trust Fund City of Windsor	3				
Accounts payable	3				
Total liabilities	6	-	-	-	-
Fund balance	67	6	6,564	529	5,172
Total liabilities and fund balance	73	6	6,564	529	5,172

The accompanying notes are an integral part of these financial statements.

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THE CORPORATION OF THE CITY OF WINDSOR

Trust Funds Statement of Financial Position
Year Ended December 31, 2023
($000's)

	COAHP Revolving Homeownership $	Windsor Medical Fund $	MacDonald Trust $	Willistead Endowment Fund $	Fairbairn Cemetery Fund $	Arts Endowment Trust Fund $	WPL Bradley Trust Fund $	Total 2023 $	Total 2022 $
Assets									
Current assets									
Cash and equivalents	2,828	39	34	1	13	-	4	**7,937**	**6,984**
Due from City of Windsor	132							**181**	**65**
Total current assets	2,960	39	34	1	13	-	4	**8,118**	**7,049**
Long term assets (note 2):									
Investments				33		3,021		**10,331**	**10,030**
Total assets	2,960	39	34	34	13	3,021	4	**18,449**	**17,079**
Liabilities									
Due to Current Fund City of Windsor								**-**	**47**
Due to Capital Fund City of Windsor								**-**	**-**
Due to Trust Fund City of Windsor								**3**	**-**
Accounts payable	2,717							**2,720**	**2,470**
Total liabilities	2,717	-	-	-	-	-	-	**2,723**	**2,517**
Fund balance	243	39	34	34	13	3,021	4	**15,726**	**14,562**
Total liabilities and fund balan	2,960	39	34	34	13	3,021	4	**18,449**	**17,079**

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THE CORPORATION OF THE CITY OF WINDSOR

Trust Funds Statement of Financial Activities
Year Ended December 31, 2023
($000's)

	Huron Lodge Residents' Comfort	Willistead Furnishings	Windsor Justice Facility Capital Maintenance	Heritage Endowment Fund	EWSWA Landfill Expansion Fund
	$	$	$	$	$
Balance at the beginning of the year	55	16	5,795	502	5,014
Revenues					
Residents' comfort	72				
Interest earned		1	271	27	158
Donations					
Rental			11		
Contributions		10	491		
Total revenues	72	11	773	27	158
Expenditures					
Payments to residents or estates	60				
Purchases of furnishings and capital improvements		21	4		
Contribution to City of Windsor Current Fund					
Contribution to City of Windsor Capital Fund					
Contribution to City of Windsor Reserve Fund					
Other expenses					
Total expenditures	60	21	4	-	-
Balance at the end of the year	67	6	6,564	529	5,172

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THE CORPORATION OF THE CITY OF WINDSOR

Trust Funds Statement of Financial Activities
Year Ended December 31, 2023
($000's)

	COAHP Revolving Homeownership $	Windsor Medical Fund $	MacDonald Trust $	Willistead Endowment Trust $	Fairbairn Cemetery Trust $	Arts Endowment Trust $	WPL Bradley Trust $	Total 2023 $	Total 2022 $
Balance at the beginning of the year	102	37	32	29	12	2,964	4	**14,562**	**13,863**
Revenues									
Residents' comfort								**72**	**54**
Interest earned	141	2	2	2	1	100		**705**	**453**
Donations				3				**3**	**-**
Rental								**11**	**-**
Contributions								**501**	**643**
Total revenues	141	2	2	5	1	100	-	**1,292**	**1,150**
Expenditures									
Payments to residents or estates								**60**	**65**
Purchases of furnishings and capital improvements								**25**	**196**
Contribution to City of Windsor Current Fund								**-**	**-**
Contribution to City of Windsor Capital Fund						43		**43**	**47**
Contribution to City of Windsor Reserve Fund								**-**	**-**
Other expenses								**-**	**143**
Total expenditures	-	-	-	-	-	43	-	**128**	**451**
Balance at the end of the year	243	39	34	34	13	3,021	4	**15,726**	**14,562**

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1. ACCOUNTING POLICIES

Basis of accounting

Revenue and expenditures are reported on the accrual basis of accounting.

2. LONG TERM ASSETS

Long-term assets include total investments of $10,331 (2022 - $10,030) reported on the statement of financial position which reflects cost plus accrued interest to the end of the year.

3. TRUST FUNDS

The trust funds administered by the Corporation as of December 31, 2023 total $15,726 (2022 - $14,562) and are comprised of the following:

Huron Lodge Residents' Comfort Trust $67 (2022 - $55)

Administers the Home for the Aged residents' monthly spending allowance.

Willistead Furnishings Trust Fund $6 (2022 - $16)

Receives various donations, which are utilized to fund furnishings for the City-owned heritage facility.

Windsor Justice Facility Capital Maintenance Trust $6,564 (2022 - $5,795)

Administers joint contributions from the City of Windsor and Ontario Realty Corporation to be used for capital maintenance of the Joint Justice Facility.

Heritage Endowment Fund $529 (2022 - $502)

This is a fund which derives income for the purpose of capital funding costs associated with conserving eligible heritage properties.

Essex-Windsor Solid Waste Authority Landfill Expansion Fund $5,172 (2022—$5,014)

This trust fund was established to hold funds paid by MFP Financial Services Limited to the County of Essex and the City in accordance with the settlement dated July 29, 2005. These funds will be utilized for ongoing cell expansions of the EWSWA consistent with the original loan with required payments in 2016 and 2024. The fund balance of the trust fund relates specifically to an amount payable to the EWSWA regarding ongoing future cell expansions.

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Canada-Ontario Affordable Housing Program (COAHP) Trust $243 (2022 - $102)

This trust fund was established for the purposes of the Canada-Ontario Affordable Housing Program Homeownership Component. Federal funding deposited into the trust account is subsequently transferred to successful recipients. The funding is considered a grant if the recipient maintains ownership of their home for the term of 20 years. If the home is sold prior to the 20 year period, the downpayment assistance ($8 maximum) is repayable and deposited back into the trust fund to be redistributed to another recipient.

Windsor Medical Fund $39 (2022 - $37)

This fund was established in 2008 specifically for the acquisition of significant artifacts within the scope of the Windsor's Community Museum collection.

MacDonald Trust $34 (2022 - $32)

The transfer of the Museum function to the City of Windsor from the Windsor Public Library Board was finalized in 2008. The funds in the MacDonald Trust are to be expended on the collection, preservation and display of artifacts in the Francois Baby House.

Willistead Endowment Trust $34 (2022 - $29)

This fund was established in 2012 to be used for the benefit of Willistead Manor. The fund is to be used exclusively and in perpetuity for the preservation, restoration, and capital improvement of Willistead Manor and used for any means needed to achieve this purpose. It is intended that the fund be used for infrastructure projects. The minimum capital amount that must be preserved in the fund at all times is set at 50% of the receipted value of life to date contributions to the fund.

Fairbairn Cemetery Fund $13 (2022 - $12)

This fund was established when the City of Windsor became owner of Fairbairn Cemetery to be used for Parks Department management and third party contractor maintenance.

Arts Endowment Trust Fund $3,021 (2022 - $2,964)

This fund was established in 2017 to provide an ongoing funding source which will be available in perpetuity to support, in full or in part, public art related aspects of future City capital projects. The minimum annual distribution from the trust fund to be placed in the capital project has been established at 1.5% with any remaining yield to be retained in the fund.

Windsor Public Library – Bradley Trust $4 (2022 - $4)

This fund was established for the future building of a Sandwich Library.

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Willistead Manor located inside Willistead Park.

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Statistical Review (Unaudited)

Revenues ('000's)	2023 ($)	2022 Restated ($)	2021 ($)	2020 ($)	2019 ($)
Property taxes and payments-in-lieu	401,249	379,771	368,540	354,475	343,636
User charges	215,860	182,868	161,535	149,750	166,427
Provincial and federal transfers	343,265	298,797	269,469	280,852	232,803
Revenue from other municipalities	33,967	30,840	28,172	23,478	26,558
Other	76,867	70,170	57,484	57,142	62,528
Change in equity in government business enterprises	32,120	38,983	35,395	20,494	25,764
TOTAL	**1,103,328**	**1,001,429**	**920,595**	**886,191**	**857,716**

Expenses ('000's)	2023 ($)	2022 Restated ($)	2021 ($)	2020 ($)	2019 ($)
General government	60,168	61,199	59,759	56,044	56,057
Protection to persons and property	207,671	202,075	194,857	190,523	188,077
Transportation services	124,328	123,557	108,706	108,532	107,654
Environmental services	88,586	83,501	78,313	80,751	80,810
Health services	17,479	15,472	17,856	15,988	15,196
Social and family services	359,861	308,621	284,644	262,274	271,740
Recreation and culture	77,010	70,927	62,609	58,039	68,134
Planning and development	10,680	8,452	9,623	8,280	8,151
TOTAL	**945,783**	**873,804**	**816,367**	**780,431**	**795,819**

Expenses by object ('000's)	2023 ($)	2022 Restated ($)	2021 ($)	2020 ($)	2019 ($)
Salaries and wages	367,202	370,494	362,701	348,907	357,514
Goods and services	234,934	204,536	209,985	169,612	176,260
External transfers	245,837	203,940	152,845	172,507	176,598
Interest	3,179	2,451	2,864	3,120	3,639
Amortization	94,631	92,383	87,972	86,285	81,808
TOTAL	**945,783**	**873,804**	**816,367**	**780,431**	**795,819**

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Non-financial Assets ('000's)	2023 ($)	2022 Restated ($)	2021 ($)	2020 ($)	2019 ($)
Tangible capital assets, net book value	2,418,816	2,344,337	2223082	2,157,630	2,123,330
Amortization expense	94,631	92,383	87,972	86,285	81,808
Transfers to capital fund from operating funds	6,854	46,095	43,767	39,021	34,491

Long-term liabilities	2023 ($)	2022 Restated ($)	2021 ($)	2020 ($)	2019 ($)
Long-term liabilities ('000's)	107,251	54,807	54,201	62,658	70,670
Interest ('000's)	3,873	2,451	2,864	3,120	3,638
Population	231,900	231,900	229,660	230,900	227,555
Long-term liabilities per capita	462.49	236.34	236.01	271.36	310.56

Accumulated Surplus ('000's)	2023 ($)	2022 Restated ($)	2021 ($)	2020 ($)	2019 ($)
Invested in tangible capital assets	2,311,565	2,289,530	2,168,881	2,094,972	2,052,660
Invested in government business enterprises	723,606	694,728	655,745	620,350	599,856
Unfunded future employee benefit obligations	(697,502)	(694,431)	(667,398)	(632,045)	(603,261)
Unfunded asset retirement obligations*	(107,490)	(107,299)	(17,754)	(19,075)	(16,531)
Unfunded inactive contaminated sites obligations	(8,847)	(8,774)	(8,504)	(6,692)	(6,306)
Reserves and reserve funds	451,952	294,325	291,641	259,462	216,293
Other	62,048	112,700	113,975	115,386	83,887
TOTAL	**2,735,332**	**2,580,779**	**2,536,586**	**2,432,358**	**2,326,598**

* In 2021, 2020 and 2019, the amount in this row represents landfill perpetual care obligations. The accounting standard for landfill perpetual care was replaced and reported as asset retirement obligations for 2022 and 2023.

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Reserves and reserve funds ('000's)	2023 ($)	2022 ($)	2021 ($)	2020 ($)	2019 ($)
Reserves set aside for a specific purpose by Council:					
Working funds	35,563	34,618	33,781	27,672	24,480
Encumbrances	5,447	6,493	6,990	4,058	3,792
Future planning	2,230	1,857	1,698	1,261	1,186
Post retirement death benefit	106	287	247	269	361
Recreation services	1,106	1,292	1,443	1,717	1,627
Fire services	1,648	1,530	1,579	1,400	1,268
Environmental services	24,924	24,582	24,155	23,218	22,770
Occupational illness	1,762	3,310	2,964	2,492	1,858
Others	3,811	3,979	4,231	3,292	3,245
Total reserves	76,597	77,948	77,088	65,379	60,587
Reserve funds set aside for a specific purpose by Council:					
Replacement of equipment	74,475	59,275	54,886	52,717	52,139
Capital expenditures	140,572	99,319	87,748	56,116	33,779
Insurance	8,818	7,756	7,573	7,478	7,346
Health benefits rate stabilization	10,217	12,063	13,227	12,569	11,210
Sanitary sewer expenditures	47,080	4,183	4,442	6,496	3,022
Budget stabilization	11,480	12,918	20,624	20,296	9,096
Children's fund	791	752	735	725	715
Social housing	(12,136)	(30,889)	(16,592)	2,996	8,947
Recreation	245	377	244	174	147
Transit debt repayment	1,096	1,160	1,254	1,361	1,463
Public health	72,741	31,368	25,952	20,871	16,436
Tax appeals	19,976	18,095	14,460	12,284	11,406
Total reserve funds	375,355	216,377	214,553	194,083	155,706
Total reserves and reserve funds	451,952	294,325	291,641	259,462	216,293

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Property Tax and Assessment

Tax Assessment Information

Taxable Assessment on which the year's rates of taxation were set ($000s)	2023	2022	2021	2020	2019
Residential, multi-residential, farm	14,520,033	14,390,426	14,220,471	14,064,528	13,513,312.05
Commercial, industrial, other	3,664,156	3,656,774	3,685,312	3,705,190	3,604,643
Total Taxable Assessment	**18,184,189**	**18,047,200**	**17,905,783**	**17,769,718**	**17,117,955**
Commercial, industrial and business as a % of taxable assessment	20.2%	20.3%	20.6%	20.9%	21.1%

Tax Rate Information

Residential	2023	2022	2021	2020	2019
Municipal Levy	1.787%	1.701%	1.666%	1.623%	1.628%
School Board	0.153%	0.153%	0.153%	0.153%	0.161%
Total Tax Rate	**1.940%**	**1.854%**	**1.819%**	**1.776%**	**1.789%**

Commercial	2023	2022	2021	2020	2019
Municipal Levy	3.598%	3.425%	3.355%	3.274%	3.287%
School Board	0.880%	0.880%	0.880%	1.250%	1.290%
Total Tax Rate	**4.478%**	**4.305%**	**4.235%**	**4.524%**	**4.577%**

Industrial	2023	2022	2021	2020	2019
Municipal Levy	4.138%	3.939%	3.857%	3.765%	3.778%
School Board	0.880%	0.880%	0.880%	1.250%	1.290%
Total Tax Rate	**5.018%**	**4.819%**	**4.737%**	**5.015%**	**5.068%**

Property Tax Information

Tax Levies (based on Roll Return $000s)	2023	2022	2021	2020	2019
City Portion	407,919	385,882	376,169	363,844	352,156
School Board Portion	52,481	52,214	52,190	62,850	63,289
Total Tax Levied on Roll Return	**460,400**	**438,096**	**428,360**	**426,694**	**415,445**

Tax Arrears	2023	2022	2021	2020	2019
Taxes Receivable ($000s)	40,404	35,593	36,609	35,977	28,785
Taxes Receivable per Capita ($)	172.51	153.48	159.40	155.81	126.50
Percentage of current total tax levy	8.8%	8.1%	8.5%	8.4%	6.9%

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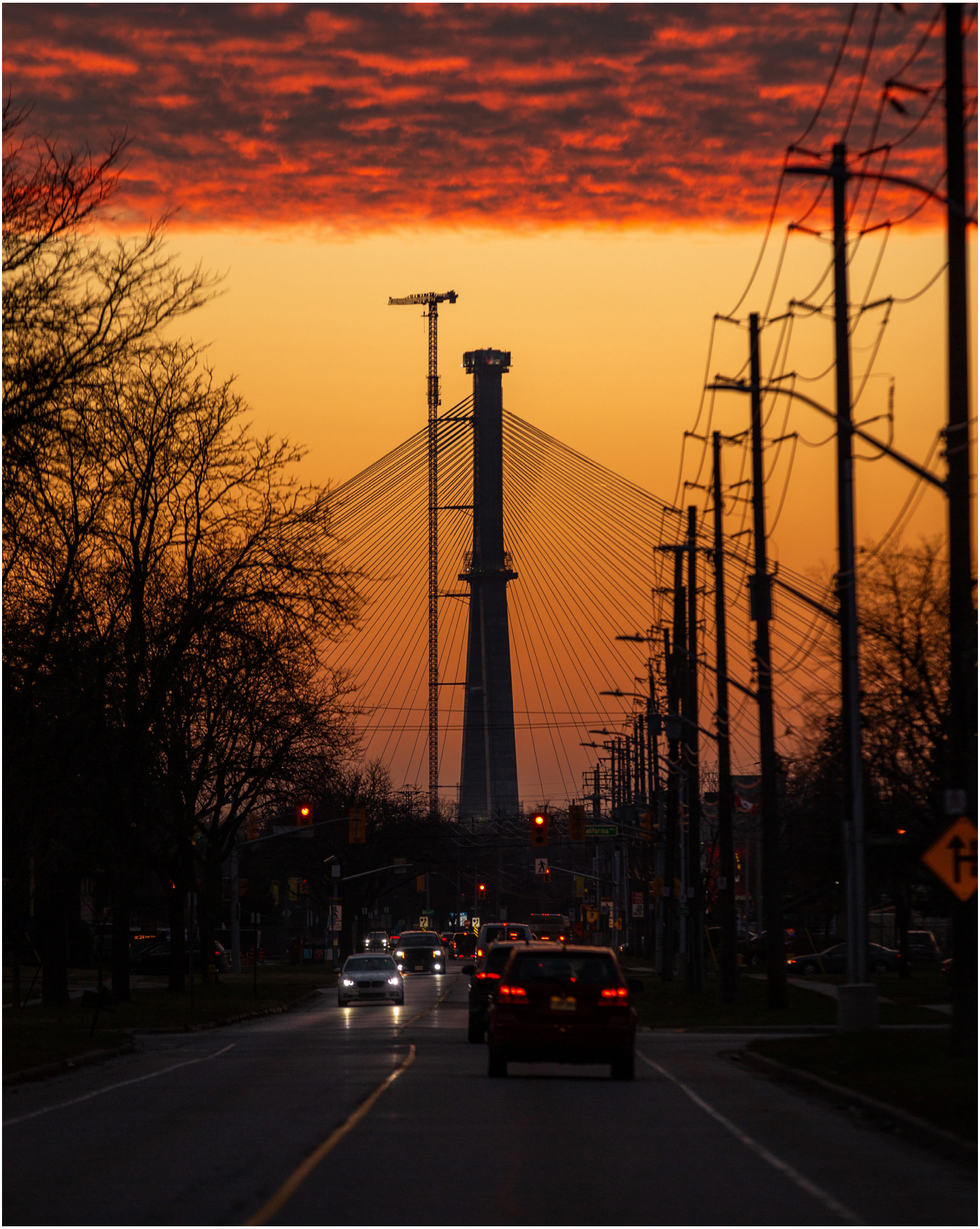

Construction of the Gordie Howe International Bridge.

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Accomplishments

Building Department:
The City's construction activity in 2023 was robust, with a total permit valuation of $1.18 billion. The Building Department processed 1,793 permits, leading to 1,311 new dwelling units, including homes, apartments, and long-term care facilities. This surge demonstrates the department's dedication to supporting Windsor's evolving urban landscape.

Planning Department:
The Planning Department handled 223 development applications and 23 Community Improvement Plan incentive applications, underscoring the ongoing demand for development in Windsor.

Information Technology Department:
2023 saw the approval of Windsor's first Corporate Technology Strategy Plan (CTSP). Through a consultative review by Perry Group Consulting, the CTSP addresses the City's technology needs, risks, and future vision. Additionally, the IT and HR departments conducted a recruitment process analysis resulting in a new Onboarding Portal, streamlining hiring and onboarding processes for various departments.

Economic Development:
Council adopted Windsor Works in 2021, focusing on talent retention, academic partnerships, and the automotive sector's future. NextStar Energy's $5 billion investment, creating 2,500 jobs by 2025/26, highlights this strategy's success. The City's collaboration on the project was instrumental in providing strategic land provision and infrastructure support.

Council also approved its first supply chain lease with Dongshin Motech, investing $60 million and creating 200 jobs, and Bobaek America Inc. announced a $25 million new manufacturing plant investment to support 230 jobs.

Climate Change:
The City received an "A" score from the Carbon Disclosure Project (CDP) for climate leadership and selected to the GCoM Canada 2023 Cohort in advancing climate action.

The city also expanded its community garden program, promoting physical activity, community connections, and food security.

Infrastructure Services
The City endorsed the Vision Zero Policy aiming for zero fatalities on municipal streets and installed 20 electric vehicle chargers to support the City's electric fleet. The Sewer and Coastal Flood Protection Master Plan has allocated $300 million to flood mitigation projects to date.

Transit Windsor experienced record ridership with 9.47 million passenger trips, introduced a new semi-express route and the Amherstburg route and secured over $100 million in grant funding to support the More Than Transit Master Plan.

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Community Services:
Through the City's Community Services department accessible programming at Mitchell Park was introduced, Cirque du Soleil returned to the WFCU Centre, the Rosalie Trombley commemorative statue was unveiled, and Bight Lights Windsor was named 2023 Top 100 Award Winner at Festivals & Events Ontario.

The Parks and Facilities department grew and planted thousands of plants and trees, opened new playgrounds, dog parks, and sports courts.

Windsor Public Library:
The "Let's Talk English" program servicing Newcomers continues to expand throughout the City's libraries and its outdoor movie nights engaged over 3,000 participants. The "Letters to Elders" program saw 612 letters, cards and art connecting isolated seniors with community members.

Windsor Fire & Rescue:
The department hosted Firefest to over 1000 people, showcasing firefighter skills and educated over 10,000 people through the Public Fire Safety Program on fire safety.

Human and Health Services:
Employment & Social Services registered over 1,300 job seekers, assisted 600 individuals in finding employment and connected another 100 individuals with training opportunities.

The City was named the Service System Manager by the Province to take over stewardship of Employment Ontario, which includes 7,400 clients with case management activities.

In collaboration with community partners, the City supported asylum claimants staying in local hotels and providing essential support to families.

The City demonstrated its support to housing solutions through the Meadowbrook Affordable Housing Development by providing 145 units, including 76 affordable units and 69 units offered at market rates.

The City's Housing and Homelessness Help Hub (H4) received the Ontario Municipal Social Services Association (OMSSA) 2023 Local Champion Award for excelling in integrating and managing human services.

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City of Windsor's Economy 2023

Economic Trends

Highlights from 2023 included electric vehicle supply chain announcements, advancements on the Gordie Howe International Bridge construction, continued progress on the NextStar Energy battery plant, and a new boutique hotel for downtown Windsor. As NextStar moved closer to completing its EV battery module facility, another Korean supplier to the plant, Bobaek America, announced it would build a $35 million facility in Windsor to manufacture battery insulation panels and cell sheets for EVs. The plant will employ 144 people. The new Gordie Howe Bridge towers reached their full height in mid-2023 with the roadbed continuing to stretch across the Detroit River. As part of this project, the Windsor-Detroit Bridge Authority and Bridging North America continued to fund community benefit projects, including a new observation platform to be built in Malden Park and upcoming reconstruction of a portion of Sandwich Street.

The Conference Board of Canada reaffirmed its prediction that the Windsor Census Metropolitan Area (which includes the City of Windsor, Municipality of Lakeshore and the towns of Tecumseh, LaSalle and Amherstburg) will have the fastest growing economy of the 24 Canadian CMAs that they track. GDP growth of 2.4% was projected for 2023, slowing to 1.7% growth from 2023 to 2024 and then averaging 2.9% per year from 2024 to 2027. Evidence that the region has moved out of the COVID-induced slowdown can be seen in the growth of the two industries hardest hit by the pandemic: Accommodations and Food Services and Arts, Entertainment and Recreation. GDP for these industries grew 8.9% and 11.7% respectively in 2023 over 2022. After a slower year in 2023, Manufacturing GDP is expected to grow by 4.6% in 2024 and continue to increase every year through 2027.

Total population is expected to grow by 6.4% from 2023 to 2027, primarily through international migration, and the total employment is expected to increase almost as much, at 6.3%. During the past year there were six consecutive months where the population grew by more than 1000 people per month. In 2023 there were 15,000 net new jobs in the region, mostly in the service sectors but 1400 jobs were added in the Manufacturing industry, representing a 3.9% increase over the previous year. Employment also grew in the following industries: Finance, Insurance and Real Estate (16%, 2500 jobs); Educational Services (26%, 3200 jobs); Healthcare and Social Assistance (14%, 3600 jobs); Arts and Entertainment (39%, 1500 jobs); Accommodation and Food Services (36%, 3700 jobs); and Public Administration (44%, 3000 jobs). Wages and salaries per employee are estimated to have risen by 3.1% in 2023 and household income per capita in 2022 (the most recent data available) was $63,300, higher than both the province and the country.

Looking more closely at the tourism industry as an indicator of pandemic recovery, there were positive indicators for 2022 (the most recent data currently available) from Tourism Windsor Essex Pelee Island. Visitor volumes were up by 42% from 2021 to 2022 with a total of 4.4 million people visiting Windsor. Visitor spending increased by 63.7% for this time period, rising to $669 million. Hotels in the downtown area have invested in major renovation projects over recent years and there will be a new boutique hotel opening in 2025 in the former Paul Martin Building on Ouellette Avenue. Showing its confidence in the Windsor area, Flair Airlines started offering seasonal flights between Windsor and Vancouver in June 2023, with plans to grow its fleet to 50 planes by 2025

Despite the influx of people into the region, the average house price in Windsor and Essex County for 2023 was $556,451, a decrease of almost 10% from 2022. This is good news for home buyers and continues to be a selling feature when promoting the Windsor area as great place to live, work and

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invest. Looking at just the City of Windsor, total housing starts decreased from 491 units in 2022 to 346 units in 2023; however, construction of apartment units for the rental market was up from 174 to 185 units. Housing completions were also up from 362 in 2022 to 440 in 2023 and apartments completions almost doubled over this time period, from 152 to 349 units. The rate of new house construction is expected to rise above the national rate in 2024 and remain so through 2027. Rental rates held fairly steady from 2022 to 2023. The average rent for all types of units was $1101 in October 2023 compared to $1089 in October 2023. Larger units (ie. three bedrooms) actually saw an average decrease in rent, from $1528 to $1252. The apartment vacancy rate rose slightly, from 1.8% to 2.0%).

Economic Development Announcements and Projects

NextStar Energy – Construction continued on the NextStar Energy battery plant buildings throughout 2023 with the final steel beam being installed in December. The module building is now fully enclosed and equipment installation is underway. The cell building is mostly complete. Production in the module building is expected to begin in 2024.

Stellantis – Work is well underway on the expansion of Stellantis's Automotive Research and Development Centre (ARDC), a partnership with the University of Windsor. The new 100,000-square-foot standalone building will house the North American Battery Technology Centre. Preparation also began to produce electric versions of the Charger and Challenger at Windsor Assembly Plant, expected to be launched in mid-2024.

Bobaek America - A second supplier to the NextStar plant announced it would open a facility in Windsor. Bobaek America, a Korean electric vehicle parts manufacturer, has started construction on a $35 million battery insulation panel and cell sheet manufacturing plant which will employ 144 people.

Porter Engineered Systems - This automotive seating manufacturer, is investing $5.5M with help from the provincial government to make improvements at its Windsor facility, creating 15 new jobs in the process.

New restaurants opening – In early 2023, Gong Cha, a Taiwanese tea company, and Arirang Hotdog, a Korean hotdog franchise, opened locations in west Windsor along with Café Windsor. Cucina 360, a new restaurant connected to Oven 360, opened in a renovated historical building in downtown Windsor. Smoke`s Poutinerie has also opened a new location in downtown Windsor. Main Street Burger & Poutine opened on Ottawa Street. Loose Goose Resto Pub opened its third location in the region, in Walkerville, offering jobs to 50 people.

Convoy Technologies Inc. - This Indiana-based manufacturing company will establish a new production facility in Windsor with 15 employees initially. Convoy manufactures cameras, monitors and accessories for use in AI-enabled truck driver training.

Ennova Facades Inc. - This manufacturer of building products is receiving $1.15M from the federal government to expand its Windsor and Amherstburg facilities, creating 13 full-time jobs.

Amazon - Preparations are underway for the construction of a 300,000-square foot Amazon delivery station in Windsor, set to open in late 2024, generating 300 jobs upon completion, not including delivery drivers.

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SheaRock Construction Group – This company received $500,000 from the provincial government to support the construction of a 30,000-square foot manufacturing plant in Windsor that will create at least 20 new jobs. The plant will manufacture polyurethane wastewater infrastructure to replace concrete.

Cavalier Tool & Manufacturing Ltd. – This plastic injection mold manufacturer invested $15 million in its Windsor facility, with an additional $2.25 million of funding from the provincial government, creating 30 new jobs.

Dainty Foods – Canada's only rice mill, located in west Windsor, has invested $10 million in the factory upgrading the rice mill, the flour mill and enhancing their packaging lines. The company expects to invest an additional $10 million over the next two to three years, bringing specialized equipment into the current facility in order to help them produce microwaveable rice pouches.

Morterm – A $27 million investment at Morterm Limited will include a new warehouse, expansion of the shore wall and a new berth for ships. The federal government is contributing to this project, as is Port Windsor. Between 20 and 40 new jobs are expected to be created. Morterm is a general cargo terminal in Port Windsor. Its sister company is Essex Terminal Railway.

Major Current and Upcoming Public Sector Construction Projects

- Gordie Howe International Bridge – The towers on both sides of the Detroit River have reached their full height and the roadbed on both sides of the river has almost reached its joining point. The bridge is expected to be open in the fall of 2025.

- Catholic Central High School in Windsor announced the opening of their new $30M high school in January 2023. The school will accommodate up to 940 students.

- The University of Windsor started construction on a $60 million 150,000 square foot student residence that will open in 2025.

- Site preparation began for the new single site acute care hospital in Windsor with construction expected to begin in 2026.

- The Greater Essex County District School Board opened its newest public school, Eastview Horizon Public School, in September 2023. The $16 million school houses more than 500 students from kindergarten through grade 8.

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Windsor City Hall

THE CITY OF WINDSOR
ONTARIO, CANADA

311 WINDSOR CITY SERVICES

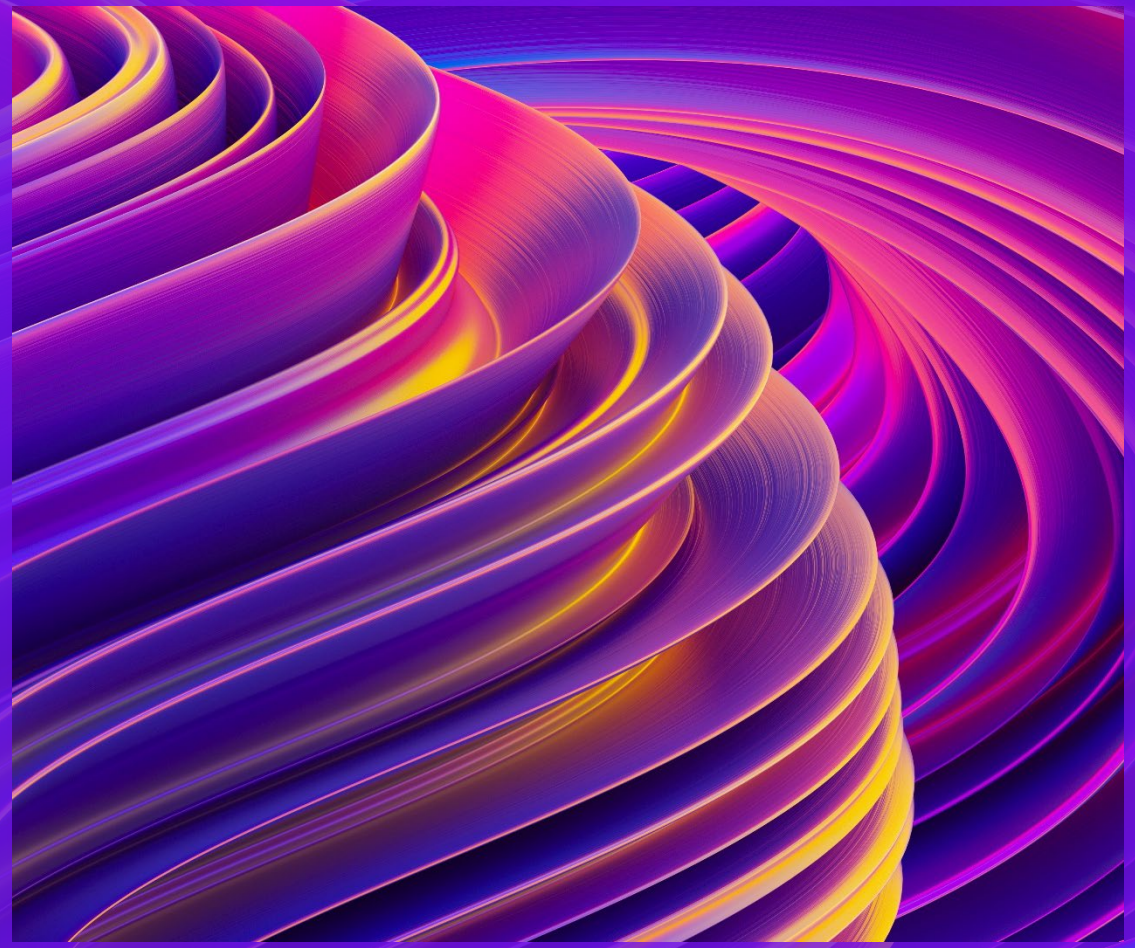
350 City Hall Square West

519-255-6211

CityWindsor.ca

KPMG

The Corporation of the City of Windsor



Audit Findings Report for the year ended December 31, 2023

KPMG LLP

Prepared as of July 12, 2024 for presentation to City Council on July 22, 2024

kpmg.ca/audit

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The purpose of this report is to assist you, as a member of City Council, in your review of the results of our audit of the consolidated financial statements. This report is intended solely for the information and use of Management and City Council and should not be used for any other purpose or any other party. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.

Digital use information

This Audit Findings Report is also available as a “hyper-linked” PDF document.

If you are reading in electronic form (e.g. In “Adobe Reader” or “Board Books”), clicking on the home symbol on the top right corner will bring you back to this slide.

Click on any item in the table of contents to navigate to that section.

Audit highlights

No matters to report

Matters to report – see link for details

Status

We have completed the audit of the consolidated financial statements ("financial statements"), with the exception of certain remaining outstanding procedures, which are highlighted on the 'Status' slide of this report.

Significant changes

Significant changes since our audit plan

- There were no changes to our Audit Plan that was previously presented to City Council on January 15, 2024.

Risks and results

Significant risks

- Fraud risk from revenue recognition
- Fraud risk from management override of controls
- Asset retirement obligations
- Contingent liabilities

Other risks of material misstatement

- Property taxes and appeals
- Tangible capital assets
- Government funding
- Other newly effective accounting standards

Going concern matters

Policies and practices & Specific topics

Significant unusual transactions

Accounting policies and practices

Other financial reporting matters

Uncorrected and corrected misstatements

Uncorrected misstatements

Corrected misstatements

Control deficiencies

Significant deficiencies

Technology highlights

We plan to utilize technology to enhance the quality and effectiveness of the audit.

Summary of advanced technologies

KPMG Clara Workflow

The KPMG Clara Workflow was utilized as a hub in which all aspects of our audit work was completed.

KPMG Clara for Clients

KPMG Clara for Clients was utilized as a collaboration and share-site tool between KPMG and the City of Windsor.

KPMG Clara DataSnipper

KPMG Clara DataSnipper is an automated vouching tool uses advanced Optical Character Recognition to automatically vouch unstructured data like invoices and contracts.

KPMG Clara analytics – AI Transaction Scoring (MindBridge)

KPMG Clara Analytics - AI Transaction Scoring, powered by MindBridge AI, is a tool that applies advanced statistical, machine learning, and rules-based analytics technology to analyze transactions on a more granular level and deliver an even higher quality audit.

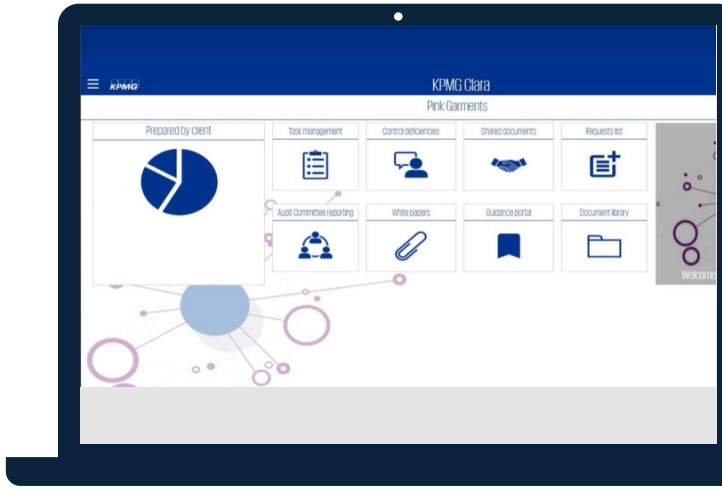
Status

As of July 12, 2024, we have completed the audit of the financial statements, with the exception of certain remaining procedures, which include amongst others:

- Obtaining signed management representation letter
- Receipt of confirmation from the Corporation's legal counsel
- Completing our discussions with the City Council
- Obtaining evidence of the City Council's approval of the financial statements

We will update City Council on significant matters, if any, arising from the completion of the audit, including the completion of the above procedures.

KPMG Clara for Clients (KCfc)



Real-time collaboration and transparency

We leveraged **KCfc** to facilitate real-time collaboration with management and provide visual insights into the status of the audit!

On our audit we used KCfc to coordinate requests from management.

Learn more

Significant risks

Risk of Fraud Within the Financial Statements

Presumption of the risk of fraud resulting from management override of controls

Why is it significant?

Management is in a unique position to perpetrate fraud because of its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Although the level of risk of management override of controls will vary from entity to entity, the risk nevertheless is present in all entities.

Our response

As this presumed risk of material misstatement due to fraud is not rebuttable, our audit methodology incorporates the required procedures in professional standards to address this risk. These procedures include:

- testing of journal entries and other adjustments,
- performing a retrospective review of estimates
- evaluating the business rationale of significant unusual transactions.
- No issues were noted.

Presumption of the risk of fraud resulting from fraudulent revenue recognition

Why is it significant?

This is a presumed risk.

There are generally pressures or incentives on management to commit fraudulent financial reporting through inappropriate revenue recognition when performance is measured in terms of year-over-year revenue growth or profit.

Our response

We have rebutted the fraud risk over revenue recognition since there are limited perceived opportunities to commit fraud since revenue transactions do not involve elements of significant judgment. We have also not identified any indicators that management possesses the attitude, character or ethical values that would result in intentional dishonesty. The entity is not a high public profile entity and there are no significant third-party expectations in relation to revenue. As a result, there is no risk of material misstatement of revenue due to fraudulent financial reporting by management.

Advanced technologies

Our **KPMG Clara Journal Entry Analysis Tool** assists in the performance of detailed journal entry testing based on engagement-specific risk identification and circumstances. Our tool provides auto-generated journal entry population statistics and focusses our audit effort on journal entries that are riskier in nature.

Click to learn more

Significant risks and results

Asset Retirement Obligations

Significant risk and our response

- The Corporation adopted Public Accounting Standard PS 3280 – Asset Retirement Obligations (ARO). The new accounting standard addresses the reporting of legal obligations associated with the retirement of certain tangible capital assets, such as asbestos removal in buildings and remediation of contaminated sites owned by the Corporation. ARO's are an estimate which are derived from available information and required management to make judgements and assumptions leveraging available data.
- Management performed an assessment of the impact of the new accounting standard on the Corporation's financial statements, including potential liabilities related to asbestos abatement, remediation of landfills and future removal of equipment such as underground fuel tanks. To generate their assessment, Management worked with KPMG's ARO adoption team, separate from our audit team, to determine the quantities of contamination present and perform a calculation of remediation costs. As at December 31, 2023, a $107.5 million asset retirement obligation has been recognized on the statement of financial position.

We performed the following audit procedures to assess the reasonability of Management's estimate:

- We obtained an understanding of the activities performed by Management to identify the Corporation's legal obligations associated with the retirement of capital assets, and ensured that all of the recognition criteria have been met to recognize an ARO in the financial statements.
- We obtained Management's most up-to-date calculation of the asset retirement obligation and verified that the estimated ARO costs were reasonable by comparing to the Province of Ontario Ministry of Finance's ARO Rate Cards, which were developed to approximate the future cost of remediating an asset, based on each asset's approximate age. The Rate Cards provide costs of remediation per square foot, which we compared with the provided footprint of each in-scope asset to perform our assessment.
- The Corporation has chosen not to discount or use the present value technique for measurement of the ARO liability, as the timeline for the retirement activities is not well defined and discounting would add an additional layer of substantial uncertainty. KPMG notes that while PS 3280 does not require the present value technique for measurement, it does suggest that it is often the best available technique. We do understand the Corporation's position for not discounting, as there is uncertainty as to the timing of remediation.

Results

- No issues noted with any of the above procedures.
- Appropriate disclosures have been made in the financial statements for the adoption of the new accounting policy.

Significant risks and results

Contingent liabilities

Significant risk and our response

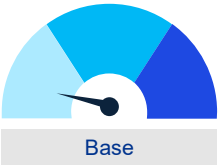
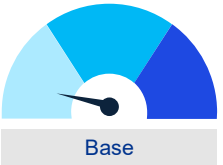
- The Corporation has been named as a defendant in a number of legal actions. These actions are at various stages of their respective proceedings and the Corporation may not be in a position to mitigate its' liability exposure through insurance.

We performed the following audit procedures to understand the Corporation's legal obligations and commitments:
- We obtained management's assessment of ongoing legal claims in order to understand ongoing cases.
- Discussed status of ongoing cases with internal legal counsel where required.
- Inquiry letters were sent to external counsel to obtain their evaluation of ongoing cases.
- KPMG reviewed all City Council minutes, including in-camera, for the 2023 year and 2024 year, up to the date of our Auditor's Report

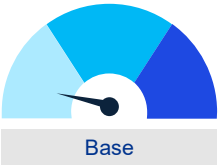
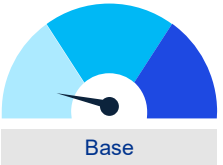
Results

- No issues noted within the recognition, disclosure and presentation of contingent liabilities.

Other risks of material misstatement

Areas	Level of risk due to error	Our response
Property Taxes and Appeals The City's municipal tax base includes manufacturing and industrial properties with significant outstanding balances coupled with environmental sensitivities. In recent years, the City was required to pay settlements resulting from property tax appeals on significant properties.		• We reviewed Management's evaluation of properties with significant outstanding tax balances, including any environmentally sensitive properties, and assessed the reasonableness of the valuation allowance. • Obtained an understanding of outstanding property tax appeals through review of Council reports and inquiry with Management and ensured that such appeals were recognized in the consolidated financial statements in accordance with City's significant accounting policies; • Reviewed subsequent appeal settlements to ensure the City's accounting at year-end was appropriate. • No issues were noted.
Tangible Capital Assets Capital expenditures represent a significant investment on the part of the City and in certain instances, may involve a degree of subjectivity and/or complexity in terms of whether they meet the criteria for capitalization.		• We performed substantive testing over recorded capital expenditures by reviewing source documentation for a sample of items to assess the accuracy of the recorded amounts and ensure appropriate classification of costs (capitalization vs. expense). • We performed substantive testing over repairs and maintenance expenditures, including reviewing source documentation for a sample of items, to identify any instances where items should be capitalized as opposed to expensed. • We reviewed financial statement presentation and note disclosure of capital assets and deferred revenues. • No issues were noted.

Other risks of material misstatement (continued)

Areas	Level of risk due to error	Our response
Government Funding The City receives funding from the Federal and Provincial governments under a variety of programs, including programs with specific revenue recognition criteria. This can result in potential financial reporting issues with respect to the amount of revenue recognized and the treatment of unearned funds at year-end (deferral vs. payable).		• We reviewed Management's calculation of revenues and their identified revenues that are conditional in nature. • For significant conditional revenue sources, we obtained supporting documentation demonstrating that the revenue recognition criteria have been achieved. • We reviewed Management's treatment of unearned revenues. For significant unearned revenue balances, we inquired with Management to understand whether these represent deferred revenue or payable balances. • We reviewed Management's treatment of prior year unearned revenue accounts (deferred revenues, accounts payable) that were recognized as revenue in the current year. For significant income inclusions from prior year amounts, we obtained supporting documentation to ensure that revenue recognition criteria had been met. • No issues were noted.
Other Newly Effective Accounting Standards PS 3450, Financial instruments, PS 2601, Foreign currency translation, PS 1201, Financial statement presentation and PS 3041 Portfolio investments become effective for this year-end.		• We reviewed Management's documentation prepared regarding the applicability of these new standards and held a discussion with Management regarding the impact of the new standards to the Financial Statements. • We reviewed the disclosure in the financial statements pertaining to these standards to ensure they are compliant with the requirements as set out. • No issues were noted. The impact of these new standards were nil or immaterial to the Financial Statements.

Control deficiencies

Consideration of internal control over financial reporting (ICFR)

In planning and performing our audit, we considered ICFR relevant to the Entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on the financial statements, but not for the purpose of expressing an opinion on ICFR.

Our understanding of internal control over financial reporting was for the limited purpose described above and was not designed to identify all control deficiencies that might be significant deficiencies. The matters being reported are limited to those deficiencies that we have identified during the audit that we have concluded are of sufficient importance to merit being reported to those charged with governance.

Our awareness of control deficiencies varies with each audit and is influenced by the nature, timing, and extent of audit procedures performed, as well as other factors. Had we performed more extensive procedures on internal control over financial reporting, we might have identified more significant deficiencies to be reported or concluded that some of the reported significant deficiencies need not, in fact, have been reported.

A deficiency in internal control over financial reporting

A deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A deficiency in design exists when (a) a control necessary to meet the control objective is missing or (b) an existing control is not properly designed so that, even if the control operates as designed, the control objective would not be met. A deficiency in operation exists when a properly designed control does not operate as designed, or when the person performing the control does not possess the necessary authority or competence to perform the control effectively.

Significant deficiencies in internal control over financial reporting

A deficiency, or a combination of deficiencies, in internal control over financial reporting that, in our judgment, is important enough to merit the attention of those charged with governance.

Control deficiencies – Significant deficiencies

Significant deficiencies in internal control over financial reporting

Description	Status	Potential effects
1	No significant deficiencies in internal control to report.	

Accounting policies and practices

Initial selection

PS 3280 Asset Retirement Obligation Standards was effective for fiscal years beginning on or after April 1, 2022. The adoption of this standard was reflected in the December 31, 2023 financial statements.

Note disclosure has been included in the financial statements for the transition to the new accounting standard. Please see note 2 for additional information relating to the transitional adjustments.

Revised

The new accounting standard, PS 3280, addresses the reporting of legal obligations associated with the retirement of certain tangible capital assets, such as asbestos removal in buildings owned by the Corporation and the remediation of other fuel contamination from underground tanks on property owned by the Corporation. The standard was adopted on the modified retrospective basis at the date of adoption such that the assumptions used to estimate the Corporation's asset retirement obligations were applied as of the date of adoption of the standard.

Significant qualitative aspects

The adoption of the Asset Retirement Obligations Standard required management to calculate the value of the obligation as of the date of transition. For application of the Standard, the Corporation used internal knowledge of the obligations, which was supplemented with professional third party advisors.

Other financial reporting matters

We also highlight the following:

Financial statement presentation - form, arrangement, and content

- Upon adoption of PS 1201 Financial Statement Presentation and PS 3450 Financial Instruments, the Corporation now presents a statement of remeasurement gains and losses within the financial statements.
- Included in the statement of remeasurement gains and losses are the unrealized gains/losses in investment income and the other comprehensive income/loss from GBEs.

Concerns regarding application of new accounting pronouncements

- The Corporation's estimate of its asset retirement obligations has been audited by KPMG in accordance with Canadian Auditing Standards. Based on the results of our procedures, no concerns have been identified.
- The financial statements include note disclosure relating to the application of the new accounting standard for asset retirement obligations.
- An emphasis of matter and other matter paragraphs have been added to the audit opinion to bring the readers attention to the change in comparative information as a result of the accounting change.

Significant qualitative aspects of financial statement presentation and disclosure

No matters to report.

Specific topics

We have highlighted the following that we would like to bring to your attention:

Matter	Finding
Illegal acts, including noncompliance with laws and regulations, or fraud	No matters to report.
Other information in documents containing the audited financial statements	No matters to report.
Significant difficulties encountered during the audit	No matters to report.
Difficult or contentious matters for which the auditor consulted	No matters to report.
Management's consultation with other accountants	No matters to report.
Disagreements with management	No matters to report.
Related parties	No matters to report.
Significant issues in connection with our appointment or retention	No matters to report.
Other matters that are relevant matters of governance interest	No matters to report.

Services initiated under City Council's pre-approval policies and procedures

We were engaged by the Corporation of the City of Windsor to perform the services listed below. The services were pre-approved by the City Council pursuant to its Policies and Procedures and ratified on August 8, 2022.

Engagement description	Fee CDN
Audit of the consolidated financial statements of the Corporation of the City of Windsor	$97,000
Audit of the consolidated financial statements of the Corporation of the City of Windsor – Trust Funds	$5,000
Strategic support for the implementation of Public Sector Accounting Standard ("PSAS") 3280 Asset Retirement Obligations ("PS 3280")	TBD

Note: City Council was previously provided with a written description of the nature and scope of each service and details of the proposed fee arrangement.

Pre-approval of services – Additional detail

Audit services

Detailed description of service	Potential effects of the proposed service on independence
• Audit of the consolidated financial statements of the Corporation of the City of Windsor as of December 31, 2023 in accordance with the Public Sector Accounting Standards as of December 31, 2023.	• Such services are provided by the auditor pursuant to statutory or regulatory requirements and are permitted under CPA Code and IESBA independence rules.

Advisory services

Detailed description of service	Potential effects of the proposed service on independence
• To advise on and provide strategic support for the implementation of Public Sector Accounting Standard (“PSAS”) 3280 Asset Retirement Obligations (“PS 3280”), as issued by the Public Sector Accounting Board (“PSAB”), including the development of a costing model to inform management’s estimation of retirement obligations.	• Such services are provided by the auditor pursuant to statutory or regulatory requirements and are permitted under CPA Code and IESBA independence rules. • KPMG’s advice was intended only for the use of the City’s management to inform its accounting policy selections with respect to the implementation of PS 3280. In this capacity, we did not act as auditors and accordingly our work did not result in the expression of an opinion and does not constitute an audit engagement. KPMG prepared this analysis based on information provided by the City’s management. KPMG examined the information provided and assessed its appropriateness for PS 3280 implementation but did not otherwise audit or review the information.

Appendices

1. Required communications
2. Audit quality
3. New accounting standards
4. New auditing standards
5. Insights
6. Environmental, social and governance (ESG)
7. Technology

Appendix 1: Other required communications

Engagement terms

A copy of the engagement letter and any subsequent amendments has been provided to the City Council.

CPAB communication protocol

The reports available through the following links were published by the Canadian Public Accountability Board to inform Audit Committees and other stakeholders about the results of quality inspections conducted over the past year:

- CPAB Audit Quality Insights Report: 2021 Annual Inspections Results
- CPAB Audit Quality Insights Report: 2022 Interim Inspections Results
- CPAB Audit Quality Insights Report: 2022 Annual Inspections Results
- CPAB Audit Quality Insights Report: 2023 Interim Inspections Results

Appendix 1: Management representation letter

KPMG LLP
618 Greenwood Centre
3200 Deziel Drive
Windsor, Ontario N8W 5K8
Canada

July 22, 2024

We are writing at your request to confirm our understanding that your audit was for the purpose of expressing an opinion on the consolidated financial statements (hereinafter referred to as "financial statements") of **The Corporation of the City of Windsor** ("the Entity") as at and for the period ended December 31, 2023.

GENERAL:

We confirm that the representations we make in this letter are in accordance with the definitions as set out in **Attachment I** to this letter.

We also confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves:

RESPONSIBILITIES:

1) We have fulfilled our responsibilities, as set out in the terms of the engagement letter dated December 7, 2022, including for:

   a) the preparation and fair presentation of the financial statements and believe that these financial statements have been prepared and present fairly in accordance with the relevant financial reporting framework.

   b) providing you with all information of which we are aware that is relevant to the preparation of the financial statements ("relevant information"), such as financial records, documentation and other matters, including:

      – the names of all related parties and information regarding all relationships and transactions with related parties;

      – the complete minutes of meetings, or summaries of actions of recent meetings for which minutes have not yet been prepared, of shareholders, board of directors and committees of the board of directors that may affect the financial statements. All significant actions are included in such summaries.

   c) providing you with unrestricted access to such relevant information.

DRAFT

d) providing you with complete responses to all enquiries made by you during the engagement.

e) providing you with additional information that you may request from us for the purpose of the engagement.

f) providing you with unrestricted access to persons within the Entity from whom you determined it necessary to obtain audit evidence.

g) such internal control as we determined is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. We also acknowledge and understand that we are responsible for the design, implementation and maintenance of internal control to prevent and detect fraud.

h) ensuring that all transactions have been recorded in the accounting records and are reflected in the financial statements.

i) ensuring that internal auditors providing direct assistance to you, if any, were instructed to follow your instructions and that we, and others within the entity, did not intervene in the work the internal auditors performed for you.

INTERNAL CONTROL OVER FINANCIAL REPORTING:

2) We have communicated to you all deficiencies in the design and implementation or maintenance of internal control over financial reporting of which we are aware.

FRAUD & NON-COMPLIANCE WITH LAWS AND REGULATIONS:

3) We have disclosed to you:

a) the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

b) all information in relation to fraud or suspected fraud that we are aware of that involves:

- management;
- employees who have significant roles in internal control over financial reporting; or
- others

where such fraud or suspected fraud could have a material effect on the financial statements.

c) all information in relation to allegations of fraud, or suspected fraud, affecting the financial statements, communicated by employees, former employees, analysts, regulators, or others.

d) all known instances of non-compliance or suspected non-compliance with laws and regulations, including all aspects of contractual agreements or illegal acts, whose effects should be considered when preparing financial statements.

e) all known actual or possible litigation and claims whose effects should be considered

DRAFT

when preparing the financial statements.

SUBSEQUENT EVENTS:

4) All events subsequent to the date of the financial statements and for which the relevant financial reporting framework requires adjustment or disclosure in the financial statements have been adjusted or disclosed.

RELATED PARTIES:

5) We have disclosed to you the identity of the Entity's related parties.

6) We have disclosed to you all the related party relationships and transactions/balances of which we are aware.

7) All related party relationships and transactions/balances have been appropriately accounted for and disclosed in accordance with the relevant financial reporting framework.

ESTIMATES:

8) The methods, the data and the significant assumptions used in making accounting estimates, and their related disclosures are appropriate to achieve recognition, measurement or disclosure that is reasonable in the context of the applicable financial reporting framework.

GOING CONCERN:

9) We have provided you with all information relevant to the use of the going concern assumption in the financial statements.

NON-SEC REGISTRANTS OR NON-REPORTING ISSUERS:

10) We confirm that the Entity is not a Canadian reporting issuer (as defined under any applicable Canadian securities act) and is not a United States Securities and Exchange Commission ("SEC") Issuer (as defined by the Sarbanes-Oxley Act of 2002).

11) We also confirm that the financial statements of the Entity will not be included in the group financial statements of a Canadian reporting issuer audited by KPMG or an SEC Issuer audited by any member of the KPMG organization.

ASSET RETIREMENT OBLIGATIONS:

12) Our assessment of asset retirement obligations included all relevant assets that required remediation under the applicable laws and regulations.

13) The inputs used to develop our estimate of the asset retirement obligations were determined to the best of our knowledge.

Yours very truly,

DRAFT

By: Mr. Joe Mancina, Chief Administrative Officer

By: Ms. Janice Guthrie, Chief Financial Officer and City Treasurer

DRAFT

Attachment I – Definitions

MATERIALITY

Certain representations in this letter are described as being limited to matters that are material.

Information is material if omitting, misstating or obscuring it could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

Judgments about materiality are made in light of surrounding circumstances, and are affected by perception of the needs of, or the characteristics of, the users of the financial statements and, the size or nature of a misstatement, or a combination of both while also considering the entity's own circumstances.

FRAUD & ERROR

Fraudulent financial reporting involves intentional misstatements including omissions of amounts or disclosures in financial statements to deceive financial statement users.

Misappropriation of assets involves the theft of an entity's assets. It is often accompanied by false or misleading records or documents in order to conceal the fact that the assets are missing or have been pledged without proper authorization.

An error is an unintentional misstatement in financial statements, including the omission of an amount or a disclosure.

DRAFT

Appendix 2: Audit quality - How do we deliver audit quality?

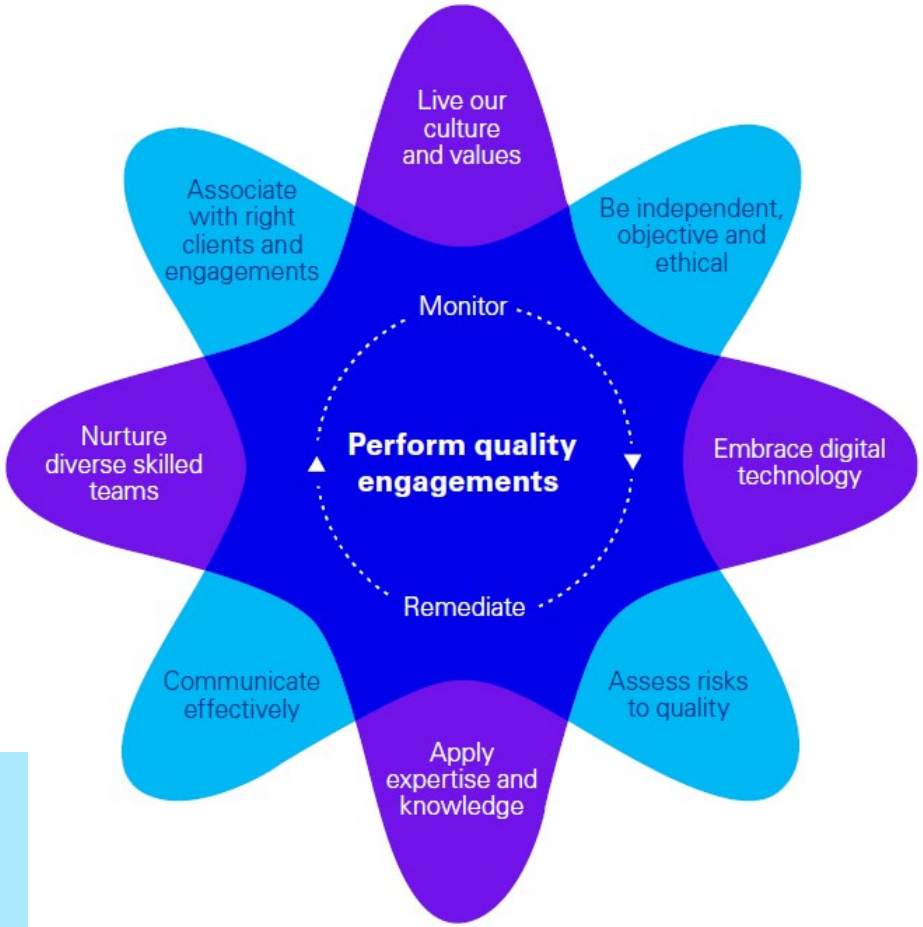
Quality essentially means doing the right thing and remains our highest priority. Our Global Quality Framework outlines how we deliver quality and how every partner and staff member contributes to its delivery.

The drivers outlined in the framework are the ten components of the KPMG System of Quality Management (SoQM). Aligned with ISQM 1/CSQM 1, our SoQM components also meet the requirements of the International Code of Ethics for Professional Accountants (including International Independence Standards) issued by the International Ethics Standards Board for Accountants (IESBA) and the relevant rules of professional conduct / code of ethics applicable to the practice of public accounting in Canada, which apply to professional services firms that perform audits of financial statements. Our Transparency Report includes our firm's Statement on the Effectiveness of our SoQM.

KPMG 2023 Audit Quality and Transparency Report

We define 'audit quality' as being the outcome when:

- audits are **executed consistently**, in line with the requirements and intent of **applicable professional standards** within a strong **system of quality management;** and
- all of our related activities are undertaken in an environment of the utmost level of **objectivity, independence, ethics** and **integrity.**



Doing the right thing. Always.

Appendix 3: New accounting standards

Matter	Summary and implications
Revenue	– The new standard is effective for fiscal years beginning on or after April 1, 2023. The effective date was deferred by one year due to COVID-19. – The new standard establishes a single framework to categorize revenues to enhance the consistency of revenue recognition and its measurement. – The standard notes that in the case of revenues arising from an exchange transaction, a public sector entity must ensure the recognition of revenue aligns with the satisfaction of related performance obligations.
Employee Future Benefit Obligations	– PSAB has initiated a review of sections PS3250 Retirement Benefits and PS3255 Post-Employment Benefits, Compensated Absences and Termination Benefits. In July 2020, PSAB approved a revised project plan. – PSAB intends to use principles from International Public Sector Accounting Standard 39 Employee Benefits as a starting point to develop the Canadian standard. – Given the complexity of issues involved and potential implications of any changes that may arise from the review of the existing guidance, PSAB will implement a multi-release strategy for the new standards. The first standard will provide foundational guidance. Subsequent standards will provide additional guidance on current and emerging issues.

Appendix 3: New accounting standards

Matter	Summary and implications
Concepts Underlying Financial Performance	– PSAB is in the process of reviewing the conceptual framework that provides the core concepts and objectives underlying Canadian public sector accounting standards. – PSAB is proposing a revised, ten chapter conceptual framework intended to replace PS 1000 Financial Statement Concepts and PS 1100 Financial Statement Objectives. The revised conceptual framework would be defined and elaborate on the characteristics of public sector entities and their financial reporting objectives. Additional information would be provided about financial statement objectives, qualitative characteristics and elements. General recognition and measurement criteria, and presentation concepts would be introduced. – In addition, PSAB is proposing: • Relocation of the net debt indicator to its own statement and the statement of net financial assets/liabilities, with the calculation of net debt refined to ensure its original meaning is retained. • Separating liabilities into financial liabilities and non-financial liabilities. • Restructuring the statement of financial position to present non-financial assets before liabilities. • Changes to common terminology used in the financial statements, including re-naming accumulated surplus (deficit) to net assets (liabilities).
Purchased Intangibles	– In October 2019, PSAB approved a proposal to allow public sector entities to recognize intangibles purchased through an exchange transaction. Practitioners are expected to use the definition of an asset, the general recognition criteria and the GAAP hierarchy to account for purchased intangibles. – PSAB has approved Public Sector Guideline 8 which allows recognition of intangibles purchased through an exchange transaction. Narrow-scope amendments were made to Section PS 1000 Financial statement concepts to remove prohibition on recognition of intangibles purchased through exchange transactions and PS 1201 Financial statement presentation to remove the requirement to disclose that purchased intangibles are not recognized. – The effective date is April 1, 2023 with early adoption permitted. Application may be retroactive or prospective.

Appendix 4: Newly effective and upcoming changes to auditing standards

For more information on newly effective and upcoming changes to auditing standards – see Current Developments

Effective for periods beginning on or after December 15, 2022

ISA/CAS 220

(Revised) Quality management for an audit of financial statements

ISQM1/CSQM1

Quality management for firms that perform audits or reviews of financial statements or other assurance or related services engagements

ISQM2/CSQM2

Engagement quality reviews

Effective for periods beginning on or after December 15, 2023

ISA 600/CAS 600

Revised special considerations – Audits of group financial statements

Appendix 5: Insights to enhance your business

We have the unique opportunity as your auditors to perform a deeper dive to better understand your business processes that are relevant to financial reporting.

Lean in Audit

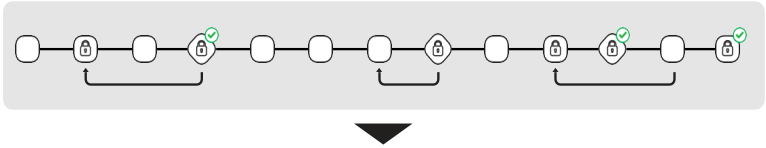
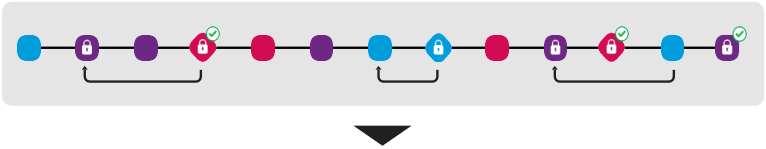
Lean in Audit™ is KPMG's award-winning methodology that offers a new way of looking at processes and engaging people within your finance function and organization through the audit.

By incorporating Lean process analysis techniques into our audit procedures, we can enhance our understanding of your business processes that are relevant to financial reporting and provide you with new and pragmatic insights to improve your processes and controls.

Clients like you have seen immediate benefits such as improved quality, reduced rework, shorter processing times and increased employee engagement.

We look forward to working with you to incorporate this approach in your audit.

How it works

Standard Audit	Typical process and how it's audited	
Lean in Audit™	Applying a Lean lens to perform walkthroughs and improve Audit quality while identifying opportunities to minimize risks and redundant steps	
How Lean in Audit helps improve businesses processes	Make the process more streamlined and efficient for all	

Value: what customers want **(maximize)**

Necessary: required activities **(minimize)**

Redundant: non-essential activities **(remove)**

Process controls

Key controls tested

Appendix 5: Audit and assurance insights

Our latest thinking on the issues that matter most to Audit Committees, board of directors and management.

KPMG Audit & Assurance Insights
Curated research and insights for audit committees and boards.

Accelerate 2023
The key issues driving the audit committee agenda in 2023.

Board Leadership Centre
Leading insights to help board members maximize boardroom opportunities

Momentum
A quarterly newsletter with the latest thought-leadership from KPMG's subject matter leaders across Canada and valuable audit resources for clients.

Current Developments
Series of quarterly publications for Canadian businesses including Spotlight on IFRS, Canadian Securities & Auditing Matters and US Outlook reports.

KPMG Climate Change Financial Reporting Resource Centre
Our climate change resource center provides insights to help you identify the potential financial statement impacts to your business.

Audit Committee Guide – Canadian Edition
A practical guide providing insight into current challenges and leading practices shaping audit committee effectiveness in Canada.

IFRS Breaking News
A monthly Canadian newsletter that provides the latest insights on international financial reporting standards and IASB activities.

Appendix 6: ESG - Global regulatory reporting standards

Recent Activity[1-6]

EU

- The European Financial Reporting Advisory Group (EFRAG) was mandated to develop European Sustainability Reporting Standards (ESRSs) setting out the detailed disclosure requirements under the Corporate Sustainability Reporting Directive (CSRD)
- On July 31, 2023, the European Commission published the final text of its first set of twelve ESRSs as delegated acts
- The ESRSs will become effective as early as 2024 reporting periods for some companies
- **There are potentially considerable ESG reporting implications for Canadian entities** – as most EU-listed companies and large subsidiaries of Canadian companies with significant operations in the EU are in scope. Non-EU parent entities with substantial activity in the EU may also be in scope, with separate standards to be developed for these entities, with an effective date of 2028 reporting periods

US

- SEC's climate rule proposal published in March 2022 would require investor-focused climate disclosures
- The SEC's latest regulatory agenda, published in December 2023, included three items of note:
  - **the climate rule, scheduled to be finalized in April 2024**;
  - a proposal for human capital management disclosures, scheduled for April 2024; and
  - a proposal for corporate board diversity, scheduled for October 2024
- On October 7, 2023, the **California** Governor signed **two climate disclosure laws** that will shape climate disclosure practices beyond the state's borders. The laws will apply to US businesses (**including US subsidiaries of non-US companies**) that meet specified revenue thresholds and do business in California
- Under the climate disclosure laws, certain businesses will be required to disclose **scope 1, 2 and 3 GHG emissions**, with **limited assurance requirements** from 2026 (on FY25 data)

ISSB

- In June 2023, the International Sustainability Standards Board (ISSB) issued its first two IFRS Sustainability Disclosure Standards – IFRS S1 (general requirements standard) and IFRS S2 (climate standard)
- The standards are effective for annual periods beginning on or after January 1, 2024 – subject to local jurisdiction adoption
- Companies will be required to report material sustainability-related financial disclosures for the same period and at the same time as their annual financial statements, subject to temporary transition relief options
- **The Canadian Sustainability Standards Board (CSSB)** has been established with the mandate to develop and support the adoption of the ISSB standards in Canada. The **CSSB expects to release draft requirements in March 2024** for public consultation

CAN

- The CSA proposal published in October 2021 would require investor-focused climate disclosures
- Subsequent to the release of the IFRS Sustainability Disclosure Standards, the **CSA announced** that they intend to conduct further consultations to adopt disclosure standards based on the IFRS Sustainability Disclosure Standards, with **modifications considered necessary and appropriate in the Canadian context**
- Bill S-211, **Canada's new Act on fighting against forced labor and child labour** will take effect on January 1, 2024. Canadian and foreign businesses impacted by the Act will be required to file a report on their efforts to prevent and reduce the risk of forced labour and child labour in their supply chain, by May 31st of each year

1. Refer to our *US Quarterly Outlook* publication for regulatory updates on the proposed SEC climate rules
2. Refer to our *ESRS resource centre* for resources on implementing the ESRSs
3. Refer to our *ISSB resource centre* for resources on implementing the IFRS Sustainability Disclosure Standards
4. Refer to our *guide* which compares the sustainability proposals issued by the ISSB, SEC and EFRAG
5. Refer to our *publication* on California's introduction of climate disclosures and assurance requirements
6. Refer to our *publication* on the impact of EU ESG reporting on non-EU companies

KPMG

Are you on top of your municipal ESG reporting requirements?

Understand how ESG impacts municipalities, what the current requirements are, and how to communicate the value you deliver through ESG reporting.

A coordinated ESG strategy is essential for municipalities

Stakeholders are increasingly putting pressure on municipalities to deliver services in a way that manages Environmental, Social and Governance (ESG) risks and opportunities, and discloses their ESG performance in alignment with global standards. A coordinated strategy is critical to enable ESG reporting, and to enhance service delivery to respond to this pressure. This will enable better informed budgeting and reporting decisions that proactively consider and account for emerging regulatory requirements, unlocking greater value for the municipal corporate entity and for stakeholders alike. Benefits of developing and implementing and ESG strategy in coordination with program and service delivery include:

- **Decreased operational costs:** Lowered costs through sustainable suppliers and other financial arrangements
- **Increased citizen engagement:** Improved reputation and engagement from citizens on ESG priorities and how you deliver on them.
- **Enhanced ability to communicate value creation through sustainability indicators** to key stakeholders

Reporting is just one step in the ESG journey. Ultimately, it beings with Discovery, and aligning your sustainability priorities with stakeholder needs.

01 ESG Discovery → 02 ESG Strategy → 03 ESG Integration → 04 ESG Reporting

How to start: ESG Discovery sessions

OVERVIEW

- **Length:** 3 hours
- **Format:** Virtual, hybrid or in-person

WHO CAN BE INVOLVED

- Leadership & management
- C-Suite (e.g., CAO; Treasurer)
- Program and service leaders
- Capital and asset managers

DISCOVER

- Insights into market dynamics, future trends and why ESG is gaining in importance
- Industry and peer ESG performance
- How to effectively integrate ESG into your strategy and service delivery model

SESSION OUTCOMES

- An **ESG trend diagnostic** highlighting the priority policies for the municipal sector
- Your **ESG maturity** across seven dimensions
- An **ESG roadmap** of your priorities

Considerations for your leadership team

- Are you able to express the value you deliver in terms the business community your stakeholders expressed their expectations regarding ESG issues?
- What are your priority ESG issues? Which will have the most impact? In one year? In five years?
- Where do you have blind spots?
- Where can you proactively mitigate future concerns?
- Do you have a central ESG strategy and vision that connects your various initiatives?
- Are decarbonation efforts effectively tied to financial budgeting and reporting?

Contact us

Book a free exploratory call with our team to asses your next steps.

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Appendix 7: Continuous evolution

Our investment: $5B

We are in the midst of a five-year investment to develop our people, digital capabilities, and advanced technology.

Responsive delivery model

Tailored to you to drive impactful outcomes around the quality and effectiveness of our audits.

Result: A better experience

Enhanced quality, reduced disruption, increased focus on areas of higher risk, and deeper insights into your business.

https://kpmg.com/ca/en/home.html

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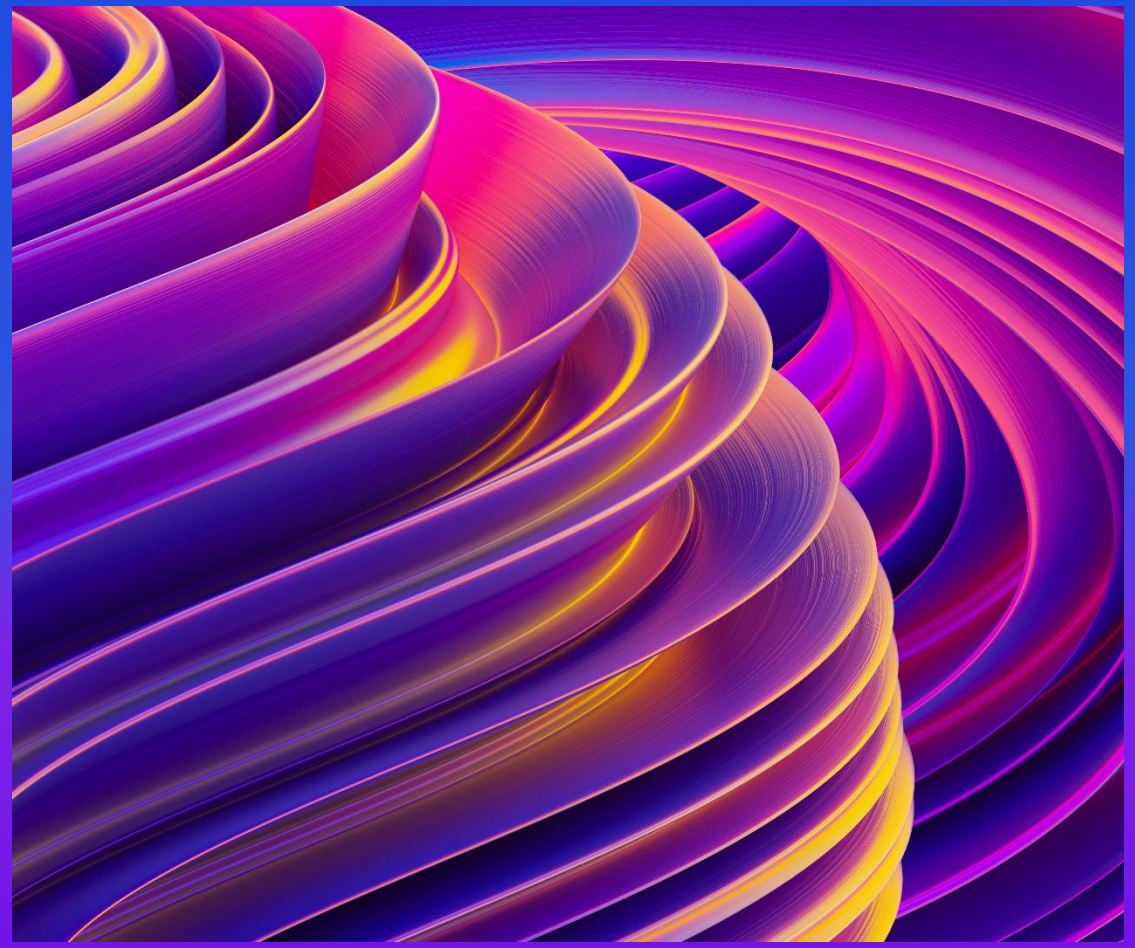

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 83/2024

Subject: Physiotherapy Services for Huron Lodge - Ward 1

Reference:

Date to Council: July 22, 2024
Author: Alina Sirbu
Administrator / Executive Director of Huron Lodge
519-253-6060 x 8253
asirbu@citywindsor.ca
Huron Lodge
Report Date: July 4, 2024
Clerk's File #: AH/11782

To: Mayor and Members of City Council

Recommendation:

THAT City Council **AUTHORIZE** the Chief Administrative Officer and the City Clerk to **EXECUTE** an agreement with Active Health Sciences Incorporated dba Lifemark Seniors Wellness in response to RFP #72-24 for physiotherapy services at Huron Lodge for an upset contract value of $300,383 (exclusive of HST) annually for a period of three (3) years with an option to renew for an additional two (2) year term, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer/City Treasurer and in technical content to the Executive Director of Huron Lodge.

Executive Summary:

N/A

Background:

Huron Lodge has a contract with Lifemark Seniors Wellness (Lifemark) to provide physiotherapy services to its residents. The current contract has been in effect since April 2008 and is set to expires on July 8, 2024. Currently, the Ministry of Long-Term care provides Huron Lodge funding for all therapeutic services including physiotherapy services. As Huron Lodge is satisfied with the services provided by Lifemark to date and such services meet the criteria noted in Section 79 of the Purchasing By-Law 93-2012, thus requiring an RFP be issued at the end of the current agreement.

Discussion:

Request for Proposal No. 72-24, Physiotherapy Services-Huron Lodge, was made public on, May 15th, 2024. This request clearly outlined the physiotherapy services required for residents at Huron Lodge. The closing date was June 5th, 2024.

Two proposals were received by the Purchasing and Risk Management department by the deadline. An evaluation committee consisting of Huron Lodge Management and staff was facilitated by the Purchasing Department. The evaluations occurred June 17th, 2024.

The committee evaluated each proponent's proposals in accordance with the evaluation criteria. All proponents passed the evaluation. Active Health Sciences Incorporated dba Lifemark Seniors Wellness, the current provider, was deemed the successful proponent achieving the highest score.

Risk Analysis:

There is no financial risk as physiotherapy services have a dedicated expense budget and the proposal submitted by Lifemark falls within the allocated amount. There is no risk to residents at Huron Lodge should the agreement not be signed by the July 8th, 2024, date as the current provider will continue to provide services in anticipation of a signed agreement. There is a low risk to the Corporation in that Lifemark would be providing service outside of a formally documented arrangement.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The cost of the contract is $283,140 (exclusive of HST) for the first year and requests a 3% increase in years 2 and 3. It is noted that these services are currently not subject to HST, hence the contract limits are inclusive of HST.

The term of the service agreement, as outlined in the RFP will be for a term of three years with an option to renew for an additional two (2) year term.

Under this agreement, there is flexibility based on Huron Lodge's resident needs in terms of hours shared by a Registered Physiotherapist and three Physiotherapist Assistants. This decision would be made by the department and the service provided would stay within council approved operating budget.

The contract costs are illustrated in the table below and fall within the council approved operating budget in 023-2950-5556-02942-0202102.

Year 1	$283,140
Year 2	$291,634
Year 3	$300,383

Consultations:

Amanda Caslick, Manager of Resident Services

Conclusion:

In conclusion, of the proposals submitted for RFP # 72-24 and in accordance with the City of Windsor's Purchasing By-Law, Administration recommends the highest scoring proposal submitted by Active Health Sciences Incorporated dba Lifemark Seniors Wellness to provide physiotherapy services to Huron Lodge.

Planning Act Matters:

N/A

Approvals:

Name	Title
Andrea Sayers	Financial Planning Analyst
Alina Sirbu	Administrator of Huron Lodge
Wira H.D. Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance and City Treasurer
Steve Vlachodimos	City Clerk
Andrew Daher	Commissioner, Human and Health Services
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Item No. 8.8

Committee Matters: SCM 218/2024

Subject: Auditor General Status Update Report

I. THAT the report from the Office of the Municipal Auditor General titled "June 30, 2024 Auditor General Work Plan Revisions" **BE RECEIVED** for information and **BE APPROVED** as presented, and;

II. THAT the report from the Office of the Municipal Auditor General titled "June 30, 2024 Auditor General Work Plan Status Report **BE RECEIVED** for information, and further;

III. THAT City Council **ACCEPT** the Auditor General recommendation regarding the scope of the CCEP hotline being Option A, and further;

IV. THAT City Council **ACCEPT** the Auditor General recommendation with regards to IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) Initial Gap Assessment & Resolution Plan being that the Office of the Auditor General will undertake a gap assessment and subsequent gap resolution process to conform by Jan 9, 2025.

Clerk's File: AF/14508 & AF2024

June 30, 2024 Auditor General Work Plan Status

Report

06.30.2024
–

Office of the Municipal Auditor General,
The Corporation of the City of Windsor

Executive Summary

November 25, 2023 to June 30, 2024

2023 Workplan Overview

Overall, the projects included in the 2023 Auditor General work plan are more than 75% complete and are expected to meet the final reporting timeline of December 2024/January 2025. Within that timeline boundary, two projects have been completed, two have been delayed (within the overall timeline), and the final one is on plan:

- "Procurement - Education Compliance" was completed as planned
- The additional project," CCEP Hotline Revisions, Updates, Enhancement and Digital Enablement," was completed during this reporting period.
- The initial BIA project is about 1-1.5 months behind the work plan timeline due to developing and validating the BIA compliance work program to be used across all BIAs and developing templates.
- The second BIA project was postponed as negotiations with an external accounting firm were being explored so that they could conduct 8 of the 9 BIA reviews in a condensed timeframe. Unfortunately, these negotiations fell through. As a result, the project has been rescheduled to commence in July to enable final timeline reporting. Additional talent has been added to the Risk Savvy team instead of engaging a consulting firm.

2024 Workplan Overview

Overall, the projects included as part of the 2024 Auditor General work plan are more than 30% complete, with four projects completed:

- Management Action Plan Validation
- Concerned Citizen/Employee Hotline Administration and Oversight
- AG management functions and status reporting
- Revisions to AG Workplan - Interim Risk Assessment Refresh

In addition, the gap assessment and action plan related to *IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) Initial Gap Assessment & Resolution Plan* project has been completed.

All other 2024 work plan projects remain on the planned timeline

Concerned Citizen Complaint Investigation Status

Overall, an increase in allegations has been noted since early winter 2023. There is an ongoing increase in:

- inbound communications requiring follow-up to understand the actual complaint/allegation
- the number of potential allegations requiring consideration/investigation
- complexity/nature of the inbound allegations (treatment, fairness, applicable entities, etc.)
- volume of content submitted for consideration
- Count of spam and wrong number/hangups

The proposed revisions to the Concerned Citizen/Employee Hotline Administration and Oversight protocol will help address some of these impacts in the future.

During the period, the following investigations were:

- Completed: Inappropriate Language and Racial Comments and Noise Concerns at Public Facilities
- Commenced: Supported Care Home Treatment Concerns, Inappropriate Disbursement of Funds, Treatment of Citizen and Property Lein Issue

In the Coming Period (before Dec. 31/24)

The following projects are expected to be commenced and completed in the coming period:

- Ford City BIA compliance review
- 2nd BIA compliance review
- 3rd BIA compliance review
- IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements)
- The final component of the 2024 Concerned Citizen/Employee Hotline Administration and Oversight,
- The final period of the Auditor General management functions and status reporting for 2024
- Any required revisions to the 2024 AG Workplan - Interim Risk Assessments
- Complaint investigations will continue and be woven into the gaps in the project timelines.

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Work Plan Progress

2023 Work Plan Progress

(Previous Forecasted Final reporting to Council - Nov/December 2024)

Planned Project	Progress	Report Issued
Procurement – Education compliance		✓
Partial scope of 9 BIAs over 3 years		○○○
Management action plan validation		✓
CCEP Hotline Revisions, UpdateS, Enhancement and Digital Enablement		✓
Concerned citizen and employee hotline		✓✓
Risk assessment refresh		✓
Oversight, administration and reporting		✓✓
AG Functions		NA
Unallocated		✓
Overall Plan Progress		NA

Legend:

To be issued ○ Issued/Completed ✓ Cancelled X

Notes:

- Completed in the period:
  - Procurement - Education Compliance
  - CCEP Hotline Revisions, Updates, Enhancement and Digital Enablement
- Of the remaining projects, all three are BIA-related:
  - 1 is in the validation of findings and will move to reporting to the BIA shortly with reporting to City Council after the presentation to the BIA Board
  - 1 is in the planning stages
  - 1 will commence planning in July
  - The final 3 reports are expected to be delivered to Council on or before the Dec 24/Jan 25 timeline (contingent on prior BIA Board presentation alignments)

2024 Work Plan Progress

(Previous Forecasted Final reporting to Council - June 2025)

Planned Project	Progress	Report Issued
Partial scope of 9 BIAs over 3 years		○○○
Management action plan validation		✓
IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements)		✓○
Concerned citizen and employee hotline		✓○
Risk assessment refresh		○
Oversight, administration and reporting		✓○
AG Functions		NA
Unallocated		NA
Overall Plan Progress		NA

Legend:

To be issued ○ Issued/Completed ✓ Cancelled X

Notes:

- Completed in the period:
  - Management Action Plan Validation
  - Concerned Citizen/Employee Hotline Administration and Oversight
  - AG management functions and status reporting
  - Update to AG Workplan - Interim Risk Assessment Refresh
- Phase two of The IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) project will commence in July/August.

Concerned Citizen Complaint Investigation Status

Planned Project	Report Issued
Inappropriate Language And Racial Comments	✔
Noise Concerns at Public Facilities	✔
Supported Care Home Treatment Concerns	○
Inappropriate Disbursement of Funds	○
Treatment of Citizen	○
Building Inspections	○
Inappropriate Service and Treatment Regarding Social Support	○
Hiring Practices	○
Property Lein Issues	○
Investment Practices	○

Legend:

To be issued ○ Issued/Completed ✔ Cancelled X

Notes:

- Completed in the period:
  - Inappropriate Language and Racial Comments Investigation and Report
  - Investigation and Report on Noise Concerns at Public Facilities
  - External and Internal Legal Consultation on the Muicpal Act Auditor General Role and investigations into areas outside City departments

Appendix A - Reports issued in the period

An extract of the report's executive summary is included below, and the full report is attached in the appendix to this status report.

Procurement - Education Compliance

Procurement Education Awareness Overview

Procurement training and awareness is a preventative control measure designed to inform and educate City personnel with the authority to make purchases on behalf of the City about the expected practices and methods.

Such training is currently a requirement in the Bylaw for all personnel with purchasing authority.

Insights

- Formal training is provided through the City of Windsor management certificate program and is available to other enrollees.
- The Procurement team offers and delivers informal training to meet specific needs.
- On-the-job training also occurs as someone transitions into a role.

Project Purpose

Education of individuals with purchasing authority who must comply with the By-law is a significant awareness and preventative control mechanism. Equipping these individuals regarding the proper use and interpretation of the Purchasing By-law helps reduce the risk of non-compliance.

This audit considered the process and controls management had in place to achieve the following objectives:

1. Required By-Law elements are included in expected training materials/content.
2. There is a method to equip individuals with purchasing authority regarding the proper use and interpretation of the Purchasing By-law that helps reduce the risk of non-compliance.
3. There is a method to sustain awareness, inform previously trained personnel about new updates, and reinforce existing purchasing practices.
4. There is a mechanism by which management knows that individuals exercising purchasing authority in the period have met the minimum training requirements.

What We Did

Below is a sample selection of some of our activities:

- We reviewed training material to determine if it aligned with the procurement bylaw and internal processes.

What We Did (continued)

- We considered the means, methods and facilitators of delivering the training.
- We reviewed the design of the various controls, which are pushed out to department heads to ensure that individuals needing the training are (1) identified and (2) that such training occurs.
- We selected a random sample of personnel deemed to have the authority to purchase and determined if they were listed as having attended training or not per the HR records.
- We acquired a listing of personnel who have Purchase Cards and evaluated (1) whether all individuals with individual transaction limits greater than $15,000 were listed on the HR training completion list or not and (2) a random sample of individuals with authority to purchase under $15,000 were listed on the HR training completion list or not

What We Found

We noted several key controls were in place and operating effectively; however, we also noted instances of non-compliance and missing evidence. Such exceptions are likely due to the breadth and depth of Procurement bylaw applicability. The bylaw requires all individuals with the authority to purchase to attend Procurement Bylaw training. This breadth and specificity may result in broader requirements than intended or required.

	Some Improvement Opportunities
Management Comments	In summary, the audit identified areas for enhancement, particularly in updating and refining the purchasing bylaw and training materials; overall, management shall take proactive steps by developing action plans to update the purchasing bylaw, enhance training materials, and implement periodic training refreshers. Management will continue to demonstrate a commitment to improving internal controls and ensuring compliance with purchasing practices. Additionally, management's dedication to continuous improvement will consider improving the relationship between the purchasing bylaw and the purchase card policy. Management will mitigate single points of training dependency through the execution of management action plans. These efforts collectively position the City to improve operational effectiveness and minimize the risk of non-compliance in procurement activities.
Name:	Dana Paladino
Title:	Commissioner of Corporate Services (A)
Date:	March 11, 2023

Management Action Plan Validation

Management is showing substantial progress on most open action plans. This year, the total open action plans were the lowest in eleven (11) years. Management has made significant progress in addressing open findings.

The year 2023 began with six (6) action plans carried forward, all addressed in some manner.

Of the findings closed in the period:

- one (1) was closed in advance,
- four (4) were resolved in the period,
- one (1) was risk accepted.

Rating

Four (4) [100%] of the management action plans intended for closure in the period were completed, resulting in an overall conclusion of one hundred percent (100%)—"Well Controlled."

Closed as planned and closed in advance: In the period, six (6) items were closed versus an expected four (4), a total closure rate of one hundred percent (100%):

- Four (4) management action plans were closed as planned in the period
- One (1) management action plan was closed ahead of schedule
- One (1) management action plan was closed via formal risk acceptance

Scope Period

January 1, 2023, through December 31, 2023

Approach

For validating the management action plan, the activities undertaken by internal audit included:

- Requesting status updates and contact information from management;
- Testing/validating evidence of management's resolution/disposition of the original finding for items expected to be closed or indicated as completed by management;
- Preparing a report on the outcomes of the management action plan internal audit activity.

CCEP Hotline Revisions, Updates, Enhancement and Digital Enablement

Overall, an increase in allegations has been noted since early winter 2023. There is an ongoing increase in:

- inbound communications requiring follow-up to understand the actual complaint/allegation
- the number of potential allegations requiring consideration/investigation
- complexity/nature of the inbound allegations (treatment, fairness, applicable entities, etc.)
- volume of content submitted for consideration
- Count of spam and wrong number/hangups

The proposed revisions to the Concerned Citizen/Employee Hotline Administration and Oversight protocol will help address some of these impacts in the future.

The modifications in the proposed protocol may be summarized as follows:

- Added precision to selected elements such as timing and determination of protocol applicability, and adjusted wording on role consolidation.
- Reduced layers of review are no longer necessary.
- Aligned scope boundaries to other public municipal complaint procedures.
- Added consideration for workplace issues and citizen treatment escalation.
- Added sections on Anonymity, Confidentiality, Whistle Blower Protection (impacts section numbering)
- Updated escalation procedures and effort allocations for actual impacts noted in the last 2-3 years
- Reduced materiality considerations
- Revised complaint submission forms to enable digital capture option, support the collection of required minimum information and provide alternate collection methods

One item for Council determination is the scope of the Concerned Citizen/Employee Hotline Protocol. The scope could include:

Analysis	**Option A**	**Option B**
The CCEHP applies to:	Complaints may be filed regarding the City of Windsor: • employees, • Management, and • contractors.	Complaints may be filed regarding the City of Windsor: • employees, • Management, and • contractors.
		• Local Boards (with approved Opt-In Letters) • Municipally Controlled Corporations • Grant Recipients • The Committee of Adjustment • The Windsor Public Library • The Windsor Police Services Board (WPSB) • The Windsor Public Library Board (WPLB)

The CCEHP does not apply to:	The CCEHP process does not apply to: • The Mayor or City Councillors or their political office staff (please contact the Integrity Commissions for such concerns) • The Windsor Essex County Health Unit • The Essex Region Conservation Authority	The CCEHP process does not apply to: • The Mayor or City Councillors or their political office staff (please contact the Integrity Commissions for such concerns) • The Windsor Essex County Health Unit • The Essex Region Conservation Authority
	• Local Boards (with approved Opt-In Letters) • Municipally Controlled Corporations • Grant Recipients • The Committee of Adjustment • The Windsor Public Library • The Windsor Police Services Board (WPSB) • The Windsor Public Library Board (WPLB)	

Below is a summary of the possible scope coverage options for the CCEHP:

Analysis	**Option A**	**Option B**
Pros:	• Reduced total effort allocation • Reduced impact on the overall work plan • Some entities have an established complaint process • Aligns to the structure of some other published municipalities with an Auditor General	• Increased scope/coverage • Centralization of complaint management • Established complaint management process
Cons:	• Reduced scope/coverage • Directing complaints to specific entities for consideration • Some entities do not have a complaint management process	• Increased time/attention on allegation management and investigations • Potential reduction in annual overall work plan efforts on other projects

		• Does not leverage existing complaint management processes at other entities.

Given that the Concerned Citizen/Employee Hotline is a City initiative administered by the Auditor General and in the independent Service Provider (Risk Savvy Ltd.), the Auditor General is seeking Council's directions as to the scope coverage:

- Option A or Option B

Inappropriate Language and Racial Comments

Background

An allegation was received indicating that the leader of a City Functional Area/Department had:

1. Accused the citizen of being illiterate and insulted the citizen.
2. Inferred that the citizen was racist by using a racial slur.

Further, the above elements may be tied to centuries-old prejudice between nationalities.

The individual indicated they had approached management and elected officials and had been directed to the Auditor General.

Investigation Approach

1. Review the email trial and make summary notes of the conversation.
2. Determine if the complaint is against the head of a City department.
3. Based on a review of the evidence provided by the citizen, identify if the City department head accused the citizen of being illiterate and insulted the citizen.
4. Based on a review of the evidence provided by the citizen, identify if the City department head inferred that the citizen was racist by using a racial slur.
5. Review what it means to make a racial slur to understand if the use of terms by the City Department head used a racial slur by suggesting one had been made as a result of "not understanding the vocabulary." *Note that the allegation indicates that a historical circumstance might exacerbate or contribute to the above.*

Scope Limitation

Email evidence was the only material reviewed. No verbal conversations between the parties was considered; however, the email correspondence supports the conclusion that no such discussions occurred.

Summary of Procedures and Findings

Since the exchange occurred over email, tone and context cannot be as readily identified.

The complainant sometimes used precise terminology/ phraseology, which is not necessarily commonly used in conversation. Some phrases were more British than standard Canadian terms. Several terms directed at City personnel were demeaning, and one is noted in several dictionaries as technically insulting or derogatory.

Management may wish to:

1. Create a channel by which personnel/citizens who feel they have been discriminated against, harassed, prejudiced, etc., can contact to raise their concerns for analysis/investigation.

2. Consider a process whereby when communication with individuals is limited/restricted in any way, a second management representative reviews the outgoing message before issuance.

3. Management should ensure that the options/methods are straightforward when enforcing one form of communication with a citizen or contact.

Management Comments

From a procedural standpoint, there are many avenues one may use to report a complaint. Most commonly, this is by calling 311, where it gets directed to the appropriate department head to address or the Policy and Procedures Coordinator.

Over and above the Hotline, the Corporation offers the following as it relates to channels for personnel/citizens who feel they may be discriminated against or may

	otherwise have concerns, these channels include forms of communication that may be provided: Respectful Workplace Policy which specifies, amongst other items, that The Corporation of the City of Windsor (the “Corporation”) is dedicated to providing a workplace and service environment that is conducive to creating a climate of mutual respect that fosters equality and inclusion, reinforces opportunity and allows for each person to contribute fully to the development and well being of the Corporation. The Corporation maintains a zero-tolerance approach to workplace violence, harassment or discrimination whether between employees, involving an employee, an official (elected or appointed) or a customer of the Corporation in the exercise of workplace responsibilities. All reported incidents of workplace violence, harassment, and discrimination and incidents of workplace harassment that the Corporation becomes aware of, shall be reviewed and appropriate action shall be taken. It should be noted that this policy is on the City’s Website under City Hall and policies. Also this website indicates to call 311 or the Policy and Procedures Standards of Employee Deportment notes the Corporation will not tolerate employees engaging in acts or gestures of violence and harassment towards other employees or a member of the public in violation of the Corporate Workplace Violence Policy or any portion of the Respectful Workplace Program. Engaging in acts of discrimination towards other employees or a member of the public in violation of the Corporate Human Rights Policy, the Respectful Workplace Program or the Ontario Human Rights Code is not tolerated. Our Workplace Harassment Procedures provides a process wherein incidents resulting from alleged workplace harassment and/or sexual harassment are reviewed and addressed in accordance with the Occupational Health & Safety Act, Canada Labour Code Part 3, and corporate policy, and that appropriate corrective actions are identified and implemented to prevent reoccurrence. Additionally the purpose of the Employee and Volunteer Code of Ethics and Conflict of Interest Policy is to state the values and principles by which employees and volunteers are to govern their actions in the exercise of their duties.
Name:	Vincenza Mihalo
Title:	Executive Director of Human Resources
Date:	June 4, 2024

Noise Concerns at Public Facilities

Background

An allegation was received indicating that the noise (music) at a City Facility was too loud, and complaints/concerns were not being addressed. Specifically:

1. Verbal and written complaints were provided to various personnel in the City.
2. A noise decibel report was prepared using the complainant's phone, and a concern was submitted, which was endorsed by other participants.
3. The complainant eventually indicated they had to move to another facility to handle the noise level.

Investigation Approach

1. Enquire whether management has received and considered noise complaints at the facility in question.
2. Consider the applicability of noise-related policies.
3. Consider the noise management practices management has in effect.

Scope Limitation

The scope and practices considered were focused on the specific site alleged by the complainant.

Summary of Procedures and Findings

Management was able to provide support to indicate that the complainant's concerns had been (1) heard, (2) considered, and (3) acted upon. However, given the timing of the complaint and the nature of management's evidence of control at that time, conclusive evidence could not reasonably be detected either way.

Management may wish to:

1. Formalize the basis and specific acceptable noise level for City locations (or times) where babies and infants are reasonably expected to attend.

2. A formal process/requirement for monitoring dBA when a noise complaint is implemented, communicated and executed. Such a process should ensure that the monitoring is conducted independently from the individual controlling the sound and should also include an element of future randomness/unexpectedness.

3. Site considerations/approaches to managing sound should also consider "spikes/variances" in sound levels so the limits are set with peaks and audiences/participants in mind. Some sound systems may adjust for this or factor this into audio projection.

Management Comments	Administration was aware of the situation and took appropriate action prior to the Auditor General raising and discussing the concern. Suggestions made by the Auditor General will be considered where appropriate as it relates to future public events.
Name:	Jen Knights
Title:	Executive Director Recreation and Culture
Date:	July 10, 2024

IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) Initial Gap Assessment & Resolution Plan

Context

On January 9, 2024, the Institute for Internal Auditors (IIA) Standards Board released the updated Global Internal Audit Standards (Standards), the main component of the International Professional Practices Framework (IPPF). The new guidance replaces the 2017 Standards and is effective January 9, 2025.

The Standards guide the worldwide professional practice of internal audit and serve as the basis for evaluating and elevating the quality of the internal audit function. The standards are mandatory for internal audit practitioners and for maintaining the Certified Internal Auditor accreditation.

Given the above context, the fact that personnel within the Office of the Auditor General hold the Certified Internal Auditor Accresiditiona and that the IIA IPPF is referenced in the current internal audit/Auditor General contract and Charter, there are two options:

1. the Office of the Auditor General will undertake a gap assessment and subsequent gap resolution process to conform by January 9, 2025, or
2. the in-force contracts will be amended, individual accreditations will be cancelled and the Auditor General Charter updated as appropriate..

Unless City Council directs otherwise, the Auditor General and the related Office will move forward with option 1 - the Office of the Auditor General will undertake a gap assessment and subsequent gap resolution process to conform by January 9, 2025

Overview of the New Standard & Changes

At the heart of the Standards are 15 principles comprised of five domains:

Domain I: Purpose of Internal Auditing
Domain II: Ethics and Professionalism
Domain III: Governing the Internal Audit Function
Domain IV: Managing the Internal Audit Function
Domain V: Performing Internal Audit Services
The new Standards differ from the 2017 guidance in several ways:

- *Emphasis on risk management alignment*
- *Formalized communication channels*
- *Expanded scope of activities*
- *Focus on technology and data analytics*
- *Structural changes*

Summary of Gap Assessment

The Auditor General directly conducted a gap assessment using:

1. Attendance at a workshop/seminar on what has changed in the IIA IPPF.
2. Leveraging the IIA-published *Conformance Readiness Tool* to identify new areas to address.
3. A review of the IIA-published *Complete Global Internal Audit Standards*.

The *Conformance Readiness Tool* lists 27 new significant areas and reviews the *Complete Global Internal Audit Standards,* identifying two other elements and several areas for enhancement.

In several instances, the requirements are practices currently informally in place that need to be codified and have evidence routinely generated as a natural output to demonstrate sustained compliance with the professional standards. In other areas, the requirements and evidentiary elements are new.

Resolution Plan

Fifteen specific initiatives/workstreams have been identified to enable the Office of the Auditor General to be ready to comply by January 9, 2025

Appendix B - Complaints & Investigation

Year	Checked within timeframe	Inbound	Hangups/Spam	Routed to Management	Other	Under Analysis	Under Investigation	Investigated
2023	Yes	252	219	25	5	2	1	0
2024	Yes	220	195	10	8	4	1	2

Appendix C - Detailed Reports

THE CITY OF WINDSOR
ONTARIO, CANADA

Office of the Municipal Auditor General,
The Corporation of the City of Windsor

March 6, 2024

PROCUREMENT - EDUCATION COMPLIANCE INTERNAL AUDIT REVIEW

REPORT

Executive Report

Procurement Education Awareness Overview

Procurement training and awareness is a preventative control measure designed to inform and educate City personnel who have the authority to make purchases on behalf of the City what the expected practices and methods are.

Such training is currently a requirement in the Bylaw for all personnel with purchasing authority.

Insights

- Formal training is provided through the City of Windsor management certificate program and is available to other enrollees.
- The Procurement team offers and delivers informal training to meet specific needs.
- On-the-job training also occurs as someone transitions into a role.

Project Purpose

Education of individuals who have purchasing authority and are required to comply with the By-law is a significant awareness and preventative control mechanism. Equipping these individuals regarding the proper use and interpretation of the Purchasing By-law helps reduce the risk of non-compliance.

This audit considered the process and controls management had in place to achieve the following objectives:

1. Required By-Law elements are included in expected training materials/content.
2. There is a method to equip individuals with purchasing authority regarding the proper use and interpretation of the Purchasing By-law that helps reduce the risk of non-compliance.
3. There is a method to sustain awareness, inform personnel previously trained regarding new updates, and reinforce existing purchasing practices.
4. There is a mechanism by which management knows that individuals exercising purchasing authority in the period have met the minimum training requirements.

What We Did

Below is a sample selection of some of our activities:

- We reviewed training material to determine if it aligned with the procurement bylaw and internal processes.

What We Did (continued)	• We considered the means, methods and facilitators of delivering the training. • We reviewed the design of the various controls, which are pushed out to department heads to ensure that individuals needing the training are (1) identified and (2) that such training occurs. • We selected a random sample of personnel deemed to have the authority to purchase and determined if they were listed as having attended training or not per the HR records. • We acquired a listing of personnel who have Purchase Cards and evaluated (1) whether all individuals with individual transaction limits greater than $15,000 were listed on the HR training completion list or not and (2) a random sample of individuals with authority to purchase under $15,000 were listed on the HR training completion list or not
What We Found	We noted several key controls were in place and operating effectively however we also noted instances of non-compliance and missing evidence. Such exceptions are likely due to the breadth and depth of Procurement bylaw applicability. The bylaw requires all individuals who have the authority to make a purchase to attend Procurement Bylaw training. This breadth and specificity may result in broader requirements than intended or required.
	Some Improvement Opportunities
Management Comments	In summary, the audit identified areas for enhancement, particularly in updating and refining the purchasing bylaw and training materials; overall, management shall take proactive steps by developing action plans to update the purchasing bylaw, enhance training materials, and implement periodic training refreshers. Management will continue to demonstrate a commitment to improving internal controls and ensuring compliance with purchasing practices. Additionally, management's dedication to continuous improvement will consider improving the relationship between the purchasing bylaw and the purchase card policy. Management will mitigate single points of training dependency through the execution of management action plans. These efforts collectively position the City to improve operational effectiveness and minimize the risk of non-compliance in procurement activities.
Name:	Dana Paladino
Title:	Commissioner of Corporate Services (A)
Date:	March 11, 2023

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Summary of Results

Report Classification

Procurement training and awareness is a preventative control measure designed to inform and educate City personnel with the authority to make purchases on behalf of the City what the expected practices and methods are. Training is critical in embedding risk management and control practices as part of a first line of defence and creating a balanced control environment of preventive, detective and corrective controls.

Initial and refresher training are good ways to ensure people understand and comply with the rules. Every time something changes in the process, this is a potential opportunity for training. There may be objections to this, but the objections are often worth the tradeoff for getting people to comply with the rules whenever they make a purchase request or actual purchase.

It can be helpful to remind people that their expertise is needed to make the right procurement decision. Occasionally, it can also be beneficial to remind people that everything they're doing in the procurement process could be public record and could potentially be a court document one day.[1]

Several effective controls are in place within the control environment:

- The Purchasing Manager develops and delivers the Procurement training and training materials. Key elements from the by-law are incorporated into the training deck.
- Purchasing has identified Department Heads for the City. Buyers know their departments/portfolios based on direct experience with the Department Head. Departmental purchasing authority is based on the Buyer's experience with the Department and the Department Head.
- The procurement by-law (sec 30) requires that employees comply with the by-law and attend Purchasing bylaw training.
- Human Resources offers scheduled training twice per year (Spring and Fall). The course is scheduled for one day (9:00 am to 4:30 pm) and delivered in person.
- Procedure manuals, FAQs, support tools, and the website provide standing on-demand access for personnel requiring guidance.
- The purchasing team is available to support purchasing activities and personnel seeking guidance or clarification.
- Disciplinary actions are available through the by-law and employment action.

We also noted areas where improvements should be made:

- Compliance with, or revision of, specific Procurement bylaw components
- Breadth and depth of Procurement bylaw applicability
- Evidence of training in compliance with the Procurement bylaw
- Updates to the associated training material
- Formal process for managing training updates/refresh over an employee's lifecycle

[1] Procurement Best Practices 2023 - OpenGov Blog.
https://opengov.com/article/procurement-process-in-need-of-a-refresh-these-best-practices-could-help/

The first three of the above items for improvement stem more from the design of the current bylaw's reach and depth in wording - the current wording may create a significant challenge and cost in application. For many lower-dollar transaction purchases, management's actual risk and control measures relate more to payment approval and payment processing controls.

Internal Controls Assessment

#	Objective	Report Classification				
		Optimally Controlled	Managed	Some Improvement Opportunity	Major Improvement Opportunity	Unacceptable Risk Exposure
1	Required By-Law elements are included in expected training materials/content.			✔		
2	There is a method to equip individuals with purchasing authority regarding the proper use and interpretation of the Purchasing By-law that helps reduce the risk of non-compliance.			✔		
3	There is a method to sustain awareness and inform personnel previously trained regarding new updates and reinforce existing purchasing practices.			✔		
4	There is a mechanism by which management knows that individuals exercising purchasing authority in the period have met the minimum training requirements.			✔		

We identified areas where internal control weakness exists; however, none were noted as a significant control deficiency. If implemented, our recommendations would provide greater preventative controls within operational effectiveness. Management has provided comprehensive action plans, which we believe will address the deficiencies noted. Below, we provide a summary of the findings and management action plans indicated as part of our work:

Summary of findings

#	Topic	Rating	Management Action Plan
1	Update and Enhance the Procurement Bylaw	Moderate	Management will revise and enhance the Purchasing By-Law as required, evaluate and amend the training requirements to align with operational needs and review/modify training and expectations as required.
2	Update and Enhance the Procurement Training Material	Low	Management will review and update the Purchasing By-Law training materials at the commencement of each term of Council.
3	Define and Implement a Periodic Training Refresh/Validation	Moderate	Management will implement a requirement that all individuals with Purchasing Authority undergo periodic refresher/update training programs at the commencement of each term of Council.

Detailed Findings

1. Update and Enhance the Procurement Bylaw			Overall Rating: Moderate
Impact:	Highly Likely	**Likelihood:**	Low

Observation:
During the review, management indicated that:

a. one element of the bylaw was no longer in effect, and
b. the breadth of the by-law and its training requirements might be more stringent than can effectively be implemented.

Further, we were not able to trace individuals with Purchasing authority to the HR listing of personnel who had attended the Procurement Bylaw training. (c)

a. <u>By Law Element No Longer in Effect</u>
At the commencement of the review, Management had indicated that a control listed in the bylaw, "The Purchasing Manager (Deleted and Replaced B/L 145-2014 August 25, 2014) shall maintain a list of Employees to whom CLT Members or Department Heads have delegated Purchasing authority in accordance with sections 36 and 37 and shall provide this list to the CAO at the beginning of each calendar year." had not been in place for several years. Alternative control practices, which management believes are effective, are in place instead. Even though alternative controls are leveraged by management, we are reporting this given the current practice is not compliant with the in-force bylaw wording.

b. <u>The Breadth of Training Requirements</u>
Under the by-law (section 28), "CLT Members and Department Heads shall require those Employees under their supervision having Purchasing authority to complete Purchasing Bylaw training.". Further, section 17 indicates, "All City Employees granted Purchasing authority under this Bylaw shall attend training on the proper use and interpretation of the Bylaw." In a review of the bylaw, Departments have the authority to use petty cash for Purchases up to $200 and there are process and threshold above that that scale to the size and risk of the nature of the procurement; however, an individual making a purchase with Petty Cash has Purchasing authority to make this. While there are controls over Petty Cash and low dollar value payments, the Bylaw wording indicates that each individual who makes a purchase on the City's behalf should have completed Purchasing Bylaw training in accordance with section 28.

c. <u>Assurance of Training Completion</u>
Section 28 of the Bylaw states that "CLT Members and Department Heads shall require those Employees under their supervision having Purchasing authority to complete Purchasing Bylaw training." Inquiry with the individuals who comprise "CLT Members and Department Heads" for purchasing purposes indicated that:

- the actual control design and implementation is unique to either individuals or functional areas and occurs at varying levels of formality (evidenced through no documented evidence). Answers as to whom authority is delegated may be obtained through conversation, specific research and, in some instances, review of formal area evidence.
- two (2) responses, or at least one (1) respondent, indicated they were unaware that training was available or required. Two (2) of the twenty-three (23) "CLT Members and Department Heads" for purchasing purposes were not listed in the HR training system as having completed Procurement Bylaw training.
- seven (7) City personnel with Purchase Cards have authority limits above $15,000, of which four (4) were not listed in the HR training system as having completed Procurement Bylaw training.
- In a random sample of 26 out of 251 Purchase Card holders with limits below $15,000, 50% were listed in the HR training system as having completed Procurement Bylaw training.

There is a possibility that such individuals attend training delivered by the Purchasing Manager; however, attendance at such training is not noted in the formal HR training system/log.

Implication:

The lower individual purchasing authority limits were, testing indicated a lower likelihood that the procurement bylaw training was attended.

Compliance with a bylaw which defines internal/management processes/practices is a requirement of management which City Council should expect. When personnel become aware of it, recurring non-compliance creates a tone at the top or a culture where non-compliance could be seen as acceptable, resulting in other areas of non-compliance over time.

The breadth of the current bylaw wording related to training those with the authority to make purchases will either be very costly to implement and comply with while generating minimal cost-benefit or result in a significant volume of personnel who would not comply with the bylaw.

Validating that individuals who should have attended the required training may be cost-ineffective and based on discussions instead of evidence.

Recommendation: The City Procurement Bylaw should be updated to consider the effectiveness of, and the intended design of, procurement training controls the City requires in a cost-effective manner. Such updates should consider the depth within the organization where Procurement Bylaw training is required versus reliance on alternative controls and training such as account payable processing, purchase cards, petty cash, etc. Consideration as to (1) the various purchasing methods and (2) a summary of the preventative and detective/corrective controls management will use to control the various streams effectively should be included in the procurement bylaw without constraining the ability of management to adapt the specific control activities as needed readily.		
Management Action Plan:		
Management will identify obsolete control practices within the Purchasing By-Law, amend them to reflect current mechanisms, and ensure alignment with alternative control practices currently in place.	Responsible Party	Purchasing Manager or designate, City Solicitor or designate, Executive Director of Human Recourses or designate.
The breadth of training requirements outlined in the Purchasing By-Law will be carefully evaluated to determine their effectiveness and practicality. This evaluation will involve identifying individuals who will require purchasing bylaw training, analyzing the cost-effectiveness of existing training mandates, assessing the feasibility of compliance, and exploring potential adjustments to the existing training mandates to streamline requirements while ensuring continued adherence to compliance standards. Management will develop improved oversight and documentation procedures for assurance of training completion. This will include establishing procedures for verifying training completion, ensuring accurate recording of individuals with purchasing authority and training in the HR training system, and providing clear communication to CLT Members and Department Heads regarding training expectations and requirements.	Planned Completion Date	Date: Q3 2026

2. Update and Enhance the Procurement Training Material			Overall Rating: Low
Impact:	Likely	**Likelihood:**	Low

Observation:
In a review of the Procurement By Law training materials, the training deck indicated a requirement that purchasing must be kept aware of authority approvals; however, no formal/consistent control ensuring this occurs was detected beyond reliance on personnel. In further discussion with management and consideration of the other controls, this requirement was noted as a legacy activity not required in the current overall control framework.

Management should ensure that the training deck is reviewed for outdated elements that are no longer needed. Such elements should be removed, and the current training deck should be updated to reflect the procurement/purchasing control requirements.

Implication:
Some training material does not reflect the intended practices and may result in unnecessary costs/efforts, communicate that compliance with training content is not needed, or contribute to an outlook that training covers irrelevant topics.

Recommendation:
Procurement-related training materials should be reviewed and enhanced/updated to reflect the following:

1. Elements no longer required or of relevance and
2. Modifications to the Procurement Bylaw or process resulting from management response for finding number 1 (above).

Management Action Plan:

Management will initiate a comprehensive review and update of Purchasing By-Law training materials. Management will remove outdated elements while updating the materials to reflect the current Purchasing By-Law and procurement requirements. This process shall be repeated at the commencement of each term of Council.	Responsible Party	Purchasing Manager or designate
	Planned Completion Date	Date: Q3 of 2024

3. Define and Implement a Periodic Training Refresh/Validation			Overall Rating: Moderate
Impact:	Highly Likely	**Likelihood:**	Low
Observation: Currently, there is no required frequency at which the Procurement Bylaw training needs to be retaken/updated. In a review of the associated training log, 65.2% of people had training over five (5) years old, and 27.3% of the attendees' training was ten (10) to more than eighteen (18+) years old.			
Implication: While procurement activities happen regularly across the City and personnel are involved, there is a risk of non-compliance over extended periods without a formal method for ensuring updates occur to all impacted parties. While this risk may be mitigated by accounts payable processes and controls, those occur after the fact.			
Recommendation: A formal process whereby management can demonstrate (1) how all parties that need to be kept aware of process changes are informed and (2) what evidence of such an occurrence shall be maintained and where/how it should be defined and implemented. While the practical execution of the control may be pushed out to various departments, the minimum expectations and evidentiary requirements should be defined and retained centrally. Further, management should evaluate if there is a benefit to offering refresher/update training programs in a digital, in-person, or alternative format at some defined frequency. A program should be defined and implemented if there is a benefit. If there is no benefit, then a summary rationale should be provided for City Council consideration.			
Management Action Plan:			
Management will implement a requirement that all individuals with Purchasing Authority undergo periodic refresher/update training programs at the commencement of each term of Council. These programs may be administered in digital, in-person, or any other alternative formats at the discretion of management, including but not limited to: recorded training videos, information sheets or PowerPoint presentations. The records of participation in these refresher/update training programs will be maintained within the HR department for reference and compliance tracking.		Responsible Party	Purchasing Manager or designate & Executive Director of Human Resources or designate.
		Planned Completion Date	Date: Q1 of 2027

Considerations for Improvement:

1. Training Alternatives
Observation: While the Purchase Card and Petty Cash requirements/practices are referenced in the Procurement Bylaw, it is not clear if they are in addition to or in place of. As a result, the bylaw reads that purchase card holders and petty cash users are authorized to make purchases and, therefore, should attend Procurement Bylaw training.
Consideration: Management should ensure that the Purchasing Bylaw is clear about whether or not Purchase Card use should adhere to the Purchasing Bylaw. The user must comply with the Purchasing Card Policies and Procedures, but the Bylaw is not as straightforward as to how the Bylaw and the Purchase Card Policies relate. Having the Purchase Card Policy govern all Purchase Card practices may be more effective. As such, management may define it so that any required Procurement Training is sufficiently delivered through Purchase Card training instead of Procurement Bylaw training.

2. Single Point of Training Dependency
Observation: Currently, procurement training is delivered by one individual, creating a single point of dependency risk
Consideration: Having designated alternate trainers or digital recordings should be considered.

Appendix A - Background, Scope and Objectives

Background Information

Under Purchasing By-law 93-2012 section 17, "All City Employees granted Purchasing authority under this Bylaw shall attend training on the proper use and interpretation of the Bylaw."

In September 2014, Internal Audit completed a review and issued the report "Procurement, Purchasing & Payables" and all associated findings noted in the report have been closed by management and the validation thereof in prior Management Action Plan Validation reports.

In May 2020, Internal Audit completed a review and issued the report "Value for Money: Purchased services - Winter Road Clearing" and all associated findings noted in the report have been closed by management and the validation thereof in prior Management Action Plan Validation reports.

Significant Prior Findings? Yes ⬜ No ⬛

Number of significant prior audit findings: 0

Audit Scope

The scope considered the controls management had in effect:

- From January 1, 2022 through December 31, 2023
- Related to City departments

Project Objectives

Education of individuals who have purchasing authority and are required to comply with the By-law is a significant awareness and preventative control mechanism. Equipping these individuals regarding the proper use and interpretation of the Purchasing By-law helps reduce the risk of non-compliance.

This internal audit considered the process and controls management had in place to achieve the following objectives:

1. Required By-Law elements are included in expected training materials/content.
2. There is a method to equip individuals with purchasing authority regarding the proper use and interpretation of the Purchasing By-law that helps reduce the risk of non-compliance.
3. There is a method to sustain awareness, inform personnel previously trained regarding new updates, and reinforce existing purchasing practices.
4. There is a mechanism by which management knows that individuals exercising purchasing authority in the period have met the minimum training requirements.

Reason for review: Scheduled Audit ⬛

Special Request ⬜

Other ⬜(NA)

Concerns of Audit Auditee: None noted

Recent incidence: None noted

Audit Approach

For the Procurement - Education Compliance Internal Audit, the activities we undertook were as follows, but not limited to:

Planning

1. Reviewed the Purchasing By-Law and selected supporting materials to identify required training elements for persons in a position of procurement authority.
2. M\et with stakeholders to understand initial high-level control requirements in place to achieve the management objectives. (Entrance Meeting)

Assess Control Design

3. Acquired supporting evidence and assessed the control design elements.
4. Followed up with management to confirm or clarify control design elements. (Kick-off meeting)
5. Developed, circulated and analyzed a survey to assess initial specific departmental controls related to procurement education.

Testing

5. A sample of training requirements for testing was selected.
6. Identified personnel in a position of procurement authority and selected a sample for validating training compliance.
7. Validated potential findings (Validation meeting)

Reporting

8. Drafted internal audit report and issued draft report.
9. Conducted an exit meeting to discuss our findings, confirm factual accuracy, and agree on corrective action with designated management participants where appropriate. (Closing meeting)
10. Acquired management action plans/responses.
11. Issued a draft report to the Chief Administrative Officer for final comments before issuing the final report.
12. Issued final report.

Appendix B - Basis of findings rating and report classification

Audit Report Classification

Report Classification	Our work identified one or more of the following:
Optimally Controlled	• Well-structured design effectively achieves fit-for-purpose control objectives. • Controls are consistently applied and operate at an optimum level of effectiveness.
Managed	• The sound design achieves control objectives. • No control design improvements were identified during the review. • Controls are consistently applied. • Only minor instances of controls identified as not operating, which have mitigating back-up controls or the risk of loss, is immaterial. • All previous significant audit action items have been closed.
Some Improvement Opportunity	• Control design improvements were identified; however, the risk of loss is immaterial. • Isolated or "one-off" significant controls were identified as not operating for which sufficient mitigating backup controls could not be identified. • Numerous instances of minor controls not operating for which sufficient mitigating back-up controls could not be identified. Some previous significant audit action items have not been resolved promptly.
Major Improvement Opportunity	• The design is not optimal and may put control objectives at risk. • Control design improvements were identified to ensure that the risk of material loss is minimized and functional objectives are met. • A number of significant controls were identified as not operating, for which sufficient mitigating backup controls could not be identified, which may put control objectives at risk. • Losses have occurred as a result of control environment deficiencies. • Little action was taken on previous significant audit findings to resolve the item promptly.
Unacceptable Risk Exposure	• Control design leaves the opportunity for loss, error or abuse. • Significant control design improvements were identified to ensure that the risk of material loss is minimized and functional objectives are met. • An unacceptable number of controls (including a selection of both significant and minor) were identified as not operating for which sufficient mitigating backup controls could not be identified, creating the opportunity for loss, error or abuse. • Material losses have occurred as a result of control environment deficiencies. Instances of fraud or significant contravention of corporate policy detected. • No action was taken on previous significant audit findings to resolve the item on time.

Findings Ratings

	Low Impact	Medium Impact	High Impact
Highly Likely	Moderate	Significant	Significant
Likely	Low	Moderate	Significant
Unlikely	Low	Low	Moderate

Likelihood

Rating	Description
Highly Likely	History of regular occurrence of the event. The event is expected to occur in most circumstances.
Likely	History of occasional occurrences of the event. The event could happen at some time.
Unlikely	History of none or seldom occurrence of the event. The event may occur only in exceptional circumstances.

Impact

Rating	Description (applied when one criterion is met)
High	**Financial impact** is likely to exceed $250,000 in direct loss or opportunity cost. **Internal Control:** Significant control weaknesses, which would lead to financial or fraud loss. **An issue that requires a significant amount of senior management/Board effort to manage, such as** ● Failure to meet key strategic objectives/significant impact on strategy and objectives. ● Loss of ability to sustain ongoing operations: ○ Loss of key competitive advantage/opportunity. ○ Loss of supply of key process inputs. ● A significant reputational sensitivity, e.g., market share, earnings per share, credibility with stakeholders and brand name/reputation building. **Legal/regulatory:** Large-scale action, major breach of legislation with very significant financial or reputational consequences
Medium	**Financial impact** is likely to be between $75,000 to $250,000 in terms of direct loss or opportunity cost. **Internal Control:** Significant control weaknesses, which could result in potential loss resulting from inefficiencies, wastage, and cumbersome workflow procedures. **An issue that requires a significant amount of senior management/Board effort to manage, such as** ● No material or moderate impact on strategy and objectives. ● Disruption to regular operation with a limited effect on achieving corporate strategy and objectives. ● Moderate reputational sensitivity. **Legal/regulatory:** Regulatory breach with material financial consequences, including fines.
Low	**Financial impact is** likely to be less than $75,000 in direct loss or opportunity cost. **Internal Control:** Significant control weaknesses, which could result in potential insignificant loss resulting from workflow and operational inefficiencies. **An issue that requires a significant amount of senior management/Board effort to manage, such as** ● Minimal impact on strategy. ● Disruption in regular operations does not affect the achievement of corporate strategy and objectives. ● Minimal reputational sensitivity. **Legal/regulatory:** Regulatory breach with minimal consequences.

2023 Management Action Plan Validation

Report

06.30.2024
—

Office of the Municipal Auditor General,
The Corporation of the City of Windsor

Executive Summary

Report Rating	Progress Since Last Report	Prior Ratings
Well-controlled ✦ **Controlled** **Opportunity exists to enhance implementation rates** **Not Well Controlled**	↑	2022: Controlled 2021: Not Controlled 2020: Not Controlled 2019: Not Controlled 2018: Well Controlled

Scope Period:
January 1, 2023 through December 31, 2023

Approach:
For validating the management action plan, the activities undertaken by the Office of the Auditor General included:

- Requesting status updates and contact information from management;
- Testing/validating evidence of management's resolution/disposition of the original finding for items expected to be closed and/or indicated as closed by management;
- Preparing a report on the outcomes of the management action plan internal audit activity.

Conclusion:
In total, seventeen (4) (100%) of the four (4) management action plans intended for closure in the period were completed, resulting in an overall final conclusion of one hundred percent **(100%) - "Well Controlled"**. Two additional actions were closed in advance, one of which was risk accepted.

Additional Considerations:
Management is showing strong progress on most open action plans. This year, the total number of open action plans is the lowest in eleven (11) years.

Management has made significant progress in addressing open findings. Of the findings closed in the period:

- one (1) was closed in advance,
- four (4) were resolved in the period,
- one (1) was risk accepted.

The end result is no open findings.

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Management Action Plan Progress

Overall Assessment:

Based on the actions undertaken by management in the period, our assessment of the progress is as follows (see Appendix D for rating descriptions):

Not well controlled (0-49)					Opportunity for improvement (50-69)		Controlled (70-99)			Well Controlled (100)

Summary of Key Indicators

Running Balance of Open Management Action Plans to Address Previously Reporting Findings

Rating	Opening Balance	Additions in Period	Resolved in Period	Open at the End of the Period	Open and On Track	Open and Delayed
Significant	1		1	0		
High				0		
Moderate	1		1	0		
Low	4		4	0		
Not Rated				0		
Total	**6**		**6**	**0**		

Expected to Close versus Actual Closed Management Action Plans

Rating	Expected to Be Closed in Period	Resolved in Period (A+B+C)	A. Validated as Closed in Period as Planned	B. Validated as Closed in Advance	C. Risk Accepted in Period
Significant	1	1	1		
High					
Moderate	1	1	1		
Low	4	4	2		2
Not Rated					
Total	**4**	**6**	**4**		**2**

Assessment:

Four (4) [100%] of the management action plans intended for closure in the period were completed, resulting in an overall final conclusion of one hundred percent (100%)—"Well Controlled."

- Closed as planned and closed in advance: In the period, six (6) items were closed versus an expected four (4), a total closure rate of one hundred percent (100%):
  - Four (4) management action plans were closed as planned in the period
  - One (1) management action plan was closed ahead of schedule
  - One (1) management action plan was closed via formal risk acceptance

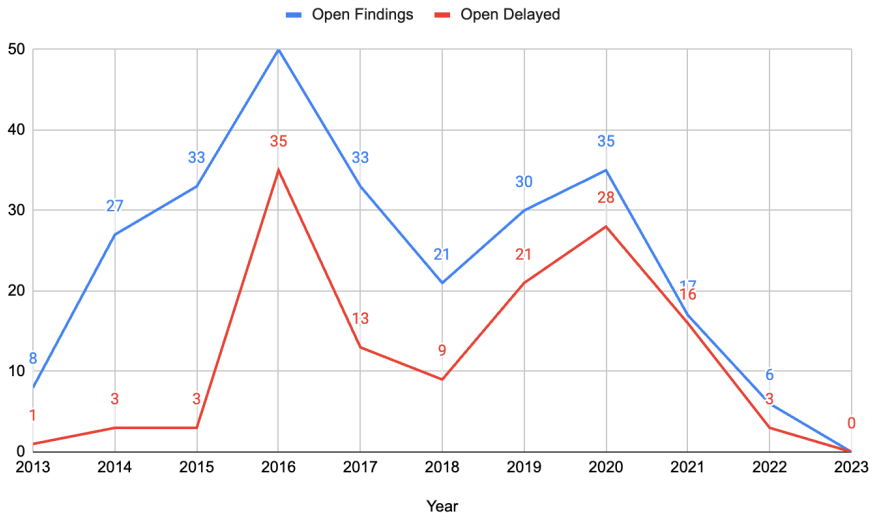
Summary of Key Findings Disposition in Period

Findings Closed In Period*	**Findings Formally Risk Accepted in Period** (See Appendix A)	**Findings Retargeted In Period** (See Appendix B)
205 - Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance: Enhance purchasing policy and document inventory and asset management procedures	267 - Road Infrastructure Maintenance Processes: Explore options to enhance data granularity in regards to road treatment spending and funding allocation by function class	
262 - Liquidity Management Review : Formal early warning indicators and liquidity contingency plan		
264 - Road Infrastructure Maintenance Processes: Establish a formal process relating to road maintenance coordination and road project deficiencies		
265 - Road Infrastructure Maintenance Processes: Document a formal process to assist in identifying opportunities to merge related projects		
268 - SmartCity Cyber & Privacy Risk Mitigation Review: Formalize risk identification criteria or guideline with respect to IT/Cyber/Privacy risks		

** The closure summaries/details for each closed finding are published in the management report presented to the Council*

Open and Delayed Findings Trending

Overall progress has been made in management's resolution of open findings, with the lowest number of open findings in the last eleven (11) years



Responsibilities of management and internal auditors

It is management's responsibility to develop and maintain sound systems of risk management, internal control, and governance and to prevent and detect irregularities and fraud. Internal audit work should not be seen as a substitute for management's responsibilities for designing and operating these systems.

We endeavour to plan our work so that we have a reasonable expectation of detecting significant control weaknesses. If detected, we shall carry out additional work to identify consequent fraud or other irregularities. However, internal audit procedures alone, even with due professional care, do not guarantee that fraud will be detected.

Accordingly, our examinations as internal auditors should not be relied upon solely to disclose fraud, defalcations or other irregularities which may exist.

Action Plan Status by Internal Audit Report

Rating	A. Opening Balance	B. Additions in Period	C. Resolved in Period	D. Risk Accepted in Period	E. Closed In Period	F. Expected to Close In Period	G. Open at the end of Period	H. Open and On Track	I. Open and Delayed
City Based Projects					**C+D**	**F**	**A+B-E**		
Service Provider									
Managing Transition of Projects into Operations									
Social Media Strategy Assessment									
Cyber Incident Response Assessment									
Planning and Development									
Liquidity Management Review	1		1		1	1			
Road Infrastructure Management	3		2	1	3	1			
SmartCity Cyber & Privacy Risk Mitigation	1		1		1	1			
CCEP Findings									
Sub-total	**5**		**4**	**1**	**5**	**3**			
ABC Based Projects					**C+D**	**F**	**A+B-E**		
WDTC									
Solid Waste									
Your Quick Gateway (YQG)	1		1		1	1			
Sub-total	**1**		**1**		**1**	**1**			
Total	**6**		**5**	**1**	**5**	**4**			

Appendix A - Risk Acceptance In Period

In this appendix, we provide a high-level overview of two key risk perspectives:

1. **Formal risk acceptance -** The risks and associated action plans that management committed to, but where management decided to accept the risk and not incur further efforts for resolution as outlined in the rationale section. To maintain independence, the Auditor General and Internal Audit do not participate in management's determination to accept a risk. Our work consists of reporting the rationale management presents and observing evidence that a City Commissioner has approved the risk acceptance and rationale.
2. **Implied short-term risk acceptance -** This section provides a summary listing of management action plans that have been or are expected to remain open for more than eighteen (18) months from the date of the report issuance. In these instances, given the time required for management to undertake the action, the City is implicitly accepting the short-term risk of the original finding until the point in time of its resolution.

A.1 Formal risk acceptance

This section indicates those findings for which management accepts the risk of not having independently verifiable control(s).

Audit Report	Road Infrastructure Maintenance Processes
Observation # and Name	267 - Explore options to enhance data granularity in regards to road treatment spending and funding allocation by function class
Initially Identified	April 29, 2022
Original Risk Rating	Low
Background	Two of the following agreed upon KPI's were not fully assessed due to the lack of data granularity. As a result, the required analysis and relevant results could not be identified. The two KPI's that could not be completed as originally intended were the following: KPI 2: Variance in actual to planned spend per lane km by road treatment category ● To complete this analysis, we requested the budget and actual spending for 2016-2020 and projections for 2025 broken out by road rehabilitation treatments. The intention was to determine the volatility in actual spend to budgeted spend to uncover if there were any trends for consistent overspend or underspend and identify which particular road rehabilitation treatment methods were causing the greatest amount of variability.

	Management communicated that data for road rehabilitation cannot be easily categorised by type of road rehabilitation treatment as each tender in each project includes various types of rehabilitation treatments and function classes. It was noted management does not have an efficient way to allocate "non-tender" costs to these rehabilitation treatment categories/function classes. Therefore, we were unable to conduct the analysis of this KPI at the level of specification originally anticipated. The City is able to compare budget and actuals for a PeopleSoft Project number, however the PeopleSoft Project number is not linked to the overarching Questica Project (Program) number. Management has indicated that compiling budget and actual cost data for the Questica project IDs would be extremely time consuming as this would have to be compiled manually from PeopleSoft and there is no link between the systems. There are multiple PeopleSoft Project numbers for each Questica Project number. KPI 3: Increase in Funding allocation ● To complete this analysis, we requested the funding sources for the various function classes (C1 & C2 Collector, C1 & C2 Arterial and Expressways) for 2016-2020, with projections for 2025. The intention was to determine if the amount of funding was increasing year over year at least by the amount of 1.16% (dedicated tax levy for AMP). Management confirmed that funding cannot be categorized by function class (ie. Arterial, Collector and Expressways) as the budget is approved at a high level. Having the budget approved at "Road Infrastructure" level allows for greater flexibility.
Management's Risk Acceptance Rationale	Asset Planning has established several models in Assetic to analyse and forecast data for the City's linear assets. We are currently working in coordination with WUC to be able to merge the City's model with WUC's model (currently hosted on the Predictor Cloud). A formal process for updating the linear asset data, rehabilitation/treatment costing profiles and budgetary parameters within the models is under development in consideration of the annual timing requirements surrounding City Capital Budget development, annual project tender submissions and overall construction planning timelines. A committee has been put together (the Assetic Sub-Committee) with several cross-departmental members to facilitate discussion around required/suggested model parameters and the confidence levels of the City's linear asset data. The subcommittee structure has allowed us to validate information used in developing our models and through this group, we are ensuring that processes are formalized and documented to support the continued use of Assetic in our capital planning. This is ongoing work that will continue to be carried out and refined, as required.
CLT Approver	Commissioner of Corporate Services & CFO

Appendix B - Management Action Plans which are “Open - on track”

This section indicates those management action plans which were not due in the period and where management anticipates that actions will be completed as originally planned.

None

Appendix C - Open and Delayed Management Action Plans

In this appendix we provide a high-level overview of

1. Management action plans retargeted during the period
This section provides a listing of the management action plans that were expected to be closed in the period; however, management, for various reasons, has provided a revised completion date. The basis for management's revision of the due date is provided in the "Rationale" column below for each individual finding. Internal Audit has requested that management provide a retargeted due date for us to follow up with them when we next perform findings follow-up. In this table, we give an overview of the number of times management has provided revised due dates and a perspective on how long the item, and therefore associated risk, has been in place since we reported it to management and City Council.

In the period of this report, Management revised the due dates to zero (0) management action plans.

2. Implied short-term risk acceptance
This section provides a summary listing of management action plans which have been or are expected to remain open for longer than 18 months from the date of the report issuance. In these instances, given the time required for management to undertake the action, the City is implicitly accepting the short-term risk of the original finding until the point in time of its resolution.

In the period of this report, zero (0) management action plans had previously been retargeted and were in the "Open & Delayed" status as expected.

C.1 Management action plans retargeted during the period

None

C.2 Previously retargeted management plans

None

Appendix D - Basis of Classification

Findings follow up rating scale Overall, and auditable entity ratings are based on (1) the completion of planned management action plans and (2) the volume of retargets for individual observations.

Impact rating	Assessment rationale
Well-controlled	Strong 100% of the audit recommendations due to be implemented in the current period were completed.
Controlled	70% - 99% of the audit recommendations due to be implemented in the current period were complete. Opportunity exists to improve implementation rates
Opportunity exists to enhance implementation rates	50% - 69% of the audit recommendations due to be implemented in the current period were completed.
Not controlled	Less than 50% of the audit recommendations due to be implemented in the current period were completed.

Auditor General & Concerned Citizen and Employee Hotline Protocol

CONCERNED CITIZEN/EMPLOYEE HOTLINE AND NOTIFICATION PROCESS
Approved by: City Council
Date: February 24, 2014

VERSION HISTORY

June 17, 2013	Approved by City Council Resolution
January 13, 2014	Proposed modifications to include section 7 – Effort Allocation for Call Analysis
March 31, 2014	Modifications for inclusion of Code of Conduct considerations, complaint submission requirements, changes for modes of communications and materiality
July DD, 2024	● Added precision to elements such as timing, determination of protocol applicability, and timelines and adjusted wording on role consolidation. ● Reduced layers of review no longer necessary. ● Aligned scope boundaries to other public municipal complaint procedures. ● Added consideration for workplace issue and citizen treatment escalation. ● Added sections on Annonynity, Confidentiality, Whistle Blower Protection (impacts section numbering) ● Updated escalation procedures and effort allocations for actual impacts noted in las 2-3 years ● Reduced materiality considerations ● Revised complaint submission forms to enable digital capture option, support the collection of required minimum information and provide alternate collection methods

The Concerned Citizen/Employee Hotline Protocol ("CCEHP") is effective from the date of Council approval and applies to all ongoing and future allegations, complaints and investigations.

1.0 Overview

1.1 This protocol is intended to guide the CCEHP Administrator in dealing with inbound notifications from the CCEHP and other sources.

1.2 This protocol establishes a procedure to track and take necessary actions regarding all calls/voice mails, emails, posted letters and 1:1 conversations whereby an allegation is submitted to the CCEHP for consideration.

1.3 This protocol will also guide the management and handling of inbound communications about suspected fraud, waste, or abuse of City assets from other sources.

1.4 Upon receipt of notification from the investigating parties, City personnel will comply with corporate expectations for investigation and resolution. As part of that process, management will consider the requirements of the various collective agreements.

1.5 In the remainder of this protocol, calls to the hotline and communications received from other sources will be referenced as allegations.

1.6 Please refer to the definitions in section 2.6 of this protocol for further information on what constitutes fraud, waste, misuse, and city assets.

2.0 PURPOSE/SCOPE

2.1. The CCEHP is for use by either community residents or City of Windsor employees. It is not intended to conduct everyday customer service discussions. It is also not designed for complaints of a general nature by employees about City Council or management, including complaints that are usually and properly handled by personnel, payroll, or health and safety.

2.2 Complaints may be filed regarding the City of Windsor:
- employees,
- Management, and
- contractors.

2.3 The CCEHP process does not apply to:
- the Mayor or City Councillors or their political office staff (please contact the Integrity Commissions for such concerns)
- The Windsor Essex County Health Unit
- The Essex Region Conservation Authority

- Local Boards (with approved Opt-In Letters)
- Municipally Controlled Corporations
- Grant Recipients
- The Committee of Adjustment
- The Windsor Public Library
- The Windsor Police Services Board (WPSB)
- The Windsor Public Library Board (WPLB)

The Auditor General directs allegations related to elected officials or their staff to the Integrity Commissioner for appropriate action.

The Auditor General will direct allegations related to the Boards, Corporations, Committees, and Organizations to the Finance Executive Initiatives Coordinator for forwarding to the appropriate organizational contacts.

Questions regarding the local boards contacts for submitting such allegations should be directed to the City Clerk.

2.4 Workplace and Citizen Service Issues

2.4.1 Where do Workplace Issues fit in?

Workplace issues include concerns about staff members raised but not addressed by a staff member's immediate supervisor or manager. Complaints about staff members that have not been resolved to the complainant's satisfaction should be forwarded to senior management or Human Resources personnel for resolution or included in a formal grievance.

City staff should not use the hotline to address workplace issues unless they continue to be unresolved after being brought to the attention of their immediate supervisors or raised through one of the internal reporting mechanisms for health and safety concerns or the prevention of workplace violence, harassment, and discrimination.

Complaints submitted through this Holtine or directly to the Auditor General will require support demonstrating prior escalation to area senior management or Human Resources and the functional City Leader.

2.4.2 As a Citizen or Tapayer, How Do I Raise a Concern With How I Was Treated?

Service issues include concerns about the treatment citizens and taxpayers receive when engaging with or being serviced by the City. Complaints about interactions with City personnel should be raised to management or via 311. Complaints that have yet to be resolved to the complainant's satisfaction should be forwarded to senior

management or Human Resources personnel (and the Functional Leader) for resolution.

Citizens and taxpayers should only use the hotline to address unresolved service issues after being brought to the attention of the area supervisor and Executive Management or Human Resources.

Complaints submitted through this Holtine or directly to the Auditor General will require support demonstrating prior escalation to area Executive Management or Human Resources and the functional City Leader.

2.5. Allegations logged with the CCEHP or Auditor General must have the individual submitting the allegation provide the following basic information to have the allegation considered. Allegations which do not provide the required information after two follow-ups within 30 days will be deemed closed.

The required information is:

a) First and last name

b) Two contact methods - preferably email and phone number, but address is also acceptable

c) Attestation that the complainant is a citizen or taxpayer of the City of Windsor or a representative thereof

d) Summary of the nature of the allegation

e) Listing of all evidence and willingness to provide it

f) Functional area the allegation relates to

g) Summary and supporting evidence of prior attempts at escalation/resolution where the allegation relates to workplace or citizen treatment concerns.

The City of Windsor—Concerned Citizen/Employee Complaint Form will be used to capture this information online. The form may be completed online, downloaded for completion, and submitted digitally or via postal services. Where alternative completion methods are required to support the complainant, the Auditor General will contact the complainant to find submission solutions.

2.6. The CCEHP is for use by citizens and employees lodging complaints related to fraud, waste or misuse use of City assets. These elements are defined as:

<u>City Assets</u> – Includes all tangible and intangible property of the City, including but not limited to equipment, financial assets, land, vehicles, material, computers, electronic mail, internet services, information and work time;

Fraud – For this protocol, fraud includes, but is not limited to, the following acts characterized by deceit, concealment or wilful blindness to policy, procedure or appropriate practice:

a) Forgery, alteration or fraudulent creation of documents including, but not limited to, cheques, drafts, promissory notes, securities, timesheets, purchase orders, other blank documents of value such as invoices, billing slips, permits, licenses, etc;

b) Any misappropriation, embezzlement, unauthorized use or misuse of cash, funds, securities, supplies, furniture, equipment, materials, records or any other asset;

c) Any irregularity in the handling or reporting of money transactions;

d) Any intentional, false representation or concealment of a material fact for the purpose of improperly obtaining or impairing a City of Windsor asset;

e) Demanding, requesting or accepting anything having value from vendors, consultants, contractors, or anyone doing business with the City as a condition of their doing business with the City or in order for them to receive preferential treatment from the City;

f) Offering or providing anything having value to clients, vendors, consultants, contractors, or anyone doing business with the City as a means of obtaining preferential treatment or benefit for the employee, any other person or the City;

g) Any intentional violations of the Corporate Conflict of Interest Policy;

h) Any computer-related activity involving the alteration, destruction, forgery or fraudulent manipulation of data and any misappropriation of City-owned software;

i) Any claim for reimbursement of expenses that were not incurred as a recognizable business expense for the City's benefit or that are in violation of the Corporate Business and Travel Expense policy;

j) Authorization or receipt of payments for goods not received or services not performed other than normal prepaid expenditures;

k) Authorization or receipt of payment for hours not worked;

l) Any apparent violation of Federal, Provincial or local laws related to dishonest activities or fraud.

Waste refers to the inefficient use of municipal resources and any operation, process, or activity in which municipal resources may be used without due regard for value for money or where opportunities may exist to save money.

Misuse – includes unethical behaviour, wilful omission to perform one's duties, abuse of authority, theft, embezzlement, receipt of bribes, kickbacks or gifts of significant value, breach of federal, provincial or municipal legislation and significant waste of City assets;

2.7 The CCEHP is not intended to be a place for individuals to log complaints which represent potential violations of the Code of Conduct for Council. Individuals contacting the CCEHP with items related to the Code of Conduct will be redirected to the Integrity Commissioner's website.

2.8. The CCEHP process is authorized to coordinate and share high-level information with the City of Windsor's Integrity Commissioner to coordinate work and avoid duplication. Neither the Administrator nor the Auditor General will investigate in the domain of the Integrity Commissioner.

2.9. Allegations of a similar nature will not be investigated if an analysis has occurred within the past 12 months unless a complainant presents new information.

2.10. The CCEHP Administrator is responsible for handling all inbound allegations and routing them according to the procedure outlined in section 7.0 for routing allegations.

2.11 The production of a procedure for tracking and resolving allegations supports the Administrator's interest in handling all reported issues as professionally and quickly as possible.

2.12 The Administrator is committed to thoroughly and professionally documenting allegations and coordinating with the appropriate management level as to whether an investigation should be conducted. As the Administrator is acting as an agent of the City of Windsor with respect to the CCEHP, the Administrator will transcribe the inbound calls and notifications and share them with a designated contact (when required) within the City of Windsor (while preserving anonymity). As a result, the Administrator cannot be held liable for defamation, discrimination, libellous acts, or other such statements made by personnel submitting a complaint.

3.0 Annonymnity

3.1 All inbound allegations will be treated as anonymous when reported/referenced outside the offices of the Administrator or the Office of the Auditor General.

3.2 To appropriately qualify, assess and follow up on allegations, personnel employed by the Administrator or under the supervision of the Auditor General may have access to the name and contact information of the individual(s) placing the allegation.

3.3 Only the original complainant may waive anonymity and must do so in writing or via an email directly to the Auditor General.

3.4 Complaintants submitting a complaint need to be aware that sometimes:

a) preserving anonymity may limit an investigation's scope and depth.

b) the actual investigation of the allegation may provide management with insight into who the anonymous party is given prior interactions with management, by the complainant, on the same topic.

c) preserving anonymity may increase the overall investigation efforts so that the investigator can safeguard the complainant's anonymity.

3.5 Where an allegation is to be routed to management, the Administrator will presume anonymity is required unless explicitly waived by the Complainant within five business days of the Administrator requesting clarity on the Complaint's anonymity preference.

Such messages shall not receive a follow-up/response from management directly or through the Auditor General or the Administrator.

4.0 Confidentiality

4.1 All participants in an investigation are required to keep the details and results of the investigation confidential, except where disclosure is required or authorized by law.

4.2 The identity of an individual alleging fraud, waste or misuse, together with the identity of any individual alleged to have committed fraud, waste or misuse or involved in an investigation under this Policy, will be kept confidential and protected from disclosure as required by the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and other applicable legislation.

4.3 It is understood that where an investigation results in disciplinary action, the disclosure of otherwise confidential information may be required in the context of associated legal proceedings.

4.4 The Auditor General, in consultation with the City Clerk as the delegated head for the purposes of MFIPPA may disclose particulars of the investigation if such disclosure would serve to further the investigation, and as appropriate.

5.0 Whistle-Blower Protection

5.1 The City will protect and support employees who report in good faith allegations of fraud, waste or misuse.

5.2 Retaliating against an employee who alleged fraud, waste, or misuse in good faith or who participated in an investigation conducted under this Protocol violates this Protocol.

5.3 Employees who believe they are being retaliated against should contact the WHOM.

5.4 The allegations of retaliation will be received and immediately investigated in the same manner as an allegation of fraud, waste or misuse under this Policy.

5.5 Where the investigation substantiates the allegations, the Chief Administrative Officer will be informed and the employee(s) involved will be subject to disciplinary action.

5.6 Employees who knowingly make false allegations will be subject to discipline up to and including dismissal.

6.0 Record Keeping and Templates

6.1. A representative of the CCEHP Administrator will be assigned responsibility for the initial documentation of allegations regularly.

6.2. A backup team member shall be assigned responsibility for administering the process in the absence of the designated representative.

6.3. The representative will check the voicemail, postal box and email inbox at least three days per week.

6.4. The representative will complete the “Notification Tracking Sheet”, which contains all the necessary information needed to keep track of all incoming allegations and document all available information, such as date, time, if a call was completed or aborted, a detailed description of the message or link to it, contact information, anonymity requests, and a classification section. See the template in Appendix B.

6.5. The Notification Tracking Sheet will be sequentially numbered to keep a logical order that facilitates the compilation of data for issues reporting, follow-ups and completeness. Each Notification for Consideration will be assigned a unique tracking number. The following combination of letters and numbers shall be used when assigning the tracking number to the Notification Tracking Sheet:

NTS – Stands for “Notification Tracking Sheet”
MMDDYY - 2 digits for the month the message came in, two digits for the date the message came in and two digits for the year the message came in.
– Three numerical fields for the sequential number of complaint in a given month

For example, NTS—011223 - 002 will indicate that the Notification that has been tracked was #002 and was received on December 1, 2023.

The date of receipt shall be:

(1) the date the email system shows the message was received for email messages,
(2) the date the call/voicemail was recorded by the system for voice-submitted messages,
(3) the date the letter was received/picked up from the post office box for physical mail and
(4) the date the initial conversation occurred for 1:1 items.

6.6 Calls, messages and notifications shall be documented by the representative, filling out the “Notification Tracking Sheet”, regardless of the nature of the call (excluding spam emails) and messages (aborted calls, duration, type of issues reported). Spam emails shall not be transposed nor recorded as inbound messages. Such messages shall be filed in a mail folder, and the count per reporting period will be disclosed.

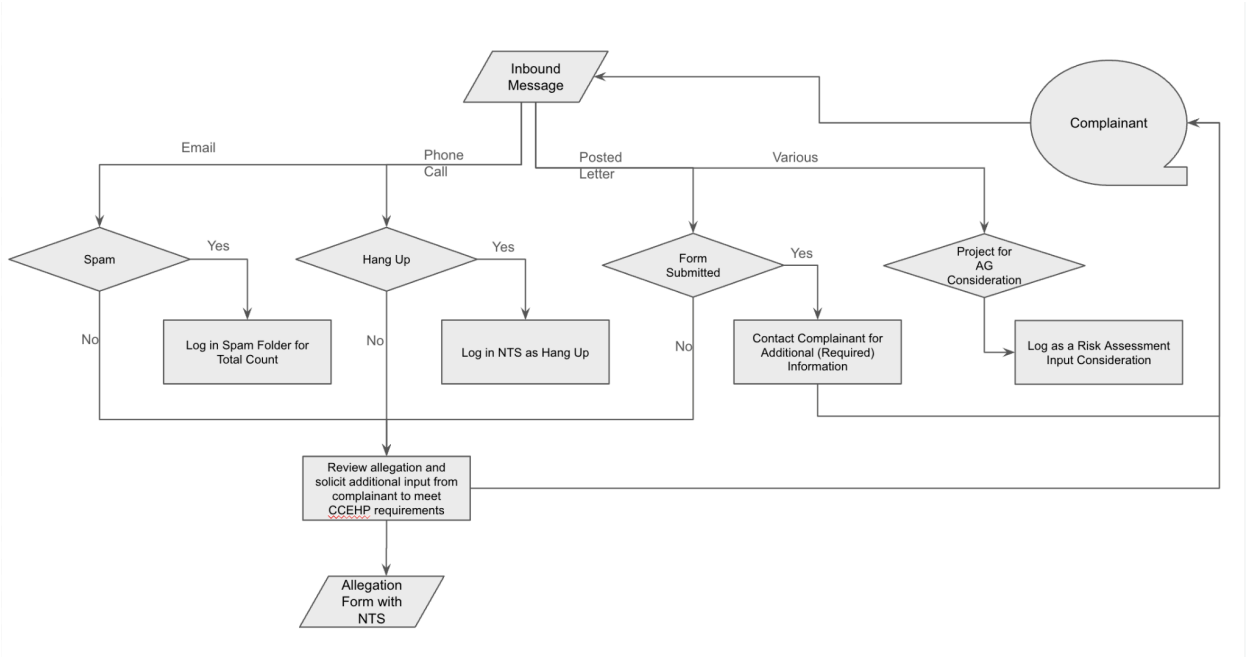
6.7 The individual “Notification Tracking Sheet” shall be dated by the representative and evidence of the Administrator review and escalation decision documentation.

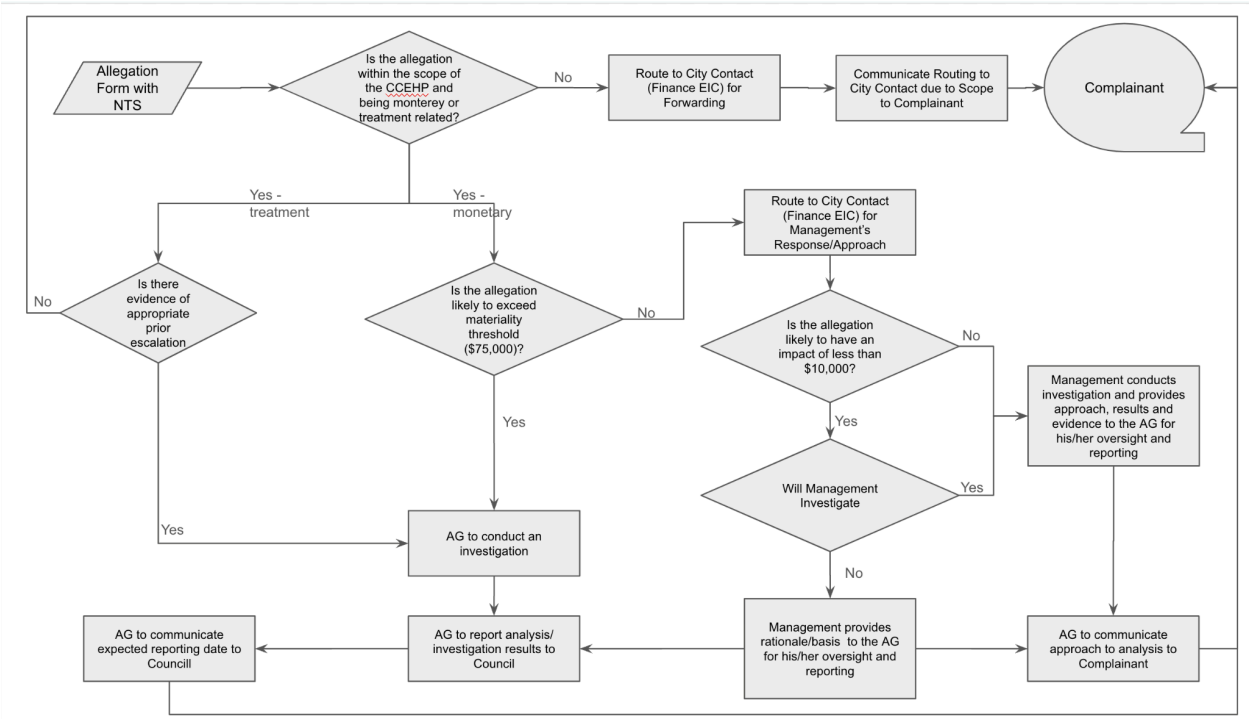
6.8 The completed Notification Tracking Sheets shall be filed in the Administrators system under the Hotline/Notification Project by the representative, following the appropriate sequence described above.

6.9 The representative shall update the “Notification Master Log” using the individual “Notification Tracking Sheets”. This log will support the preparation of the Hotline/Notification periodic reports presented to Management and Council, as indicated in the reporting section of this procedure.

7.0 ESCALATION AND DECISION CRITERIA

The following decision tree will be leveraged to help determine the appropriate resolution path:


Inbound Message
Complainant
Email
Phone Call
Posted Letter
Various
Spam
Yes
No
Log in Spam Folder for Total Count
Hang Up
Yes
No
Log in NTS as Hang Up
Form Submitted
Yes
No
Contact Complainant for Additional (Required) Information
Project for AG Consideration
Log as a Risk Assessment Input Consideration
Review allegation and solicit additional input from complainant to meet CCEHP requirements
Allegation Form with NTS


Allegation Form with NTS
Is the allegation within the scope of the CCEHP and being monterey or treatment related?
No
Route to City Contact (Finance EIC) for Forwarding
Communicate Routing to City Contact due to Scope to Complainant
Complainant
Yes - treatment
Yes - monetary
Route to City Contact (Finance EIC) for Management's Response/Approach
No
Is there evidence of appropriate prior escalation
Is the allegation likely to exceed materiality threshold ($75,000)?
No
Is the allegation likely to have an impact of less than $10,000?
No
Management conducts investigation and provides approach, results and evidence to the AG for his/her oversight and reporting
Yes
Yes
Will Management Investigate
Yes
Yes
AG to conduct an investigation
No
AG to communicate expected reporting date to Councill
AG to report analysis/ investigation results to Council
Management provides rationale/basis to the AG for his/her oversight and reporting
AG to communicate approach to analysis to Complainant

4.1. Each inbound communication shall be evaluated to determine if it is:

- A spam message, which will be logged in a holding file,
- A hangup, logged in an NTS
- A request for a project consideration,
- A complete submission, or
- An incomplete submission.

Spam messages are not logged as an NTS but filed in an email folder for count purposes.

Hangups will be logged as an NTS.

Project request considerations will be considered inputs into the annual risk assessment/plan development activities.

Complete submissions will undergo evaluation in the subsequent phases.

Incomplete submissions will have a request for additional information issued to the complainant.

4.2 The allegation shall be documented in an NTS with supporting material for Completed submissions.

4.3 An initial assessment of the nature of the call/message/notification using the decision tree to determine whether it's related to the purpose of the CCEHP or requires action by the Administrator or Auditor General, Management or routing to another party. Considerations for determining if the allegation is within the scope of the CCEHP:

4.3.1 Allegations related to the following are not within the scope of the CCEHP:

- the Mayor or City Councillors or their political office staff (please contact the Integrity Commissions for such concerns)
- The Windsor Essex County Health Unit
- Local Boards
- Municipally Controlled Corporations
- Grant Recipients
- The Committee of Adjustment
- The Essex Region Conservation Authority
- The Windsor Public Library
- The Windsor Police Services Board (WPSB)
- The Windsor Public Library Board (WPLB)

These allegations will be routed to the primary City Contact for routing to the appropriate parties by management.

4.3.2 Allegations not related solely to City personnel or contractors.

These allegations will be routed to the primary City Contact for routing to the appropriate parties by management.

4.3.3 Allegations not related to City Assets.

These allegations will be routed to the primary City Contact for routing to the appropriate parties by management. The Auditor General may require management reporting and evidentiary support in the same manner as those reviews under $75,000 in impact.

4.3.4 Allegations not meeting the definition of fraud, waste or misuse under this protocol.

These allegations will be routed to the primary City Contact for routing to the appropriate parties by management. The Auditor General may require management reporting and evidentiary support in the same manner as those reviews under $75,000 in impact.

4.3.5 Allegations not likely to have an impact of $75,000 or more in savings, recovery or additional funds.

These allegations will be routed to the primary City Contact for routing to the appropriate parties by management. The Auditor General may require management reporting and evidentiary support in the same manner as those reviews under $75,000 in impact.
4.3.6 Where an allegation appears likely to result in potential litigation or employee discipline, the City Solicitor or Human Resources will be engaged to ensure proper protocols are administered.

4.4. The representative shall complete the “Summary of Analysis and Recommendation” containing a detailed description of the need for escalation or investigation and recommended actions and attach it to the NTS.

4.5 For “Investigations where the Auditor General has requested a management investigation with report back,” management shall provide the Auditor General with a summary of actions conducted, results, and supporting evidence. It is recommended that management consult with the Auditor General on the overall planned approach prior to conducting the work.

4.10. Where possible, calls made to the Concerned Citizen/Concerned Employee Hotline shall receive a written response as to the determination of the call as to whether it will be:

- Referred to City Contact for Appropriate Routing (outside scope or materiality)
- Referred to Management for Investigation with Reporting Back to the Auditor General

- To be investigated by the Auditor General
- Escalated to City Solicitor/Human Resources, given the Nature of the Allegation

8.0 REPORTING PROCESS

8.1. The representative shall input the NTS tracking data for individual allegations into the "Notification Master Log".

8.2. The Notification Master Log is a spreadsheet that captures in a single document a summary of all the calls and messages received through the hotline or other notification sources over a given period and the frequency of checking the notifications left via voicemail.

8.3. The Notification Master Log will be used in preparing quarterly and individual reports containing the historical data of messages and calls received.

8.4. The count of notifications in each status report will be reported on the Auditor General Performance Dashboard.

8.5. For Issues requiring investigation due to their nature and risks involved, the Administrator or Auditor General may require customized reports at any time and as soon as the issue is reported through the hotline.

9.0 TIMING

9.1. The concerned citizen/employee hotline channels will be checked daily at least three business days per week with a maximum of 1 business day lagging and a target of each business day.

9.2. Notifications received will be processed through the decision tree within 3-4 business days upon the latter of:

- receipt of all required information outlined in Section 2.5,
- receipt of complainant specification of anonymity preference,
- five business days of seeking a Complainant's specification of anonymity preference where there is no response.

9.3 Communications to management (forwarding of allegations), as appropriate, will occur within 2-3 business days after the final receipt of requested content from a complainant or the anonymity validation or waiver.

10.0 EFFORT ALLOCATION FOR CALL ANALYSIS

10.1 The Inbound Call Investigation budget is estimated to require 200-250 hours per year to check the phone system, email, PO Box, direct conversations and follow up for the collection of initial allegation, to summarize the inbound allegation and to work the call through the decision tree and route it appropriately. The Work Plan will reflect 225 hours in the project and 25 hours in Unallocated.

10.2 The time and effort required to analyze inbound allegations is an unknown factor in a given year. As such, as allegations come in, the Administrator may allocate available time from the Unallocated projects to conduct the required initial follow-up and analysis. To commence each year, 50 hours will be allocated to the CCEHP process for inbound allegation follow-up and clarification (not investigation). The Work Plan will reflect 50 hours in Unallocated.

10.3 Individual allegations requiring investigation will require individual effort estimates.

10.4 The Auditor General shall have the authority to stop, delay or postpone active/ongoing or planned work to redirect efforts to conduct projects and analysis when a complaint/allegation is lodged which may have merit. Any such changes will be reported to City Council for approval of the Plan change or for allocation of additional resources to avoid such changes to the plan.

10.5 The power to make such plan amendments is granted to the Auditor General based on their judgement until a plan of action and additional cost implications can be presented to and approved by Council, generally at the next planned status reporting point.

11.0 COMMUNICATION AND AWARENESS

11.1 Communication and awareness of the hotline process among citizens and employees directly impacts the effectiveness of the hotline and notification process. Management is responsible for ensuring that citizens and employees understand the hotline's purpose and use it appropriately to report on potential fraud, misuse, and/or abuse of city assets.

11.2 Management shall make the hotline contact information available to the public.

11.3 The information available on the public website shall include, but is not limited to, the following:

- The purpose of the hotline (to enable citizens and City of Windsor employees to provide information on suspected frauds, waste or abuse of City assets in a private, confidential and anonymous manner at the caller's discretion)
- A statement that describes who should use the Concerned Citizen/Concerned Employee Hotline

- A statement that describes types of complaints which would not be appropriate for the hotline (customer service, complaints of a general nature, out-of-scope domains, etc.)
- Information on how to submit a complaint (phone, email, fax, mailing address)

    - Phone: (519) 980-6656 (Voicemail may be left)
    - Email: windsorcomplaint@risksavvy.ca
    - Posted Mail: Risk Savvy Ltd,
      P. O. Box 790
      St. Marys Stn Main, Ontario N4X 1B5

- Template (see Appendix A) of required information for submitting an alleged complaint.
- A brief description of the complaint management process (see section 12).
- A reference to the City's "Concerned Employee Policy" (2003) updated by Management to reflect current practices.
- A notice for potential implications of reporting false allegations which contain defamatory or libellous statements
- A reference to the Accountability and Transparency section of the public website - The Office of the Integrity Commissioner, including a reference to the complaint process for potential violations of the Code of Conduct for Council Members
- Definition of the terms Fraud, Waste, Misuse and City Assets

12.0 MATERIALITY GUIDELINES

12.1 The Auditor General shall only conduct analysis or investigation of any hotline call (excluding fraud) which has the potential impact, due to waste or abuse, of greater than $75,000.

12.2 Management will be informed where a hotline call (excluding fraud) has a potential impact of less than $75,000. Where an allegation may result in $10,000 or less of an impact, management may draft the rationale and implication for not conducting an investigation for review, submission and reporting to City Council by the Auditor General. For allegations with a likely impact of $10,000 to $75,000, management will conduct an investigation, draft the overall approach, document findings and summarise results for submission to, and oversight by, the Auditor General. The Auditor General may request additional investigation before reporting the overall results to City Council.

Appendix A - City of Windsor - Concerned Citizen/Employee Complaint Form

City of Windsor - Concerned Citizen/Employee Complaint Form

The CCEHP is for use by either residents of the community or by City of Windsor employees. It is intended for the reporting of allegations of fraud, waste or misuse of City assets. All submission are anonymous withe the details being provided to the CCEHP Administrator and personnel under the supervision of the Auditor General.

This form is not intended for conducting everyday customer service discussions. It is also not intended for complaints of a general nature by employees about City Council or management, including complaints that are normally and properly handled by personnel, payroll or health and safety.

Complaints may be filed regarding the City of Windsor:

- employees
- management
- contractors

The CCEHP process does not apply to:

- the Mayor or City Councillors or their political office staff, (please contact the Integrity Commissions for such concerns)
- The Windsor Essex County Health Unit
- Local Boards
- Municipally Controlled Corporations
- Grant Recipients
- The Committee of Adjustment
- The Essex Region Conservation Authority
- The Windsor Public Library
- The Windsor Police Services Board (WPSB)
- The Windsor Public Library Board (WPLB)

* Indicates required question

Contact Information

We will generally contact you and submit formal messages via email, but we may need to discuss some of your concerns or information directly with you.

1. First & Last Name *

2. Email Address *

3. Preferred Contact Number *

4. I hereby attest to the fact that I am a citizen or represent a taxpayer of the City of Windsor *

Check all that apply.

- [ ] I am a citizen of the City of Windsor
- [ ] I represent a citizen or taxpayer of the City of Windsor
- [ ] Other: _____

Allegation Considerations

5. Please indicate which of the following criteria apply to your complaint: *

Check all that apply.

- [ ] Fraud
- [ ] Waste
- [ ] Misuse
- [ ] Mistreatment
- [ ] Deception
- [ ] Lack of Fairness
- [ ] Breach of Confidentiality/Privacy

6. Please explain which City Assets are associated with your complaint. *

7. Given your knowledge of this allegation and the evidence you have compiled, what do you believe the economic impact to the City of Windsor to be for this complaint? *

Mark only one oval.

- Less than $10,000
- More than $10,000 but less than $75,000
- More than $75,000

Complaint Details - Allegation Information

8. Please record information about what happened and what actions occurred, who was involved, dates and times. Provide as many details as possible. *

9. You may attach a file if that assits *

Files submitted:

10. Service Area or Function * Dropdown

Mark only one oval.

- Parks & Facilities
- Library Services
- Recreation & Culture
- Fire & Rescue Services
- Asset Planning
- Financial Planning
- Financail Accounting
- Taxation & Financial Projects
- Engineering
- Public Works Operations
- Pollution Control
- Employment & Social Services
- Housing & Children's Services
- Huron Lodge
- Planning & Development Services
- Economic Development & Client Change
- Building Services
- Transit Windsor
- Legal & Real Estate Services
- Corporate Security
- Council Services
- Communications & Customer Services
- Purchasing, Risk Management & Provincial Offences
- Human Resources & Employee Relations
- Equity, Diversity, Inclusion, Accessibility & Indigenous Affairs
- Office of the Chief Administrative Officer
- Unknown/Not Certain

11. Persons Involved (Names, Titles (where possible)) *

12. List of Attachments or Evidence Available *

13. Summarize what steps you have taken to try and resolve your complaint, including the consideration you have submitted and what response you received. Who have you already dealt with in the city concerning your complaint? *

14. How would you like to see your complaint resolved? *

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Google Forms

Appendix B - Notification of Tracking (NTS) Template

NTS Number		NTS - MMDDYY - ###
Date Received		
Time Received		
Method of Receipt		
Complaintant Name (Firs & Last):		
Contact Email:		
Contact Number:		
Anonymnity		
Link to Complaint Form:		
or		
Complaint Summary:		
Step		
1	**Was this a Hang Up**	
2	**Is the complaint form complete? Do we have all the required mimum information to assess a complaint?**	
3	**Does the complaint relate to any of the following entities:** - the Mayor or City Councillors or their political office staff, (please contact the Integrity Commissions for such concerns) - The Windsor Essex County Health Unit - Local Boards - Municipally Controlled Corporations - Grant Recipients - The Committee of Adjustment - The Essex Region Conservation Authority - The Windsor Public Library - The Windsor Police Services Board (WPSB) - The Windsor Public Library Board (WPLB)	
4	**Does the allegation relate to City personnel, management or contractors?**	
5	**Does the allegation relate to City Assets?**	
6	**Does the allegation relate to fraud, waste or misuse?**	
	What it the expected dollar value impact of the allegation?	$
	What is the basis for this impact value?	
	Categorization of Project Per Monetary Estimate	
7	**Is the complaint a workplace related allegation which requires internal escaltion first?**	
	Summary of parties previously escalated to and outcomes.	
	Categorization of Project if Workplace Issue	
8	**Is the complaint a treatment related allegation which requires City escaltion first?**	
	Summary of parties previously escalated to and outcomes.	
	Overall Analysis	
	Categorization	
	Responsible Party	
	Where Investigation is Assigned - Key Elements for Consideration:	

NTS Number	NTS - MMDDYY - ###
Date Received	Month DD, YYYY
Time Received	12:00 AM
Method of Receipt	Email, Posted Letter, Phone Call, Conversation
Complaintant Name (Firs & Last):	Sample Item
Contact Email:	sample.item@gmail.com
Contact Number:	123-456-7899
Anonymnity	Assumed, Requested, Waived - Date:
Link to Complaint Form:	https://docs.google.com/spreadsheets/d/1XI-LTk5rfdaQsIdxZHuMu7hElJVmquGlrlsg0LzbAE0/edit?usp=sharing
or	
Complaint Summary:	adsasdasdfsdafdsf
Step	
1 Was this a Hang Up	Yes - Log as NTS - Stop Analysis No - proceed to next step
2 Is the complaint form complete? Do we have all the required mimum information to assess a complaint?	Yes - Proceed to Next Step No - contact complaintant to collect outstanding information - record request
3 Does the allegation relate to elected officials or their staff?	No - proceed to next step Yes - Route to Integrity Commissioner - inform complaintant - stop analysis
Does the complaint relate to any of the following entities: - The Windsor Essex County Health Unit - Local Boards - Municipally Controlled Corporations - Grant Recipients - The Committee of Adjustment - The Essex Region Conservation Authority - The Windsor Public Library - The Windsor Police Services Board (WPSB) - The Windsor Public Library Board (WPLB)	Yes - Route complaint to City Contact and Inform Complaintant of Routing - Stop Analysis No - proceed to next step
4 Does the allegation relate to City personnel, management or contractors?	Yes - proceed to next step No - Route to management - inform complaintant - stop analysis
5 Does the allegation relate to City Assets?	Yes - proceed to next step No - Route to management - inform complaintant - stop analysis
6 Does the allegation relate to fraud, waste or misuse?	Yes, fraud - consult with City Solicitor prior to proceeding Yes, waste - proceed to next step Yes, misuse - proceed to next step No - relates to workplace treatment or citizen treatment - proceed to step 7 or 8 respectively No - Route to management - inform complaintant - stop analysis
What it the expected dollar value impact of the allegation?	$
What is the basis for this impact value?	
Categorization of Project Per Monetary Estimate	Route to Management - <$10,000 impact Route to Management - $10,000 to $75,000 impact AG Invetigation
7 Is the complaint a workplace related allegation which requires internal escaltion first?	Yes - no prior escalation - contact complaintant and request escalation process be followed - stop analysis Yes - prior escalation has occurred - note escalation parties and outcome - assess complaint No - procced to next step
Summary of parties previously escalated to and outcomes.	
Categorization of Project if Workplace Issue	Route to Management for Invesgation wiht Reporting Back to the Auditor General Route to Management for CAO Office Review Auditor General to Investigate Returned to Complaintant to Follw Esclation Protocol
8 Is the complaint a treatment related allegation which requires City escaltion first?	Yes - no prior escalation - contact complaintant and request escalation process be followed - stop analysis Yes - prior escalation has occurred - note escalation parties and outcome - assess complaint No - procced to next step
Summary of parties previously escalated to and outcomes.	
	Route to Management for Invesgation wiht Reporting Back to the Auditor General Route to Management for CAO Office Review Auditor General to Investigate Returned to Complaintant to Follw Esclation Protocol

Overall Analysis	
Categorization	Fraud Waste Misuse Workplace Citizen Treatment Out of Scope Other
Responsible Party	Routed to Management Routed to Management for Investigation and Reporting back to Auditor General Auditor General to Investigate Escalated to City Solicitor/Human Resources Given the Nature of the Allegation Returned to Complaintant for Escalation Compliance

Where Investigation is Assigned - Key Elements for Consideration:

1

2

3

THE CITY OF WINDSOR
ONTARIO, CANADA

Office of the Municipal Auditor General,
The Corporation of the City of Windsor

April 15, 2024

INAPPROPRIATE LANGUAGE AND RACIAL COMMENTS AUDITOR GENERAL COMPLAINT INVESTIGATION

REPORT

Executive Summary

Background

An allegation was received indicating that the leader of a City Functional Area/Department had:

1. accused the citizen of being illiterate and insulted the citizen.
2. inferred that the citizen was racist by using a racial slur.

Further, the above elements may be tied to centuries-old prejudice between nationalities.

The individual indicated they had approached management and elected officials and had been directed to the Auditor General.

Investigation Approach

1. Review the email trial and make summary notes of the conversation.
2. Determine if the complaint is against the head of a City department.
3. Based on a review of the evidence provided by the citizen, identify if the City department head accused the citizen of being illiterate and insulted the citizen.
4. Based on a review of the evidence provided by the citizen, identify if the City department head inferred that the citizen was racist by using a racial slur.
5. Review what it means to make a racial slur to understand if the use of terms by the City Department head used a racial slur by suggesting one had been made as a result of “not understanding the vocabulary”. *Note that the allegation indicates that a historical circumstance might exacerbate or contribute to the above.*

Scope Limitation

Email evidence was the only material reviewed. No verbal conversations between the parties were considered; however, the email correspondence supports the conclusion that no such verbal conversations occurred.

Summary of Procedures and Findings

Since the exchange occurred over email, tone and context cannot be as readily identified.

The complainant sometimes used precise terminology/ phraseology, which is not necessarily commonly used in conversation. Some phrases were more British than standard Canadian terms. Several terms directed at City personnel were demeaning, and one is noted in several dictionaries as technically insulting or derogatory.

Management may wish to:

1. Create a channel by which personnel/citizens who feel they have been discriminated against, harassed, prejudiced, etc.,

can contact to raise their concerns for analysis/investigation.

2. Consider a process whereby when communication with individuals is limited/restricted in any way, a second management representative reviews the outgoing message before issuance.

3. Management should ensure that the options/methods are straightforward when enforcing one form of communication with a citizen or contact.

Management Comments	From a procedural standpoint, there are many avenues one may use to report a complaint. Most commonly, this is by calling 311, where it gets directed to the appropriate department head to address or the Policy and Procedures Coordinator. Over and above the Hotline, the Corporation offers the following as it relates to channels for personnel/citizens who feel they may be discriminated against or may otherwise have concerns, these channels include forms of communication that may be provided: Respectful Workplace Policy which specifies, amongst other items, that The Corporation of the City of Windsor (the “Corporation”) is dedicated to providing a workplace and service environment that is conducive to creating a climate of mutual respect that fosters equality and inclusion, reinforces opportunity and allows for each person to contribute fully to the development and well being of the Corporation. The Corporation maintains a zero-tolerance approach to workplace violence, harassment or discrimination whether between employees, involving an employee, an official (elected or appointed) or a customer of the Corporation in the exercise of workplace responsibilities. All reported incidents of workplace violence, harassment, and discrimination and incidents of workplace harassment that the Corporation becomes aware of, shall be reviewed and appropriate action shall be taken. It should be noted that this policy is on the City’s Website under City Hall and policies. Also this website indicates to call 311 or the Policy and Procedures Standards of Employee Deportment notes the Corporation will not tolerate employees engaging in acts or gestures of violence and harassment towards other employees or a member of the public in violation of the Corporate Workplace Violence Policy or any portion of the Respectful Workplace Program. Engaging in acts of discrimination towards other employees or a member of the public in violation of the Corporate Human Rights Policy, the Respectful Workplace Program or the Ontario Human Rights Code is not tolerated.

	Our Workplace Harassment Procedures provides a process wherein incidents resulting from alleged workplace harassment and/or sexual harassment are reviewed and addressed in accordance with the Occupational Health & Safety Act, Canada Labour Code Part 3, and corporate policy, and that appropriate corrective actions are identified and implemented to prevent reoccurrence Additionally the purpose of the Employee and Volunteer Code of Ethics and Conflict of Interest Policy is to state the values and principles by which employees and volunteers are to govern their actions in the exercise of their duties.
Name:	Vincenza Mihalo
Title:	Executive Director of Human Resources
Date:	June 4, 3024

Summary of Investigation Approach Results

#	Approach	Summary of Findings
1	Review the email trial and make summary notes of the conversation.	Reviewed and summarized 9 messages in total. Met with the complainant to verify understanding and concern.
2	Determine if the complaint is against the head of a City department.	The allegation is related to the specific functional department head.
3	Based on a review of the evidence provided by the citizen, identify if the City department head accused the citizen of being illiterate and insulted the citizen.	No explicit accusation of illiteracy was detected to have been expressed in the materials provided. The written phraseology from the City representative indicates that the complainant should use spell check and that some of the exchanges of communication/accusations are unfounded. While such comments might be made in a more positive manner, they do not mean that an accusation of illiteracy was levelled.
4	Based on a review of the evidence provided by the citizen, identify if the City department head inferred that the citizen was racist by using a racial slur.	No instances that might appear to a general reader to be racial slurs were noted.
5	Review what it means to make a racial slur to understand if the use of terms by the City Department head used a racial slur by suggesting one had been made as a result of “not understanding the vocabulary”. Note that the allegation indicates that a historical circumstance might exacerbate or contribute to the above.	Some readers might construe the inclusion of a cultural identity statement after the City department head’s name as some form of racial slur; however, in today’s context, with the use of clarifying terms after an individual's name, others might read this as a clarifying statement. Some words stand out evidently as racial slurs, while others may be appropriate in some contexts and then clearly slurs in other contexts. From the actual exchange reviewed, it is not apparent to this office that the writer intended any slur.

Overall Assessment:

Since the exchange occurred over email, tone and context cannot be as readily identified.

The complainant sometimes used specific terminology/phraseology, which is uncommon in municipal email communications. Some phrases were more British than standard Canadian terms, and emphasis was often expressed through the use of capitalization. Several terms directed at City personnel were demeaning, and one is noted in several dictionaries as technically insulting or derogatory. As such, requesting to meet in person and ensuring that such emails are no longer responded to appears to be following City practices as part of protecting city personnel.

In light of the review, the Auditor General identified some considerations which management may wish to consider, such as:

1. Create a channel by which personnel/citizens who feel they have been discriminated against, harassed, prejudiced, etc., can contact to raise their concerns for analysis/investigation.

   The hotline has noticed a rise in such concerns over the past 1-2 years, and there is no readily identifiable path for such individuals to submit their concerns. Further, such a channel should be able to access individuals skilled/trained in assessing and addressing such matters. The growing emphasis on diversity, equity inclusion and individual expression without harming others will likely continue to create a need for people to raise their concerns as society learns to adapt and adequately express conscious inclusiveness.

2. Consider a process whereby when communication with individuals is limited/restricted in any way, a second management representative reviews the outgoing message before issuance. Such a review should be with a view to how the recipient will likely view this message and if the message is clear and without accusation.

3. In enforcing one form of communication with a citizen or contact, management should ensure that the options/methods are straightforward. For example, in the exchange above, the City department head indicated that the complainant should contact them for a meeting and that no further emails would be responded to. It might have been more apparent to convey that:

   a. the City is willing to meet to discuss the concerns,

   b. that no further emails will be responded to by the department except for a request to meet,

   c. alternative means to coordinate a meeting should be provided where they exist.

The critical element here is ensuring citizens know how and where to address their concerns while protecting City personnel.

THE CITY OF WINDSOR
ONTARIO, CANADA

Office of the Municipal Auditor General,
The Corporation of the City of Windsor

June 24, 2024

EXCESSIVE NOISE COMPLAINT AT A CITY FACILITY
AUDITOR GENERAL COMPLAINT INVESTIGATION

REPORT

Executive Summary

Background

An allegation was received indicating that the noise (music) at a City Facility was too loud, and complaints/concerns were not being addressed. Specifically:

1. Verbal and written complaints were provided to various personnel in the City.
2. A noise decibel report was prepared using the complainant's phone, and a concern was submitted, which was endorsed by other participants.
3. The complainant eventually indicated they had to move to another facility to handle the noise level.

Investigation Approach

1. Enquire whether management has received and considered noise complaints at the facility.
2. Consider the applicability of noise-related policies.
3. Consider the noise management practices management has in effect.

Scope Limitation

The scope and practices considered were focused on the specific site alleged by the complainant.

Summary of Procedures and Findings

Management was able to provide support to indicate that the complainant's concerns had been (1) heard, (2) considered and (3) acted upon. However, given the timing of the complaint and the nature of management's evidence of control at that time, conclusive evidence could not reasonably be detected either way.

Management may wish to:

1. Formalize the basis and specific acceptable noise level for City locations (or times) where babies and infants are reasonably expected to attend.

2. A formal process/requirement for monitoring dBA when a noise complaint is implemented, communicated and executed. Such a process should ensure that the monitoring is conducted independently from the individual controlling the sound and should also include an element of future randomness/unexpectedness.

3. Site considerations/approaches to managing sound should also consider "spikes/variances" in sound levels so the limits are set with peaks and audiences/participants in mind. Some sound systems may adjust for this or factor this into audio projection.

Management Comments	Administration was aware of the situation and took appropriate action prior to the Auditor General raising and discussing the concern. Suggestions made by the Auditor General will be considered where appropriate as it relates to future public events.
Name:	Jen Knights
Title:	Executive Director Recreation and Culture
Date:	July 10, 2024

Summary of Investigation Approach Results

#	Approach	Summary of Findings
1	Meet with the complainant to understand the concern and subsequently review the complainant's evidence/information.	The concern was that the music was being played at over 80 decibels, impacting attendees. Further, the complainant expressed concern over the impact of the noise level on the infants and babies present for programs coinciding and overlapping. The complainant felt that their concerns were not addressed.
2	Enquire as to whether management has received and considered noise complaints at the facility in question.	In enquiry, management provided the Auditor General with overview information regarding noise complaints at the facility. It was noted that conversations and written communication occurred.
3	Consider the applicability of noise-related policies.	The Province of Ontario has a Noise Regulation under the Health and Safety Act. It indicates that " no worker is (to be) exposed to a sound level greater than a time-weighted average exposure limit of 85 dBA (decibels measured on the A-weighting network of a sound-level meter) measured over an 8-hour work day." The City of Windsor has a "Noise Procedure" that adjusts the limit for worker exposure to 80 decibels (80 dBA). In conducting external research: - World Health Organization and CDC recommend that the sound be lower than 80-85dBA, but they also sometimes suggest that 70dBA may be too loud. - The CDC and Pediatrics recommend keeping sound under 60bBA and 50dBA for infants and babies. Management's workplace policy aligns with or is more risk-averse than regulatory requirements and general recommendations for adults. The policy and procedure elements provided by management reference workplace and one

		communication references program/participants of City Services. Given that some City locations provide services to or where babies and infants are reasonably expected to attend, specific/explicit consideration of the City's position on the acceptable noise level and basis for such places/times should be formalized.
4	Consider the noise management practices management has in effect	Evidence of communication regarding the city's noise level limits was noted in a letter from 2016 and a newsletter from 2019. The procedure is posted for personnel. These documents are included in staff training materials. The site periodically monitors noise levels using a bDA meter. A supervisor may request the monitoring at any time, and a noise complaint will trigger monitoring of the noise level. Formal requirements for logging the dBA monitoring results (previously verbally communicated) have recently been implemented. The dBA monitor will be calibrated annually, or a new one will be acquired to ensure accurate calibration.

THE CITY OF WINDSOR
ONTARIO, CANADA

Office of the Municipal Auditor General,
The Corporation of the City of Windsor

June 30, 2024

IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements)

Initial Gap Assessment & Resolution Plan

Plan Overview

Executive Summary

Context

On January 9, 2024, the Institute for Internal Auditors (IIA) Standards Board released the updated Global Internal Audit Standards (Standards), the main component of the International Professional Practices Framework (IPPF). The new guidance replaces the 2017 Standards and is effective January 9, 2025.

The Standards serve as the conceptual framework for internal audit professionals and departments worldwide. They're meant to address current internal audit practices while enabling practitioners and stakeholders to be flexible and responsive to the ongoing needs for high-quality internal auditing in diverse environments and organizations of different purposes, sizes, geographies and structures.

The Standards guide the worldwide professional practice of internal audit and serve as the basis for evaluating and elevating the quality of the internal audit function. The standards are mandatory for internal audit practitioners and for maintaining the Certified Internal Auditor accreditation.

Many global internal audit advisory/consulting firms have noted that the changes are "significant," "more prescriptive," and "will require more work."

Given the above context, the fact that personnel within the Office of the Auditor General hold the Certified Internal Auditor Accreditations and that the IIA IPPF is referenced in the current internal audit/Auditor General contract and Charter, there are two options:

1. the Office of the Auditor General will undertake a gap assessment and subsequent gap resolution process to conform by January 9, 2025, or
2. the in-force contracts will be amended, and individual accreditations will be cancelled.

Unless City Council directs otherwise, the Auditor General and the related Office will move forward with option 1 - the Office of the Auditor General will undertake a gap assessment and subsequent gap resolution process to conform by January 9, 2025

Overview of the New Standard & Changes

At the heart of the Standards are 15 principles comprised of five domains:

Domain I: Purpose of Internal Auditing – provides a unified description of the profession.

Domain II: Ethics and Professionalism – incorporates the

profession's Code of Ethics and Standards on practitioner conduct, including Standards on due professional care (Principles 1-5).

Domain III: Governing the Internal Audit Function – clarifies the board's role and responsibilities in supporting an effective internal audit function and addresses how the chief audit executive (CAE) can support the board in carrying out its responsibilities (Principles 6-8).

Domain IV: Managing the Internal Audit Function – clarifies the CAE role and responsibilities for effectively managing an internal audit function (Principles 9-12).

Domain V: Performing Internal Audit Services – codifies requirements and considerations to help internal auditors perform internal audit engagements with consistency and quality (Principles 13-15).

Supplemental guidance

Global Guidance – supports the Standards by providing nonmandatory information, advice, and best practices. Global Practice Guides and Global Technology Audit Guides are included under this category, providing detailed approaches, step-by-step guidance, and examples on various subjects.

Key Differences From Previous IPPF Guidance

The new Standards differ from the 2017 guidance in several ways:

- *Emphasis on risk management alignment*: Internal audit activities are required to be aligned with the organization's risk management framework to ensure a comprehensive approach to risk management.
- *Formalized communication channels*: Clear and effective communication channels between internal auditors and stakeholders are mandated, promoting transparency and accountability.
- *Expanded scope of activities*: Governance, culture and cybersecurity are considered integral components of the audit scope, with increased integration between assurance and advisory projects for comprehensive coverage.
- *Focus on technology and data analytics*: Internal audit functions are encouraged to develop and implement plans for leveraging technology-driven tools to enhance audit efficiency and effectiveness.
- *Structural changes*: The overall makeup of the Standards has been simplified and integrated for easier understanding and implementation.

Summary of Gap Assessment

The Auditor General directly conducted a gap assessment using:

1. Attendance at a workshop/seminar on what has changed in the IIA IPPF.
2. Leveraging the IIA-published *Conformance Readiness Tool* to identify new areas to address.
3. A review of the IIA-published *Complete Global Internal Audit Standards*.

The *Conformance Readiness Tool* "identifies the significant changes between the requirements of the 2017 IPPF and those of the 2024 Standards to help chief audit executives and their teams implement the new Standards and prepare for quality assessments before the effective date of January 9, 2025." The document lists 27 new significant areas and reviews the *Complete Global Internal Audit Standards,* identifying two other elements and several areas for enhancement.

In several instances, the requirements are practices currently informally in place that need to be codified and have evidence routinely generated as a natural output to demonstrate sustained compliance with the professional standards. In other areas, the requirements and evidentiary elements are new.

Resolution Plan

The following activities have been identified as key to enabling compliance by January 9, 2025:

1. Review the Municipal Act and Current Auditor General Charter with new IIA IPPF elements in consideration and identify potential amendments or note exceptions.
2. Develop and implement required elements for governance and supporting content/communication requirements.
3. Create and implement formal ethics processes with the Office of the Auditor General and align/participate in the broader City of Windsor elements.
4. Update communication practices with Council as well as management to align to requirements.
5. Review and enhance security and information protection practices to demonstrate conformance with requirements.
6. Formalize key role competencies and support.
7. Create and deploy an inventory to track personnel, continuing education compliance (overall), accreditation requirements, certifications, experience, work history,
8. Create and implement an annual formal quality assessment and improvement plan per requirements.
9. Enhance the annual reporting template to incorporate any new requirements.
10. Review and enhance the internal audit methodology (s) by considering IPPF enhancements and new elements.
11. Update working papers to support methodology enhancement and the capture of required conformance with

IIA IPPF.

12. Review and enhance reporting requirements in conformance with standards.
13. Create and roll out an end-of-project survey with assessment questions related to Honesty, Professional Courage, and Competency as perceived by management.
14. Finalize enhancements and modifications to the Auditor General Charter and communicate exceptions for Council consideration.
15. Report on progress against plan to Council regarding the readiness for compliance with Global Internal Audit Standards (Standards) as of January 9, 2025.

June 30, 2024 Auditor General Work Plan Revisions

Report

06.30.2024
—

Office of the Municipal Auditor General,
The Corporation of the City of Windsor

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Summary of Revisions

The Auditor General invoked the Auditor General Charter clause, which provides the ability to adjust the work plan to support the allegation investigation. This communication provides the required subsequent communication to the City Council for awareness and consideration of additional effort/resource assignment.

2023 Work Plan Progress

(Previous Forecasted Final reporting to Council - Nov/December 2024)

Planned Projects Per November 2024 Work Plan	
Procurement – Education compliance	12%
Partial scope of 9 BIAs over three years	29%
~~Performance Audit - Stormwater Financing Project - Implementation Plan Report~~	~~18%~~
Management action plan validation	7%
Concerned citizen and employee hotline	14%
Risk assessment refresh	5%
Oversight, administration and reporting	1%
AG Functions	12%
~~Unallocated~~	~~2%~~
Reallocation of Hours	
CCEP Hotline Revisions, Updates, Enhancement and Digital Enablement	4%
Reallocate to Concerned Citizen Complaint Investigation Status	16%

Notes:

- Remaining efforts from the Stormwater and Unallocated projects are reallocated to:
  - CCEP Hotline Revisions, Updates, Enhancement and Digital Enablement
  - Reallocate to Concerned Citizen Complaint Investigation Status

- **Concerned Citizen Complaint Investigation Status**—Given the volume of inbound allegations requiring analysis and possibly investigation, hours needed to be assigned from a resource pool. The Unallocated Hours were assigned first, and then the Stormwater hours were substantially reallocated to the enhancement work. Effort was allocated from both the 2023 and 2024 work plans.

- **CCEP Hotline Revisions, Updates, Enhancement, and Digital Enablement**—Given the inbound complaint volume, complexity, follow-up, and known process adjustments, we allocated a portion of the Stormwater hours to enhance the CCEH protocol enhancements.

2024 Work Plan Progress

(Previous Forecasted Final reporting to Council - June 2025)

Planned Projects Per November 2023 Work Plan	
~~Digitization risk consideration: security, privacy, availability, needs alignment and breadth of use~~	~~16%~~
Partial scope of 9 BIAs over three years	~~37%~~ 24%
Management action plan validation	7%
Concerned citizen and employee hotline	~~14%~~ 18%
Risk assessment refresh	6%
AG Functions	13%
Unallocated	4%
Reallocation of Hours	
IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements)	17%
Reallocate to Concerned Citizen Complaint Investigation Status	11%

Notes:

- Remaining efforts from the Digitization and BIA Review #6 projects are reallocated to:
  - IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) - required based on professional standards for operation January 1, 2025
  - Reallocate to Concerned Citizen Complaint Investigation Status

- **Concerned Citizen Complaint Investigation Status**—Given the volume of inbound allegations requiring analysis and possibly investigation, hours needed to be assigned from some resource pool. As such, the Unallocated Hours were assigned first, and then the Stormwater hours were mainly reallocated to the enhancement work. Effort was taken from both the 2023 and 2024 work plans.

- I**IA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements)**—Given the release of new professional standards for the Internal Audit Profession in 2024, this is a newly required project to comply with the new standards effective January 1, 2025. This project will require a gap assessment of current practices, charters and reporting against the new standards and alignment with the Auditor General elements of the Municipal Act.

- 4% of 2024 work plan efforts remain Unallocated and may be used as necessary for future inbound investigations or with other project savings to move a BIA review forward.

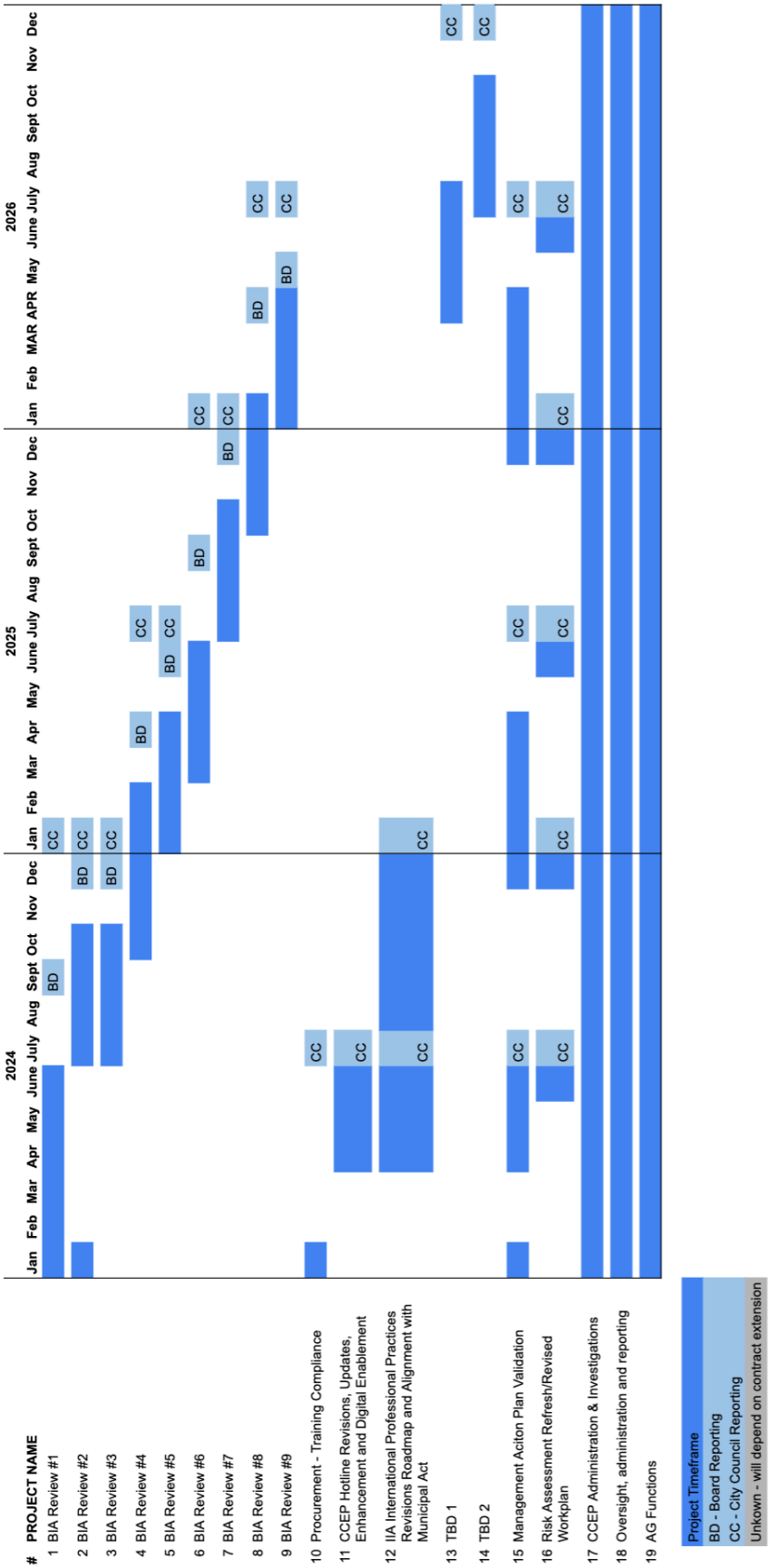
Concerned Citizen Complaint Investigations

Planned Project
Inappropriate Language And Racial Comments
Noise Concerns at Public Facilities
Supported Care Home Treatment Concerns
Inappropriate Disbursement of Funds
Treatment of Citizen
Building Inspections
Inappropriate Service and Treatment Regarding Social Support
Hiring Practices
Property Lein Issues
Investment Practices

Notes:

- 16% of 2023 work plan efforts and 11% of 2024 work plan efforts have been allocated to further allegation analysis and investigation efforts.
- The performance of investigations will be woven into available time with existing planned projects.

Timeline View



Committee Matters: SCM 202/2024

Subject: Response to CQ 20-2024 Bulk Collection Program in BIAs

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

Decision Number: **ETPS 1013**
THAT the report of the Manager, Environmental Services dated June 10, 2024 entitled "Response to CQ 20-2024 Bulk Collection Program in BIAs" **BE RECEIVED** for information; and,

THAT Council **APPROVE** the inclusion of commercial businesses within BIAs in the existing Bulk Collection Program on a one-year pilot program beginning in the fall of 2024; and,

THAT Administration **REPORT** the results of the pilot project to Council in the fall of 2025; and,

THAT Administration **BE DIRECTED** to report back regarding the feasibility of expanding the bulk item pick up program into non BIA commercial districts during the final analysis or at any time within the pilot project timeline.
Carried.

Report Number: S 75/2024
Clerk's File: SW2024

Clerk's Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **NOT** the same.

2. Please refer to Item 8.1 from the Environment, Transportation & Public Safety Standing Committee held on June 26, 2024.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240626/-1/10492

Council Report: S 75/2024

Subject: Response to CQ 20-2024 Bulk Collection Program in BIAs

Reference:

Date to Council: June 26, 2024
Author: Jim Leether
Manager, Environmental Services
519-974-2277 ext. 3133
jleether@citywindsor.ca

Public Works - Operations
Report Date: June 10, 2024
Clerk's File #: SW2024

To: Mayor and Members of City Council

Recommendation:

THAT the report of the City Engineer dated June 5, 2024 in response to CQ 20-2024 regarding feasibility to include commercial businesses in the BIA's with the existing bulk item pick-up program **BE RECEIVED** for information, and

THAT Council **APPROVE** the inclusion of commercial businesses within BIAs in the existing Bulk Collection Program on a one-year pilot program beginning in the fall of 2024, and

THAT Administration **REPORT** the results of the pilot project to Council in the fall of 2025.

Executive Summary:

N/A

Background:

At the March 18, 2024 Council meeting, Councillor Agostino requested the following:

CQ 20-2024 - Asks administration to report back to City Council on the feasibility of expanding the current bulk item pick-up program to include commercial businesses in BIAs rather than just residential, do we have the capacity to do this.

This report serves as a response to CQ 20-2024.

The current Residential Bulk Pick-Up program runs year-round and provides collection to approximately half the City one week, and the other half the following week. This result in each residential home receiving 25 opportunities annually to access the

program at a cost of $10.00 per item, up to a maximum of two items per collection. Residents are required to pre book the collection via 311. The capacity of route is limited to 80 stops or 160 items per collection cycle. The average number of stops in 2023 was 60, although the program does experience seasonal highs and lows (peak season being Spring & Summer).

Discussion:

The council question asked whether commercial businesses in the BIAs could be included in the existing bulk item pick-up that currently only includes residential properties. Currently, the program is in a mature status and averaging close to 60 stops per collection cycle; the stop counts are impacted by seasonality and typically the program experiences a surge in the Spring and Summer and then levels off in the Fall and Winter. There is therefore, on average, a capacity of an additional 20 stops per week in the current program.

As the City currently has no data on the types of material or stop counts that would be experienced in the BIAs, a pilot project of one year would be a safe and prudent way to approach including the BIAs in the current program.

The pilot project would incorporate the BIAs into the existing collection zones and allow them access to the same level of collection opportunities residents currently enjoy; the maximum allowable items and the cost of $10.00 per item would remain the same allowing for a consistent application of the program for all users. A tentative recommended start date for this pilot project could be achieved as early as this Fall.

Data from the pilot project will be used to further evaluate the Bulk Collection program. If the number of stops and items remain within the scope of the current program after the one-year period, a recommendation could be put forward to allow for a permanent inclusion. If the number of requests exceeds the number of stops and items set out within the scope of the program, Administration shall report back on those impacts and propose options to address the additional volume. Options could include adding a collection day or potentially incorporating bulk item pick-up with other future services that Environmental Services has been directed to evaluate, namely bi-weekly diaper collection at the on-set of Source Separate Organics (SSO) collection.

Risk Analysis:

While the residential bulk item pick-up program is fully funded and there is some capacity within the program to incorporate a pilot program, there is a risk of the additional BIA stops pushing collection beyond the optimal number of stops on a collection cycle. Should this occur, there may be a need for unbudgeted overtime to complete a set out route. Without overtime, customers could experience longer wait periods for service if the route is fully booked and items have to be held to the next collection. The risk of this occurring is at the highest during the Spring and Summer collection periods.

Allowing the BIA's to participate will require some alley collection where collection cannot occur at curbside. Alley collection is currently not provided to residential properties due to the inability to confirm addresses from the back of a property. With material set out in alleys there is significant risk of illegal dumping

occurring as other garbage items may be added to the bulk item that has been properly set out, and paid for. This could result in stops being left behind or misidentified by the collection staff. Administration will monitor this risk and provide additional service, when possible, within established budgets and programs.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The residential bulk item pick-up program is fully funded through the bulk pick-up fees as it currently stands, there is some capacity to incorporate the pilot program at little to no cost but risk of unbudgeted overtime or potential carry over of collection exists if the program experiences major participation beyond the current route cycle capacity. Without any existing data to estimate the exact impact it is impossible to state what type of impact this added servicing could potentially have, although it is not expected to be significant based on the level of service currently being provided in the program.

All costs and revenue related to the bulk collection service in the BIAs will be charged and deposited to the existing bulk collection operating budget in Dept. ID 0175750. The department will make ever effort to mitigate any added costs for overtime etc. within the department. Any material variances experienced during the pilot program that the department is unable to mitigate will be included in the Public Works operating variance reporting for the fiscal year

Consultations:

Cindy Becker, Financial Planning Administrator – Public Works

Anne-Marie Albidone, Manager, Environmental Services – Public Works

Conclusion:

A one-year pilot program for Bulk Collection in all BIAs following the existing program criteria will allow Administration to gather information and analyse the best course of action for a more permanent service.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works
Shawna Boakes	Executive Director of Operations
Mark Winterton	(A) Commissioner of Infrastructure Services, City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Committee Matters: SCM 203/2024

Subject: Response to CR183/2024-Petition from Residents on the Corner of Derek Street and Radcliff Avenue in Opposition to Implementation of Bus Route - City Wide

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

Decision Number: **TWB 2**
THAT the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors **RECEIVE FOR INFORMATION** the report of the Manager, Transit Planning dated March 22, 2024 entitled "Response to CR183/2024-Petition from Residents on the Corner of Derek Street and Radcliff Avenue in Opposition to Implementation of Bus Route - City Wide."
Carried.

Report Number: S 40/2024
Clerk's File: ACO/14715

Clerk's Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors and Administration are the same.

2. Please refer to Item 9.1 from the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors held on June 26, 2024.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240626/-1/10492

Subject: Response to CR183/2024-Petition from Residents on the Corner of Derek Street and Radcliff Avenue in Opposition to Implementation of Bus Route - City Wide

Reference:

Date to Council: June 26, 2024
Author: Jason Scott, Manager, Transit Planning
Transit Windsor
519-944-4141 ext 2230
jscott@citywindsor.ca

Transit Windsor
Report Date: March 22, 2024
Clerk's File #: ACO/14715

To: Mayor and Members of City Council

Recommendation:

That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors **RECEIVE FOR INFORMATION** the report in response to decision number CR183/2024 from the City Council meeting held on April 22, 2024.

Executive Summary:

N/A.

Background:

At the April 22, 2024 meeting of City Council, City Council adopted the following motion:

> *That the petition presented by Councillor Angelo Marignani on behalf of residents on the corner of Derek Street and Radcliff Avenue in opposition to the implementation of Bus Route 335 being added to Radcliff Avenue* ***BE RECEIVED*** *by the Clerk and the Clerk* ***BE DIRECTED*** *to forward the petition to the Executive Director, Transit Windsor for the purpose of an examination of the requested works or undertakings.*

Discussion:

The new route that is being implemented along Radcliff Avenue was identified during the development of Transit Windsor's More Than Transit – Transit Master Plan. This route was developed based on extensive public consultation. Round 1 of community

outreach and engagement, which ran from October 2018 to January 2019, focused on identifying how Transit Windsor could better serve its users. Round 1 included open house sessions in every ward, multiple online surveys, and posters on buses and shelters across the City. The initial draft of the plan was then presented to the public during Round 2 of public engagement, which was completed in Summer 2019. Round 2 of the public consultation process in 2019 included a project flyer, which was sent by the City of Windsor to approximately 55,000 residents with the annual Property Tax mail-out, and approximately 6,000 clients in June of 2019 monthly mailing for Social Services. City of Windsor residents were encouraged to provide input on the draft plan and route network with a link provided to the project website where Radcliff Avenue was clearly identified as a proposed bus route. No negative comments were received by Transit Windsor in regards to having a route operating along Radcliff. Only positive comments were received from residents, and the responses indicated strong support for the new service available to residents in the area. The Transit Master Plan was subsequently unanimously approved by City Council in January, 2020.

The Environment, Transportation & Public Safety Standing Committee approved this route on February 22, 2023 as part of Transit Windsor's 2023 Service Plan and overall operating budget. This service plan was subsequently endorsed by City Council on April 3, 2023 as part of the City of Windsor's overall operating budget. The new local routes were also on display during the Ward 7 community open house on November 7, 2023, where City and Transit Windsor staff were present to answer questions.

Please note that as part of the development of the overall 2023 service plan, the proposed route number for this route has been changed from Route 335 to Route 345. This is to remain consistent with the new route numbering convention that Transit Windsor has adopted as the development of the Transit Master Plan progresses. Route 345 will be referenced for the remainder of this report.

Informational mail-outs will be sent to all residents in this area once Route 345 is closer to implementation, which is expected to be later in 2024 or early 2025. This letter will explain the route and also have a map attached to it showing the entire route. A public website will also be available for all residents to view this route and all of the route changes that will take place. This website will explain the changes and provide a map of the full range of route changes taking place.

Route 345 meets all of Transit Windsor's Route Infrastructure Planning and Design Guidelines, as approved by City Council. There are many streets in the City of Windsor similar to Radcliff upon which Transit Windsor currently operates and has for a considerable period of time without any issues. Many of these streets include on-street parking on the subject streets and surrounding environments. All bus stop locations for Route 345 along Radcliff (and the entire route), meet Transit Windsor's guidelines as well as industry standards.

Transit Windsor had record ridership for 2023 and is projecting continued growth for 2024. The redesign of routes east of Tecumseh Mall, consistent with the Transit Master Plan, are designed to accommodate the significant current and future growth of population in the City of Windsor, as well as continued ridership growth at Transit Windsor. Route 345 is expected to play a significant role in this and further add to the

ridership success and provide another crucial service for the residents of the City of Windsor.

Risk Analysis:

There are no risks associated with implementing the new route along Radcliff Avenue between Little River Boulevard and McNorton Street. The introduction of the route provides enhanced service and connectivity to residents. Should the route be altered, a significant area of the east side of the City would fall outside of Transit Windsor's service area, denying residents the benefit of transit services, and there would be a potential loss of ridership and revenue to Transit Windsor.

Climate Change Risks

Climate Change Mitigation:

N/A.

Climate Change Adaptation:

N/A.

Financial Matters:

Transit Windsor expects to gain revenue by implementing this new route into a new service area. Route 345 provides service for all residents in the new service coverage area and allows residents to connect with the entire Transit Windsor network leading to an expected overall increase in ridership. An increase in ridership leads to an increase in Transit revenue through rider fees as well as creates potential for additional Provincial Gas Tax which is received from the Province of Ontario.

Consultations:

Poorvangi Raval, Financial Planning Administrator for Transit Windsor

Rob Slater, Executive Initiatives Coordinator, City of Windsor

Conclusion:

Transit Windsor has reviewed Route 345 and the concerns brought forward by the residents in regards to its implementation. Based on the review, no concerns or issues were revealed with it being implemented. Transit Windsor's implementation of Route 345 continues the improvements to the Transit Windsor system approved by City Council, as well as the continued implementation of the Transit Master Plan. Route 345 fills in a service coverage area gap in the community and provides a vital service to all residents, providing them transportation access to the entire City of Windsor and regional services.

Planning Act Matters:

N/A.

Approvals:

Name	Title
Poorvangi Raval	Financial Planning Administrator for Transit Windsor
Jason Scott	Manager, Transit Planning
Tyson Cragg	Executive Director, Transit Windsor
Mark Winterton	Commissioner, Infrastructure Services
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Committee Matters: SCM 204/2024

Subject: Town of Amherstburg - Transit Service Agreement Renewal - City Wide

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

Decision Number: **TWB 3**
THAT the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors **RECEIVE FOR INFORMATION** the report of the Executive Director, Transit Windsor dated May 29, 2024 entitled "Town of Amherstburg - Transit Service Agreement Renewal - City Wide"; and,

THAT Transit Windsor **BE AUTHORIZED** to update and renew the existing Agreement for another five-year term (September 1, 2024 – August 31, 2029) with the Town of Amherstburg to provide a transit route that connects with services provided by Transit Windsor; and,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the Agreement with the Town of Amherstburg, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer and the Executive Director of Transit Windsor.
Carried.

Report Number: S 70/2024
Clerk's File: MT2024

Clerk's Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors and Administration are the same.

2. Please refer to Item 9.2 from the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors held on June 26, 2024.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240626/-1/10492

Council Report: S 70/2024

Subject: Town of Amherstburg - Transit Service Agreement Renewal - City Wide

Reference:

Date to Council: June 26, 2024
Author: Tyson Cragg, Executive Director
Transit Windsor
519-944-4141 ext 2232
tcragg@citywindsor.ca

Transit Windsor
Report Date: May 29, 2024
Clerk's File #: MT2024

To: Mayor and Members of City Council

Recommendation:

That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors and City Council **RECEIVE** for information the update regarding the 2-year pilot to provide transit services to the Town of Amherstburg; and,

That Transit Windsor **BE AUTHORIZED** to update and renew the existing Agreement for another five-year term (September 1, 2024 – August 31, 2029) with the Town of Amherstburg to provide a transit route that connects with services provided by Transit Windsor; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the Agreement with the Town of Amherstburg, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer and the Executive Director of Transit Windsor.

Executive Summary:

N/A.

Background:

At the meeting of City Council on May 26th, 2021, report S48/2021, resolution number CR278/2021, approved Transit Windsor's recommendations as follows:

> *1. That the City Engineer – Corporate Leader of Environmental Protection & Infrastructure Services and the Executive Director of Transit Windsor **BE***

AUTHORIZED *to negotiate with the Corporation of The Town of Amherstburg for Transit Delivery and Maintenance Services and to engage in any resulting contract negotiations; and,*

2. That a subsequent report on the outcomes of the negotiations ***BE PREPARED AND SUBMITTED*** *to the Environment, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors and City Council with that report fully detailing the cost associated with the proposed service delivery and seeking any further approvals or authorizations that may be required from the Transit Windsor Board of Directors and City Council.*

Further, at the June 22nd, 2022, City Council meeting, recommendations outlined in report S70/2022 (CR295/2022) were approved, as follows:

> *That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors, and City Council* ***RECEIVE*** *for information the update regarding negotiations for transit service with the Corporation of The Town of Amherstburg; and,*
>
> *That Transit Windsor* ***BE AUTHORIZED*** *to enter into a 2-year pilot agreement (2022-2024) with the Corporation of The Town of Amherstburg to provide a transit service route that connects the town's resident to services provided by Transit Windsor as detailed in the report; and,*
>
> *That the Chief Administrative Officer and City Clerk* ***BE AUTHORIZED*** *to sign the resulting Agreement with the Corporation of The Town of Amherstburg, satisfactory in form to the Commissioner of Legal and Legislative Services, in financial content to the Commissioner of Corporate Services, and in technical content to the Commissioner of Infrastructure Services and the Executive Director of Transit Windsor.*

This report is seeking approval from the Transit Windsor Board of Directors and City Council to authorize Transit Windsor to enter into a five-year agreement (September 1, 2024 – August 31, 2029) with the Town of Amherstburg.

Discussion:

Service to the Town of Amherstburg (Transit Windsor Route 605) began in September, 2022 as a two-year pilot program, providing transit services to the Town of Amherstburg from the Hotel-Dieu Grace Healthcare (HDGH) terminal. Route 605 currently runs three (3) times per day, every day of the year, including Holidays. It includes connections to several Transit Windsor routes to get passengers to and from various locations across the City of Windsor, including St. Clair College and the University of Windsor. It also includes connections to the Town of LaSalle's route (Route 25), also operated by Transit Windsor.

The Town of Amherstburg has experienced a range of ridership with its Amherstburg 605 transit route. The annual ridership numbers from 2022-2024 are as follows:

- 2022 = 2,619 (September to December, monthly average: 655)
- 2023 = 13,597 (full year, monthly average: 1,133)
- 2024 = 5,099 (up to April 30, 2024, monthly average: 1,275)

Route 605 for the Town of Amherstburg has experienced growth in ridership every month since its inception, with monthly average ridership up 95% since 2022. Route 605 is doing very well for a new route, since typically a new route takes 18-24 months to truly achieve full ridership potential and growth. Route 605 achieved this in the first 12-months of operation, noting that current service is three (3) trips per day. The largest contributor to this ridership has been students from the University of Windsor and St. Clair College. The Universal Bus Pass Program (U-Pass) with the University of Windsor has represented 36% of Route 605's ridership for January – April of 2024 and St Clair College with the SaintsPass has represented 22% of Route 605's ridership for the same time frame.

Representatives with the Town of Amherstburg have expressed their desire to renew the agreement for another five (5) year term, with options to increase trips and frequencies. The Town has expressed that residents are generally happy with the service, with the exception of the route frequency. Rider comments have indicated a desire to add another trip during the day to accommodate increased demand for the service. Accordingly, the Town has requested that Transit Windsor provide an option to increase the service from three to four trips per day, representing a 33% increase in service frequency. Appendix A provides the proposed changes based on increasing the number of trips from three to four trips per day, including Holidays. This service increase still requires one (1) bus, which will be in service for 7.5 hours per day. The current route alignment will remain unchanged.

Amherstburg will be presenting a report to their Council on June 24th, 2024, with the revised service schedule.

Risk Analysis:

Through this pilot, Transit Windsor's partnership with Amherstburg has complimented regional transit services to the surrounding communities in Windsor and Essex County. Where there was previously a gap in transportation services, Route 605 addressed the shortfalls and has successfully connected riders to transfer points with the LaSalle 25 Route and the South Windsor 7 Route, which allows students to get to St. Clair College in less time, and with the transfer points at the HDGH terminal, riders can transfer to other Routes that would provide them with access to many services in the City of Windsor for employment, medical appointments, social activities, etc. As ridership indicates, there is a demand for this service and as such, the risk of not renewing this transit contract agreement would jeopardize growing ridership levels that would result in potential loss of revenue and decreased Provincial Gas Tax Funding.

Climate Change Risks

Climate Change Mitigation:

As Transit Windsor will own the bus servicing Amherstburg, the greenhouse gas ("GHG") emissions to service the route will be included in the City's Corporate GHG inventory.

However, for every passenger car that switches from car to bus, GHG emissions drop by least a factor of three. As such, The City's Community Energy Plan aims to double transit ridership by 2041.

The continuation of the route in Amherstburg contributes to a reduction in community GHG emissions in all the communities connected to the route, including Amherstburg, LaSalle, and Windsor as opportunities to connect to more places expands reducing the need for single passenger vehicle trips between communities.

Climate Change Adaptation:

Transit Windsor is recognized as an important asset in the City's Climate Change Adaptation Plan. There are no climate change adaptation risks associated with continuing this agreement.

Financial Matters:

The existing 2 Year Pilot Agreement between the Corporation and the Municipality expires August 31/2024. The new proposed Agreement has been set at a rate of $70.71 for 2024 and is to be calculated annually based upon the formula as outlined below.

The revenue received on the Amherstburg route is credited to the Municipality of Amherstburg and Transit Windsor charges the Municipality of Amherstburg based on the hourly rate, along with actual fuel consumption and an annual capital contribution. The fuel charge is based on the average rack rate for diesel fuel.

With the current agreement expiring August 31, 2024, the new hourly rate for 2024 and starting on September 1, 2024, is $70.71.

This represents a 4.36% decrease from the existing 2024 contracted rate notwithstanding taking into consideration increasing cost factors such salary and benefit increase as per collective agreement, direct administration costs etc. The main reasons for this decrease are:

1. The existing contract is set at annual operating hours of 2228 and the new proposed contract is set at annual operating hours of 2,740, thereby resulting in an overall reduction in hourly rate. The Town has requested additional service hours in the new contract.

2. The maintenance costs in the existing contract were based on the older 2015 NOVA Bus and the new contract is based on the 2018 NOVA bus. Buses purchased since 2018 (delivered and on order) now make up the majority of Transit Windsor's fleet. The newer buses have an overall reduced maintenance costs.

3. The existing costing was based on 2022 CPI rate of 5.51% and proposed contract is based on 2023 CPI rate of 3.31%.

Thereafter, the annual rate for future years will be the higher of annual calculated increase of 3.47% or Consumer Price Index (CPI) of the preceding year applied to the existing rate for the year. CPI will be based on *CPI Table 18-10-0006-01-All Items, excluding Food & Energy.*

The Town of Amherstburg will be invoiced separately for the annual capital costs of the transit service, in the amount of $74,800. This is calculated based on service seven days per week at an estimated 2,726 hours. This reflects recent contracts with other Regional Partners. The current contact has an annual capital costs billing of $61,200. The increase in the capital cost billing is on account of a substantial increase in the purchase price of buses and increase in interest rate.

An additional clause has further been added to the new proposed contract as a way of protecting the City from future uncontrollable costs. In the event that there are any unexpected or uncontrollable costs incurred by the City, that are not covered by senior levels of government funding, the Municipality will be notified and will be billed, over and above the hourly rate, for the additional costs. Examples include future pandemics, pandemic related cleaning, long-term construction detours, etc.

The impact on future budgets will be considered in light the terms of the contract and expenditures.

Consultations:

Mark Spizzirri, Manager Performance Measurement and Business Case Development

Poorvangi Raval, Financial Planning Administrator for Transit Windsor

Karina Richters, Supervisor, Sustainability & Climate Change

Jason Scott, Manager, Transit Planning, Transit Windsor

Rob Slater, Executive Initiatives Coordinator

Conclusion:

Based on the operational data gathered during the two-year pilot, ridership trends have shown positive growth and supports the need for Transit Windsor to continue to provide transit service to the Town of Amherstburg. This business model has proven to be successful and Transit Administration strongly recommends the approval of the recommendations as detailed within this report so that we may continue to maintain the existing partnership.

Planning Act Matters:

N/A.

Approvals:

Name	Title
Poorvangi Raval	Financial Planning Administrator for Transit Windsor
Tyson Cragg	Executive Director, Transit Windsor
Mark Winterton	Commissioner, Infrastructure Services (A)
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Route 605 Schedule - 4 Trips Per Day

Route 605

4 Trips Per Day

1 Bus

7.5 Hours Per Day

Weekday

Southbound

Hotel Dieu Grace Healthcare	Marigold at Weaver	Front at Laurier	Kingsbridge at Front	Sandwich at Alma	Sandwich at Simcoe	Sandwich at Pickering	Lowes Sideroad at Sandwich
6:00	6:07	6:12	6:24	6:33	6:36	6:38	6:42
13:30	13:37	13:42	13:54	14:03	14:06	14:08	14:12
18:00	18:07	18:12	18:24	18:33	18:36	18:38	18:42
19:30	19:37	19:42	19:54	20:03	20:06	20:08	20:12

Northbound

Lowes Sideroad at Sandwich	Sandwich at Pickering	Simcoe at Sandwich	Alma at Sandwich	Kingsbridge at Front	Front at Laurier	Marigold at Weaver	Hotel Dieu Grace Healthcare
6:42	6:45	6:47	6:53	7:02	7:14	7:20	7:30
14:12	14:15	14:17	14:23	14:32	14:44	14:50	15:00
18:42	18:45	18:47	18:53	19:02	19:14	19:20	19:30
20:12	20:15	20:17	20:23	20:32	20:44	20:50	21:00

Saturday

Southbound

Hotel Dieu Grace Healthcare	Marigold at Weaver	Front at Laurier	Kingsbridge at Front	Sandwich at Alma	Sandwich at Simcoe	Sandwich at Pickering	Lowes Sideroad at Sandwich
7:00	7:07	7:12	7:24	7:33	7:36	7:38	7:42
13:30	13:37	13:42	13:54	14:03	14:06	14:08	14:12
15:00	15:07	15:12	15:24	15:33	15:36	15:38	15:42
18:00	18:07	18:12	18:24	18:33	18:36	18:38	18:42

Northbound

Lowes Sideroad at Sandwich	Sandwich at Pickering	Simcoe at Sandwich	Alma at Sandwich	Kingsbridge at Front	Front at Laurier	Marigold at Weaver	Hotel Dieu Grace Healthcare
7:42	7:45	7:47	7:53	8:02	8:14	8:20	8:30
14:12	14:15	14:17	14:23	14:32	14:44	14:50	15:00
15:42	15:45	15:47	15:53	16:02	16:14	16:20	16:30
18:42	18:45	18:47	18:53	19:02	19:14	19:20	19:30

Sunday/Holiday

Southbound

Hotel Dieu Grace Healthcare	Marigold at Weaver	Front at Laurier	Kingsbridge at Front	Sandwich at Alma	Sandwich at Simcoe	Sandwich at Pickering	Lowes Sideroad at Sandwich
8:30	8:37	8:42	8:54	9:03	9:06	9:08	9:12
13:10	13:17	13:22	13:34	13:43	13:46	13:48	13:52
14:40	14:47	14:52	15:04	15:13	15:16	15:18	15:22
17:25	17:32	17:37	17:49	17:58	18:01	18:03	18:07

Northbound

Lowes Sideroad at Sandwich	Sandwich at Pickering	Simcoe at Sandwich	Alma at Sandwich	Kingsbridge at Front	Front at Laurier	Marigold at Weaver	Hotel Dieu Grace Healthcare
9:12	9:15	9:17	9:23	9:32	9:44	9:50	10:00
13:52	13:55	13:57	14:03	14:12	14:24	14:30	14:40
15:22	15:25	15:27	15:33	15:42	15:54	16:00	16:10
18:07	18:10	18:12	18:18	18:27	18:39	18:45	18:55

Comprehensive Community Concerns Report on Proposed Bus Route: Safety, Environmental, and Quality of Life Impacts on Radcliff Ave

Prepared by Mark Sementilli
Resident of Radcliff Ave
June 20, 2024

Please accept the following report on behalf of my neighbors and myself to express our collective concerns regarding the proposed new bus route through our neighborhood. Our extensive outreach efforts have revealed a significant level of opposition to this change, and I would like to provide a comprehensive overview of the key issues we have identified.

Community Outreach and Awareness: We have conducted extensive canvassing, covering every street in the neighborhood, including all townhomes. Through this process, we discovered that residents were largely unaware of the new bus route until bus posts appeared. Our petition, which includes 300 signatures from the streets listed below, demonstrates the widespread opposition for various reasons to this change:

- **Radcliff Ave**
- **Derek St.**
- **Savanna St.**
- **Soloman St.**
- **Norbert St.**
- **Lakeview Ave**
- **Blair St.**
- **Cobblestone Crescent**
- **Boulder Crescent**
- **Rockland St.**
- **Maitland Ave.**
- **Thistledown Ave.**
- **Duneshill Ave**
- **Gatwick Ave**

Concerns Raised:

- **Safety:**
  - Narrow streets causing vehicles to move into oncoming traffic.
  - Tight turning radii and winding curves creating hazardous conditions.
  - Absence of designated crosswalks.
  - Increased traffic and lack of space for cyclists.
  - Wintertime challenges on the eastside hill.
  - Lack of cut-ins for community mailboxes.
- **Privacy, Noise, and Vibration:**
  - Proximity of bus stops to homes affecting privacy.
  - Noise from buses disrupting the quality of life.
  - Concern for pet safety near bus stops.
- **Parking:**
  - Potential loss of parking spaces for townhomes.
  - Increased parking restrictions on Radcliff Ave.
- **Environmental Impact:**
  - Increased traffic affecting local wildlife.
  - Concerns over noise pollution in the park.
  - Increased emissions contrary to environmental responsibility.
- **Traffic:**
  - Increased traffic volume due to buses running every 30 minutes.
  - Potential for more bypass traffic through Radcliff and Maitland Ave, exacerbating congestion in the townhome area.

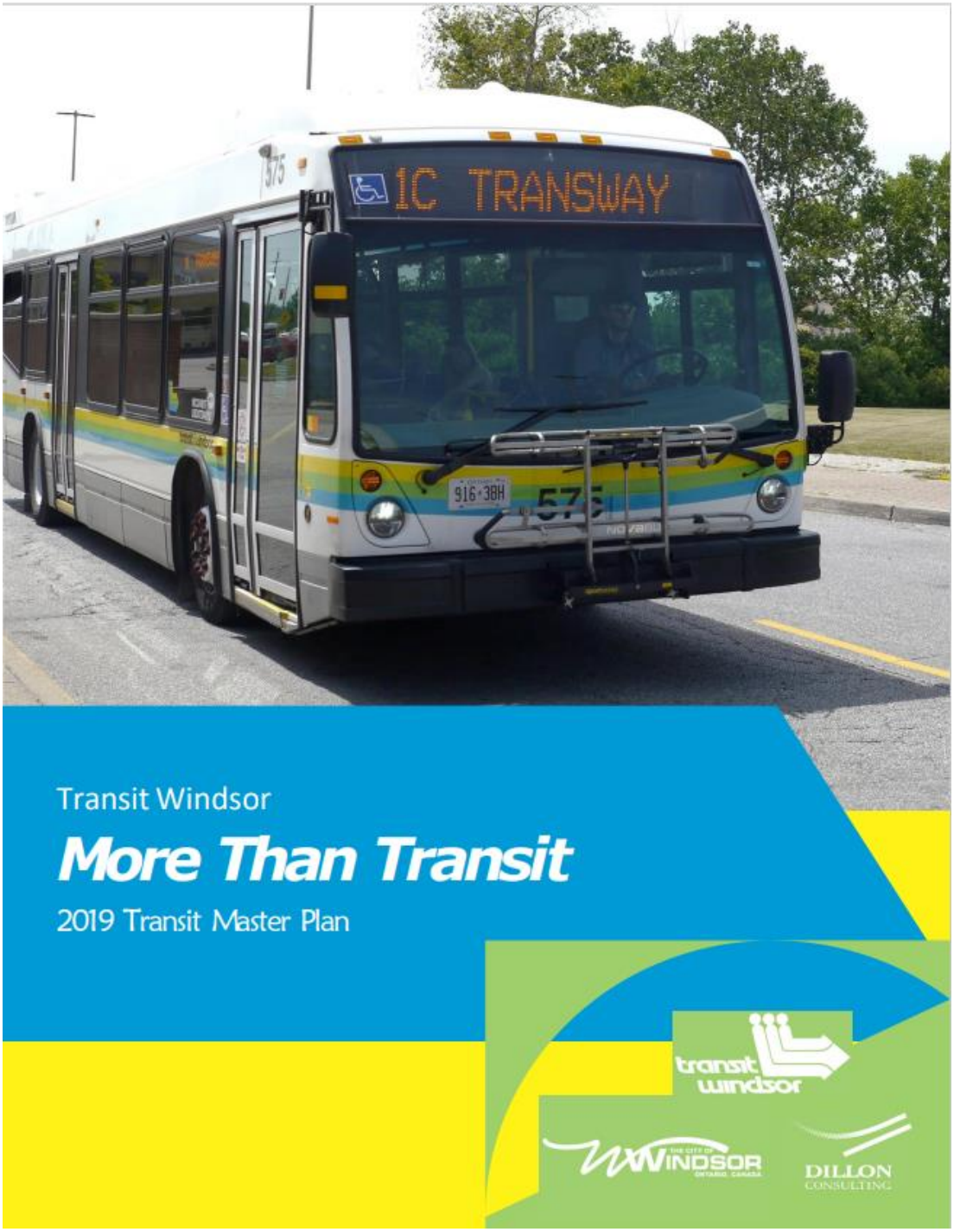
Proposed Alternatives: Utilize roads like Banwell Ave. or continue using Clover, which are perceived as better suited for transit.

Risk Assessment: A detailed risk assessment has been produced and shared, summarizing the safety, environmental, and community impact concerns.

Additionally, the following report will include residents' concerns applied to:

- **Transit Windsor Route Infrastructure Planning and Design Guidelines**
- **Transit Windsor More Than Transit: 2019 Transit Master Plan**
- **Dillon Consulting On Demand Transit Strategic Assessment**

The ***hope*** is this summary of our findings and concerns will highlight the need for reconsideration of the proposed bus route. We are committed to working together to find a solution that benefits all members of our community.



Concerns raised contrary to Sections 3.3 and 6.2 of the Transit Master Plan.

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

Title of Document Audited	Transit Windsor More Than Transit:2019 Transit Master Plan	***Noncompliant***
Date of report	June 20, 2024	
Reported to:	Transit Windsor	City of Windsor
Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 3.3	**Mission**
Requirement	Transit Windsor supports the growth of a livable and sustainable community by providing a reliable, safe and convenient mobility service option that is accessible to all. **Safe** – This speaks to a service that emphasizes the safety of its customers, employees, and any other roadway user or traveler driving, cycling, or walking near or in potential conflict with the transit vehicles.
Concerns	Several safety concerns and non-compliances have been identified and shared with Transit Windsor , The City of Windsor and ATU via Risk Assessment (see attached)
Findings	Transit Windsor has not given a response to the Risk Assessment, only generic statements have been made that this route is safe because it meets the Transit Master plan. **<u>There are no safety or design criteria in the Master Plan.</u>** It was also stated that Transit Windsor was moving ahead because it was passed by the Environmental, Transportation & Public Safety Standing committee as well as City Council. - there has been no supporting evidence to show that Transit Windsor disclosed safety, design and previous public objection to the City or the Standing Committee in any of the standing committee's minutes. **<u>No evidence of diligence has been provided when requested.</u>** **<u>Current</u>** - the hazards identified on the Risk Assessment do not exist currently **<u>Impact</u> - the probability of serious injury or fatality increases significantly**.

Findings	Continued ……..

Safety Risk Assessment Register - Radcliff Ave

Identification							Initial Safety Risk Rating			Further Mitigation Action	Revised Safety Risk Index		Mitigation Owner and Implementation Date		
Hazard	Hazard Type	Identification Date	Identification Source	Analysis Date	Worst Possible, Worst Credible, or Most Common Potential Consequence(s)	Existing Mitigation(s)	Severity of Consequences	Likelihood of Consequences	Safety Risk Index	Further Mitigation Action	Revised Safety Risk Index	Revised Safety Risk Index Date	Department Responsible for Mitigation	Estimated Implementation Date	Contact Person
Bus turning Northbound onto Radcliff Ave	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Bus crosses into oncoming lane due to parked cars and nonstandard width roadway and there is a **head-on collision.** > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > Radcliff Ave is too narrow to accommodate busses, two way traffic and parked cars (8.5 ft is below design standards) > No yellow divide line to separate traffic > No traffic light at an identified high traffic area > No defined stop line from Radcliff Ave onto McNorton	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Car turning Northbound onto Radcliff Ave	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Car crosses into oncoming lane due to parked cars and nonstandard width roadway resulting in **head-on collision** with Bus. > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > No yellow divide line to separate traffic > No traffic light at an identified high traffic area > No defined stop line from Radcliff Ave onto McNorton	No existing mitigations (administrative only) - existing condition but increased frequency and severity by adding Transit	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Mid Block bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus enters oncoming lane to clear parked cars in front of bus stop - **head-on collision.** > No yellow divide line to separate traffic > Radcliff Ave is too narrow to accommodate busses, two way traffic and parked cars (8.5 ft is below design standards) > History of collisions and traffic calming issues	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Mid Block bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus creates visibility issues for pedestrians trying to cross road - **On coming vehicle collision with pedestrians** > no stops signs or cross walks > two park entrances and sledding usage	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Mid Block bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus along with parked cars creates visibility restrictions when Turning onto Radcliff Ave from various side streets - **On coming vehicle collision or collision with pedestrians**	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Mid Block bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Cars passing stopped busses trying to turn right or passing, **colliding** with the bus as the bus pulls out of the stop.	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Mid Block bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Side walk maintenance and snow removal. sidewalks maintained by condo company, will condo company maintain? **- slip and fall**	If existing snow removal service not established with condo company. No snow removal.	3 (Marginal)	B (Probable) existing condition, frequency and probability increases slightly	3B (Acceptable based upon mitigations)	Assumption Condo company will continue snow removal service of sidewalks.	4C (Acceptable)				
Bus turning Southbound onto Radcliff Ave **- turning from Little River Rd.**	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Bus crosses into oncoming lane due to nonstandard width roadway and winding section resulting is a **head-on collision.** > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > Radcliff Ave is too narrow to accommodate busses, two way traffic and two sections of curves (28.5 ft is below design standards) > No yellow divide line to separate traffic > No traffic light > No defined stop line from Radcliff Ave onto McNorton	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Bus turning Southbound onto Radcliff Ave **- turning from Little River Rd.**	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Potential of **head-on collision** due to Bus being struck by oncoming traffic. Oncoming traffic crosses into oncoming lane due to parked cars, nonstandard width roadway and winding road. > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > Radcliff Ave is too narrow to accommodate busses, two way traffic and parked cars (8.5 ft is below design standards) > No yellow divide line to separate traffic > No traffic light at an identified high traffic area > No defined stop line from Radcliff Ave onto McNorton	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Car turning Southbound onto Radcliff Ave	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Car crosses into oncoming lane due to parked cars and nonstandard width roadway resulting in **head-on collision** with Bus. > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > No yellow divide line to separate traffic > No traffic light at an identified high traffic area > No defined stop line from Radcliff Ave onto McNorton	No existing mitigations (administrative only) - existing condition but increased frequency and severity by adding Transit	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Bus Traveling Southbound	Technical - Operational	2/1/2024	Residential safety reporting.	02/01/24	Car crosses into oncoming lane due to parked cars and nonstandard width roadway resulting in **head-on collision** with Bus. > No yellow divide line to separate traffic > Radcliff Ave is too narrow to accommodate busses, two way traffic and two sections of curves (28.5 ft is below design standards)	No existing mitigations (administrative only) - existing condition but increased frequency and severity by adding Transit **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) consumer hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Other factors															
School bus route	Technical - Operational	Date	Employee safety reporting	Date	Collision likelihood increases due to road being too narrow, with transit, two way traffic and parked cars.	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) daily during school season	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A	N/A	N/A	N/A	N/A
School bus route - no crosswalks	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus creates visibility issues for pedestrians trying to cross road - **On coming vehicle collision with pedestrians** > no stops signs or cross walks > two park entrances and sledding usage	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- does not meet design guidelines or best practices (eg. NACTA or Translink)**	1 (Catastrophic)	A (Frequent) daily during school season	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1A				
Maintenance Crews - condos on sidewalk	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus creates visibility and Collision issues for maintenance crews that park and use equipment along Radcliff to service all the condos on the sidewalk. Crews will be working around Mid Stop Bus Stops - **On coming vehicle collision with pedestrians, workers, equipment, bus stop interaction with lawn cutting tractors.**	No mitigations (administrative only) - Training, SOP and handling of transit driver only - new condition	1 (Catastrophic)	F (Probable) consumer week during lawn cutting months	1F (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	Remains 1F				
Animal Crossing to Blue Heron Park	Technical - Environment	2/1/2024	Residential safety reporting.	2/1/2024	Bus creates increased traffic flow along with visibility and Collision issues for existing wildlife. **Collision** is with wildlife but could be on occasion lead to motor vehicle or pedestrian collision.	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - existing condition that will increase	4 (Negligible)	A (Frequent) consumer hour, hundreds of times per month	4A (Acceptable based upon mitigations)	No mitigations present by Windsor Transit or the City of Windsor. Cannot recover.	4A (Acceptable based upon mitigations)				

Findings

Screen shot of Risk Assessment with identified risks. No mitigations or answers have been provided.

Source: The Federal Transit Administration's (FTA) Safety Risk Register and Guide. A recognized best practice tool designed to support implementation of SMS in the public transportation industry.

Note

A copy of this risk assessment was shared with Transit and ATU/local unit.

Under the <u>Occupational Health and Safety Act</u>, workers (bus drivers) have a right to know, and a right to a safe work environment.

None of the concerns brought up by the neighborhood in this risk assessment had been shared with workers beforehand.

CCOHS: Health and Safety Legislation in Canada - Three Rights of Workers

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

Title of Document Audited	Transit Windsor More Than Transit:2019 Transit Master Plan	***Noncompliant***
Date of report	June 20, 2024	
Reported to:	Transit Windsor	City of Windsor
Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 6.2	Next Steps
Requirement	Following the approval of this report by the Windsor City Council, Transit Windsor will embark upon the implementation of this Plan's recommendations, in accordance with the schedule shown in Table 16 of Section 5.1. As Transit Windsor prepares to implement the various elements of the Plan, it will consult the valuable feedback already collected regarding the individual new route details. **Transit Windsor will also will bring each new route or route change in the proposed network back to the community for feedback to finalize route details, scheduling, stop locations, etc. in advance of Transit Windsor's implementation of these changes**
Concerns	Several safety concerns and non-compliances have been identified and shared with Transit Windsor and The City of Windsor, no answers or solutions are being provided.
Findings	No opportunity for community feedback has been provided to the Radcliff Ave (and adjoining) neighborhood. Radcliff Ave has had a historical concern with previous petitions and no direct outreach was provided regarding this bus route traveling down Radcliff Ave. In 2013/2014 – Transit Windsor promised the people on Radcliff Ave, that they would be consulted if a bus was to be considered again. After awareness of the bus route by the residents and despite several attempts by the residents to bring concerns forward over the past 6 months, no solutions or mitigations are being provided by Transit Windsor to address any concerns. **Furthermore, <u>no community feedback</u> is being accepted in advance of Transit Windsor's implementation contrary to the Master Plan.**

Transit Windsor Route Infrastructure Planning & Design Guidelines

THE CITY OF WINDSOR ONTARIO, CANADA

transit windsor

TRANSIT WINDSOR

May 1, 2022

Concerns raised contrary to Sections 1, 1.1, 2.1, 2.4 and 6 of the Transit Design Guidelines.

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

Title of Document Audited	Transit Windsor Route Infrastructure Planning and Design Guidelines	***Noncompliant***
Date of report	June 20, 2024	
Reported to:	Transit Windsor	City of Windsor
Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 6.3	Lane Widths
Requirement	Pavement widening beyond standard widths should be considered when buses are the largest design vehicle for an undivided roadway. Figure 113 through Figure 118, show the desirable curb lane widths on road sections for bus operation, as well as the ideal pull-out distance between a stopped bus and parked vehicles. The required width of the curb lane depends on the number of through lanes available in the same direction of travel, any allowance for parking in the curb lane, and the presence of bike lanes. Buses are among the largest vehicles operating on city streets, with mirror widths often exceeding available lane space. Where buses operate in a narrow mixed-traffic lane, intrusion into adjacent lanes may sometimes occur, such as when two buses pass each other. Ensure that adjacent lanes in a street section can occasionally accommodate such movements when needed. Figure 119 and Figure 120 explore the widths of buses and lanes interacting with the buses

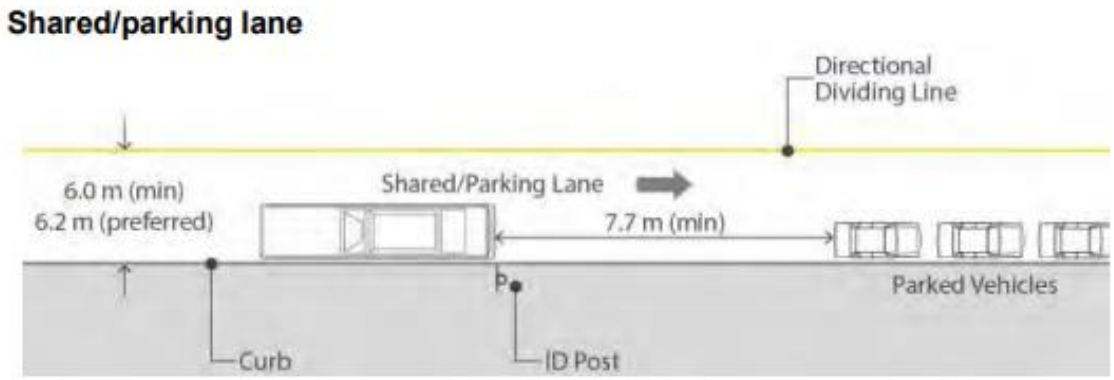
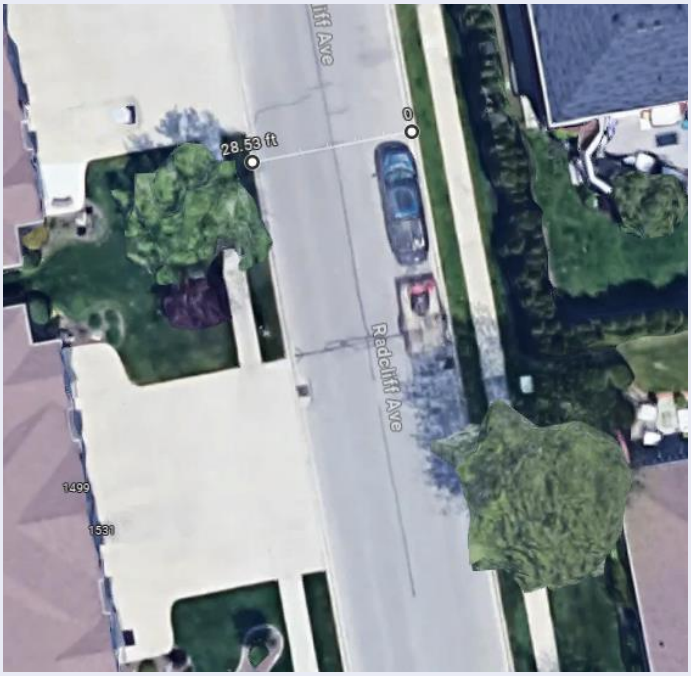


Figure 113 Shared/Parking Lane Diagram

Findings	Continued ……..
Concerns	Radcliff Ave does not meet the recommended lane widths and will require busses to move into oncoming traffic to avoid parked vehicles. Furthermore, busses traveling in the lane that does not have shared parking will have vehicles moving into that lane to avoid parked cars.
Findings	Radcliff **<u>does not meet</u>** the Transit Windsor Design Guidelines with a direct impact to driver and public safety.

	Minimum	Maximum	
Criteria	3.3 meters	3.7 meters	Non parking lane
Criteria	6.0 meters	6.2 meters	Shared parking lane
Criteria			
Criteria	9.3 meters (30.5 ft)	9.9 meters (32.5 ft)	Total width
Actual	8.7 meter (28.5 ft)	8.7 meters (28.5 ft)	Actual width
Actual	**0.6 meters (2 ft)**	**1.2 meters (4 ft)**	**Too Narrow**



Note	*There will be a greater impact by other vehicles such as school busses, garbage trucks and Condominium Service vehicles that park and use Radcliff Ave to access adjoining streets. This will inevitably drive the maximum width requirement to be even more.*

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

Title of Document Audited	Transit Windsor Route Infrastructure Planning and Design Guidelines	***Noncompliant***
Date of report	June 20, 2024	
Reported to:	Transit Windsor	City of Windsor
Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 1	**Spacing of Bus Stops**
Requirement	To determine the number and location of bus stops, one has to consider the following: • The relative spacing between subsequent stops • Locating bus stops that correspond to passenger demand • Providing physical facilities that promote safe and efficient interaction of transit vehicles, transit passengers and other road users
Concerns	Almost all residents of Radcliff as well as all adjoining side streets canvassed **do not want or plan to use this bus.** - The recent petition with 300 signatures shows there is no demand in this area and people are concerned that adding this pass-through route will add to an existing traffic issue on Radcliff. - The number of proposed stops does not correspond to the actual demand highlighted by the petition. - Additional concern is that this will reduce parking for the residents in the adjoining streets/condominiums adding to an existing parking problem.
Findings	Currently - no request for service. Transit Master Plan did not survey or provide outreach to this area specifically. - Radcliff Ave. (as well as Maitland) has had traffic calming studies performed asking the City of Windsor for help. - recent fatality on Mc. Norton prior to the turn onto Radcliff Ave which will be part of the new bus route illustrates the growing traffic issue. Impact - no favorable cost to benefit ratio to run this service on Radcliff Ave. - this will only exasperate an existing traffic problem.

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

Title of Document Audited	Transit Windsor Route Infrastructure Planning and Design Guidelines	***Noncompliant***
Date of report	June 20, 2024	
Reported to:	Transit Windsor	City of Windsor
Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 1.1	Stop Spacing Guidelines
Requirement	The recommended bus stop spacing range for different land use areas is included in Table 1. In general, bus stops are spaced closer in central business districts and urban areas where activities are more concentrated. It is noted that there may be special circumstances that require the spacing to deviate from the spacing ranges. Nevertheless, bus stop spacing should be optimized as much as possible to correspond to passenger demand.

Table 1 Recommended Bus Stop Spacing

Area	Typical Spacing (m)	Spacing Range (m)
Central Business Districts	200	200-300
Urban Areas	230	200-365
Suburban Areas	300	200-760
Rural Areas	380	200-800

Transit users are generally willing to walk 400 m (metres) to a local stop or 800 m to a rapid transit station / express bus stop. The placement of local stops between 200 m and 250 m apart supports an average 400 m walking distance to local stops within an interconnected network of streets and blocks. For express or rapid transit services supported by a network of feeder transit routes, spacing stops greater than 250 m apart is often appropriate to limit stops, reduce travel times, and maintain route efficiency. No bus stops should be placed closer than 150 m together.

An over abundance of bus stops on a route will reduce the route efficiency, slow down the bus service, and impact the level of customer riding comfort.

Findings	
Findings	There are 4 stops on the east side of Radcliff Ave and one on the west Side. The 4 east side stops are spaced every 220 meters which **<u>does not comply</u>** with Transit Windsor Design Guidelines. Table 1 Recommended Bus Stop Spacing There is an excessive number of stops planned for Radcliff Ave. The design guidelines have a typical spacing of **<u>300 meters</u>** not 220 meters. It is also stated that spacing for suburban areas can be as high as <u>760 meters.</u> It is important to note that many of the residentss during the petition process questioned why Banwell Rd. could not be utilized more for this route. Banwell Rd is: - 700 meters to Radcliff Ave. on Little River - 790 meters to Radcliff Ave. on McNorton St. residents understood a general need for public transportation but would like to see this North/South Leg be shifted to Banwell or even Lesperance. Two roads which can better hand a bus and have less impact to a residential neighborhood.

Area	Typical Spacing (m)	Spacing Range (m)
Central Business Districts	200	200-300
Urban Areas	230	200-365
Suburban Areas	300	200-760
Rural Areas	380	200-800

The maximum number of stops was applied to a route that has no support contrary to efficiency recommendations.

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

Title of Document Audited	Transit Windsor Route Infrastructure Planning and Design Guidelines	***Noncompliant***
Date of report	June 20, 2024	
Reported to:	Transit Windsor	City of Windsor
Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 2.1	Placement of Bus Stops – Far-Side and Mid-block Configuration
Requirement	At Transit Windsor, each bus stop is evaluated individually in terms of its environment. Bus stops are to be located on the near or far-side of intersections or mid-block as appropriate. Bus stops should be evaluated to be at the near or far-side of intersections before middle block (mid-block) as shown in Figure 1, dimensions of the configurations are shown in Table 2: • Locate stops on the near-side of the intersection to accommodate pedestrians near a cross walk and to provide the bus driver more control of the bus as they make the stop and then proceed through the intersection • Locate stops on the far-side of the intersection to reduce interference where there is a high volume of turning vehicles and bus service is frequent. Far-side stops allow the bus to proceed through a green signal and make it easier for buses to re-enter traffic • Mid-block stops are located at a minimum of 60 m from intersections. Mid-block stops are applicable where large destinations justify high-volume access **Once a bus stop is established, stops should not be relocated unless transit service to the affected stop is removed or road re-construction/environmental changes require a change in stop location.** Requests by residents, businesses, city staff or councilors to move established stops should be resisted. However, if a request is made and Transit Windsor deems it to be an acceptable move, the cost of moving the stop (sign, database, etc.) should be billed to the individual(s) requesting it. **This cost will be determined on an individual basis, based on the conditions of the move as some moves may cost more than others.**

Placement of Bus Stops – Continued

Requirement

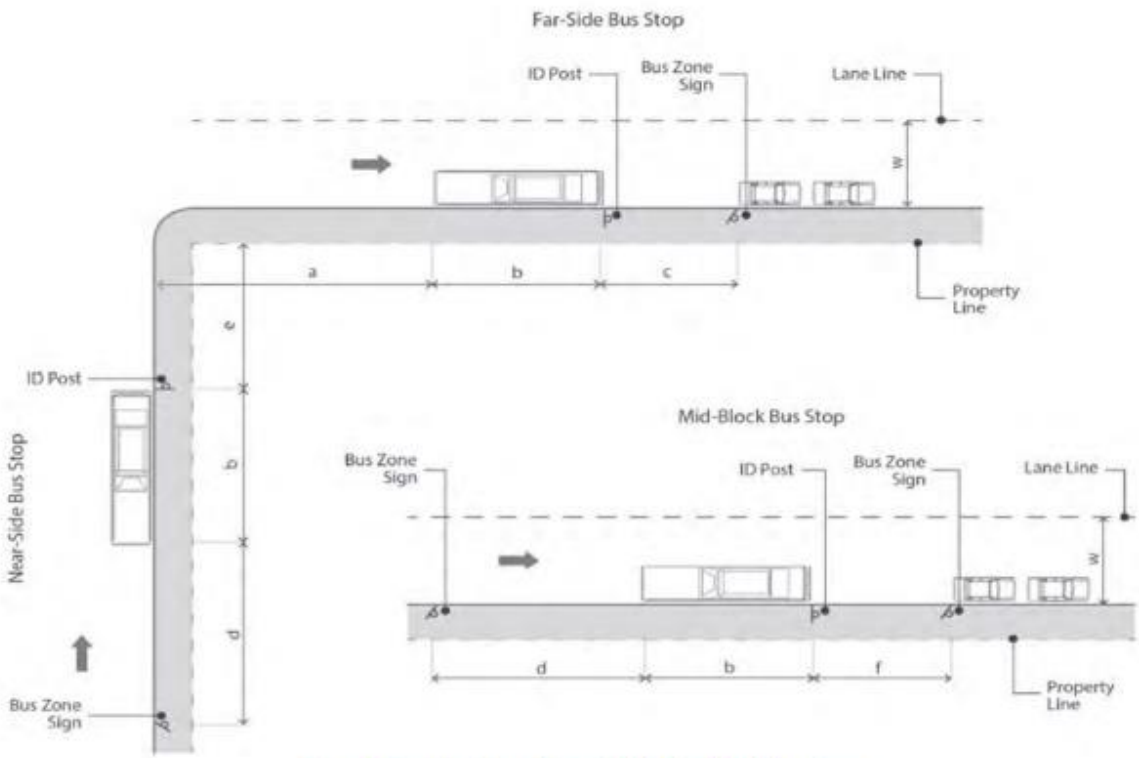


Figure 1 Far-Side, Near-Side and Mid-Block Configurations

Table 2 Far-Side, Near-Side and Mid-Block Bus Stop Dimensions from Figure 1

Type of Bus	Bus Length (b) (m/ft)	Far-Side Stop			Near-Side Stop		Mid-Block Stop		Width (w) (m/ft)
		Approach Movement	Corner Clearance (a) (m/ft)	Pull Out (c) (m/ft)	Pull In (d) (m/ft)	Corner Clearance (e) (m/ft)	Pull In (d) (m/ft)	Pull Out (f) (m/ft)	
Standard Bus	12.4 / 40	Right Left Through	12.3 / 40 15.9 / 52 6 / 20	7.7 / 25	18 / 59	Minimum 6 / 20	18 / 59	7.7 / 25	Minimum 6 / 20 Preferred 7 / 23
Articulated Bus	18.5 / 60				21 / 69		21 / 69		

Notes:

1. A minimum clearance of 6 m (20 ft) between the stopped bus and a crosswalk, a flashing beacon, stop sign, traffic control signal located at the side of a roadway for near side stops.
2. The clearance distance between the crosswalk edge and the rear of the bus is to be 6 m (20 ft) for a bus making the through movement and 14m (46 ft) for a bus making the left-turn or right-turn movement.
3. For bus bays, an extra 3 m (10 ft) should be included at the stop for a standard/articulated bus to straighten out
4. Upstream from Pedestrian Crossover (PXO): at least 15 m (49 ft) (required) / 30 m (98 ft) (desirable)
5. Downstream from PXO: at least 10 m (33 ft) (required) / 15 m (49 ft) (desirable)

Placement of Bus Stops – Continued .....

Concerns

- Busses pulling out on to a narrow road
- Shared pedestrian traffic with cyclists
- reduced parking for condominiums
- Obstructed view for side streets turning on or off Radcliff Ave

Findings

Table 2 Far-Side, Near-Side and Mid-Block Bus Stop Dimensions from Figure 1

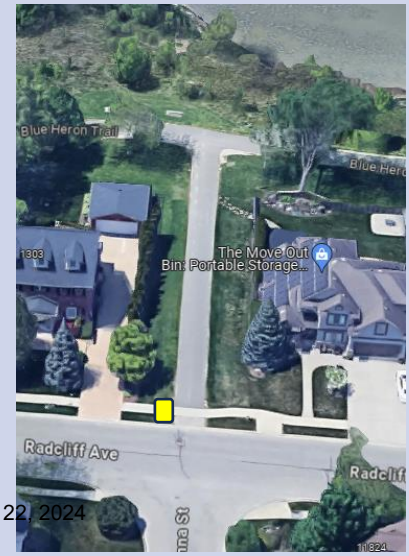
Type of Bus	Bus Length (b) (m/ft)	Far-Side Stop			Near-Side Stop		Mid-Block Stop		Width (w) (m/ft)
		Approach Movement	Corner Clearance (a) (m/ft)	Pull Out (c) (m/ft)	Pull In (d) (m/ft)	Corner Clearance (e) (m/ft)	Pull In (d) (m/ft)	Pull Out (f) (m/ft)	
Standard Bus	12.4 / 40	Right Left Through	12.3 / 40 15.9 / 52 6 / 20	7.7 / 25	18 / 59	Minimum 6 / 20	18 / 59	7.7 / 25	Minimum 6 / 20 Preferred 7 / 23
Articulated Bus	18.5 / 60				21 / 69		21 / 69		

Actual measurements of proposed bus stops from south to north on Radcliff Ave

	Approach Movement	Corner Clearance		Pull Out		Width (min)		Width (Preferred)	
		m	ft	m	ft	m	ft	m	ft
Requirement	Right	12.3	40	7.7	25	6	20	7	23
Stop 1	Right	14.7	48.4	7.8	25.5	4.3	14.25	4.3	14.25
Stop 2	Right	14.6	48	7.6	25	4.3	14.25	4.3	14.25
Stop 3	Right	15.7	51.7	7.5	24.6	4.3	14.25	4.3	14.25
Stop 4	Right	12.6	41.4	7.7	25.2	4.3	14.25	4.3	14.25
						1.7	**5.75**	**2.7**	**8.75**

Each stop measured met the spacing requirements (minimizing the elimination of parking where the stops are) but they are **not compliant** for road width by a range of **<u>1.7 meters to 2.7 meters (5.75-8.75 ft).</u>**

This supports residents concerns that buses will be required to move into oncoming traffic due to the narrowness of the road.

Findings	Placement of Bus Stops – Continued ……
Findings	Further findings under the "note" section of the requirement. Notes: **1.** **<u>A minimum clearance of 6 m (20 ft)</u>** between the stopped bus and a crosswalk, a flashing beacon, stop sign, traffic control signal located at the side of a roadway for near side stops. The proposed bus stop has been placed right at the cross walk/park entrance which is **<u>not compliant</u>** to the Design Standard. 

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

Title of Document Audited	Transit Windsor Route Infrastructure Planning and Design Guidelines	***Noncompliant***
Date of report	June 20, 2024	
Reported to:	Transit Windsor	City of Windsor
Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 2.4	Bus Stop Access Between Driveways
Requirement	Bus stops should be located away from driveways wherever possible to minimize conflicts between buses and vehicles using the driveways of adjacent properties. At locations where this cannot be avoided, the minimum requirements for the placement of a bus stop between two driveways can be found in Figure 24. The placement of a bus stop between access driveways is to be examined on a case-by-case basis. When locating a bus stop near a driveway the following should be considered: • Type and spacing of access driveways near the bus stop • Peak volume of traffic entering/exiting the access driveways • Expected service level and customer boarding/alighting volumes at the bus stop • Peak time of bus stop usage vs. the peak time of driveway traffic • Adequacy of passenger waiting area at the bus stop • Sight line requirements between customers walking to/from bus stop and drivers at the access • Possibility that traffic queued at the driveway will affect the efficient operation of the bus stop • Availability of alternative bus stop locations

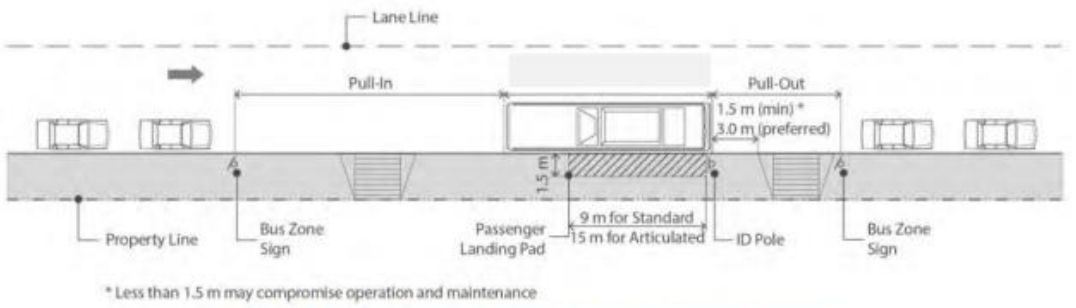


Figure 24 Bus Stop Minimum Requirements Between Access Driveways

Findings	Bus Stop Access Between Driveways – Continued ……
Findings	Sightlines and proximity to driveways is problematic at the east and west stops by Radcliff Ave and Savanna St. West side stop East Side Stop

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

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Section 6	Transit Road Design
Requirement	It should be noted that the design objective is to provide bus operators with adequate opportunity to act and react safely in all traffic conditions, taking into account the design and performance characteristics of buses, particularly those critical in roadway design. **If any minimum design standards are not met, one or a combination of the following scenarios may occur, <u>which may compromise public safety</u>, transit efficiency and customer service:** • <u>A bus may not be able to physically complete a certain maneuver without conflicting other traffic movement(s)</u> <u>• A bus operator may be forced to maneuver without adequate visibility of adjacent traffic</u> • Bus adherence to schedule may be delayed due to design deficiency • The mechanical parts of the bus may be damaged, increasing maintenance needs and affecting operational safety • The safety and comfort of the customers may be adversely impacted • The opportunity to provide bus customer facilities or bus stops may be limited.
Concerns	- Residents are concerned with the tight turn radii on and off Radcliff Ave at both Little River and McNorton St. - Winding turns (reason for previous petition) at Radcliff Ave and Little River. - Narrow street not wide enough accommodate bus traffic. - Busses will create visibility issues with oncoming vehicles or vehicles turning to and from adjoining streets.

Findings	Bus Stop Access Between Driveways – Continued ……

Safety Concern from Original Petition – blind spots, tight corners, obstructed views, need to move into oncoming traffic.

- Decision to run the bus on Radcliff Ave was reversed.
- Current schedule will have an even greater frequency than previous time the bus was tried, increasing the probability that an issue may arrise.
- **No mitigation** has been provided by Transit Windsor to address this **safety concern**.

Findings

Several tight turn radii forcing bus or oncoming traffic into oncoming lanes.

Note:
There will be a greater impact by other vehicles such as school busses, garbage trucks and Condominium Services vehicles that park and use Radcliff Ave to access adjoining streets. This will inevitably drive the maximum width requirement or possibly even more.

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

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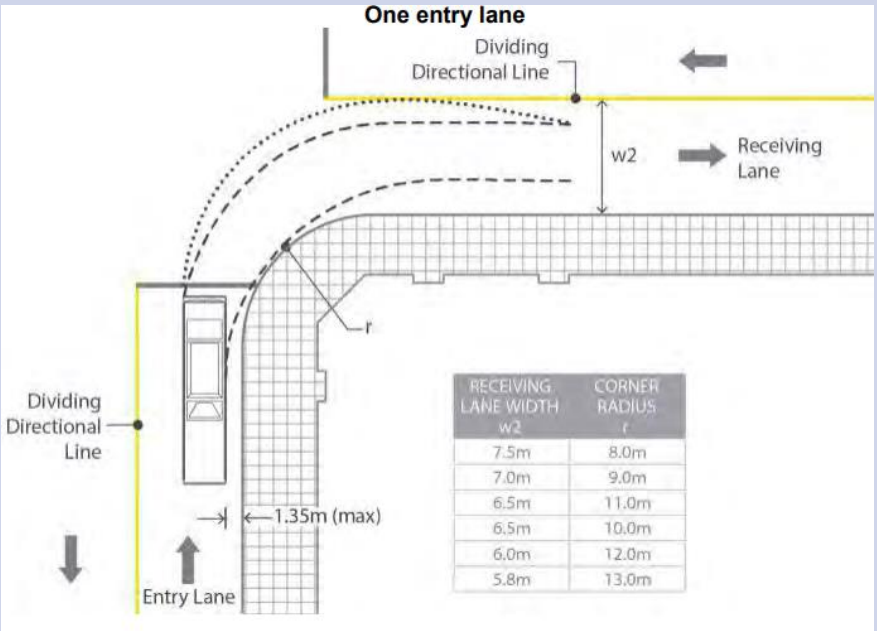
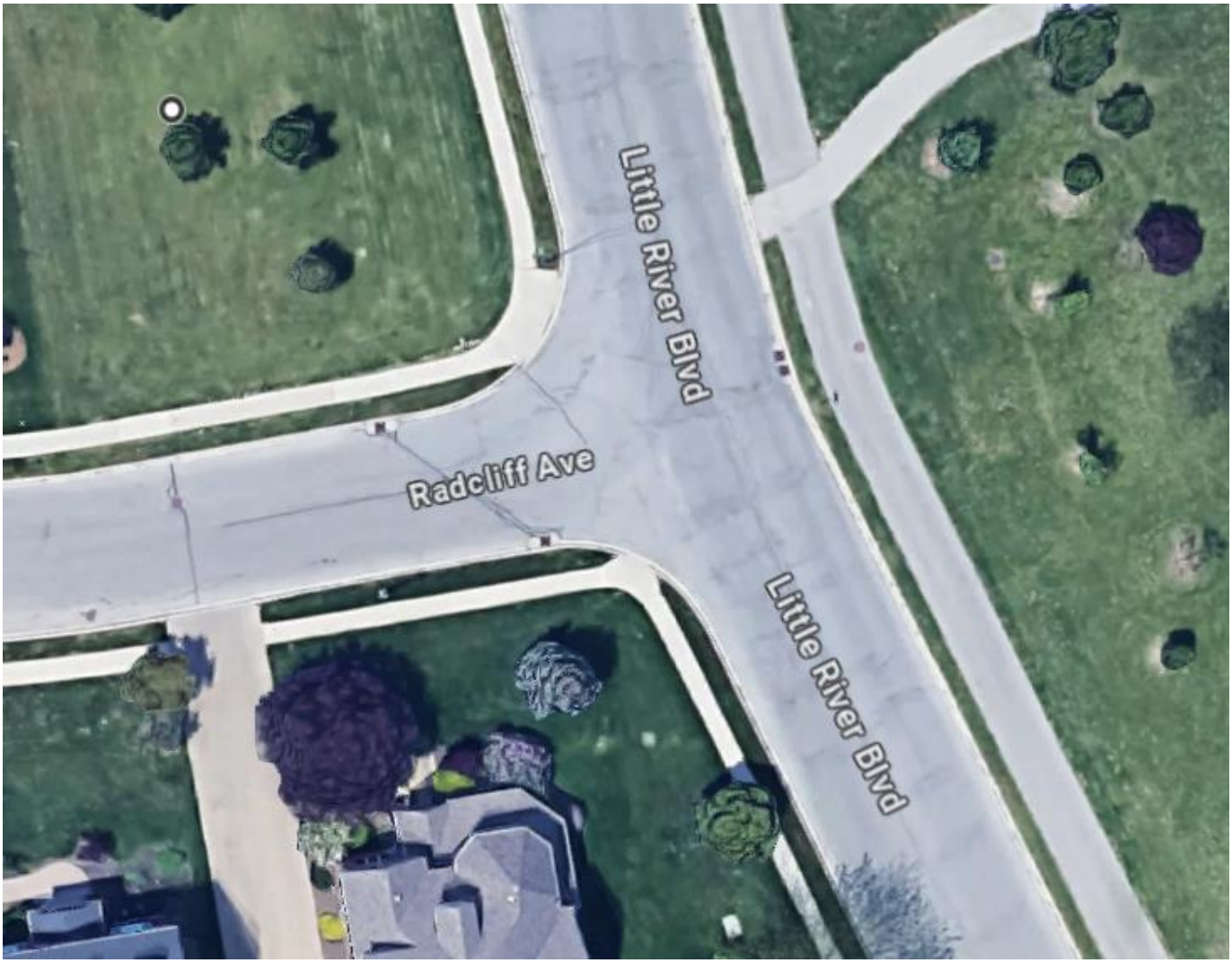
Section 6	Intersection Design
Requirement	The design of intersections should accommodate the required bus turning paths. The Design Vehicle selected should reflect the "worst case" condition for the types of vehicles, including buses, expected to operate on the specific route. Figure 112 illustrates the vehicle path of a Standard Bus making a typical right-turn movement at an intersection and the associated design considerations for corner radii and entry/receiving lane widths. During the design of a new intersection or the evaluation of an existing one, critical vehicle turning paths and other site-specific characteristics should be taken into account when determining corner radii and entry/receiving lane widths.



RECEIVING LANE WIDTH w2	CORNER RADIUS r
7.5m	8.0m
7.0m	9.0m
6.5m	11.0m
6.5m	10.0m
6.0m	12.0m
5.8m	13.0m

Figure 112 Diagram of Bus Turning Right at an Intersection; TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES

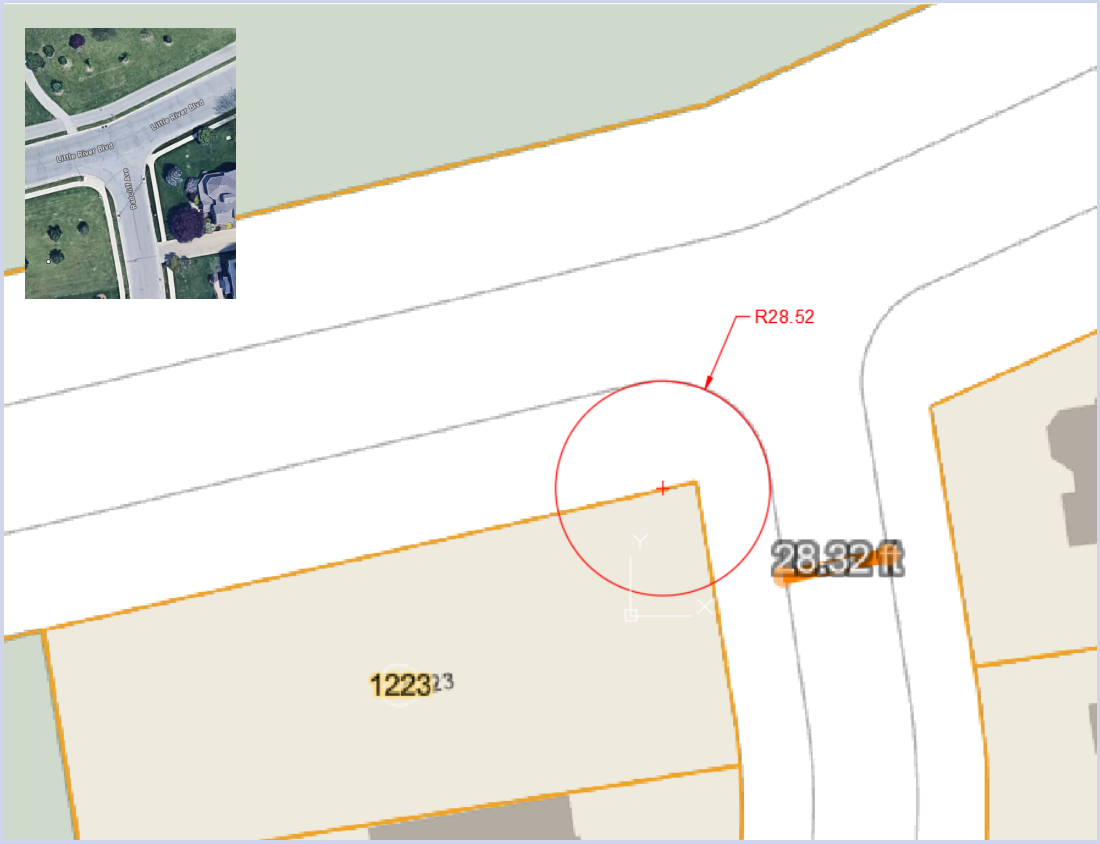
Concerns	**- Residents are concerns with the tight turn radii on and off Radcliff Ave at both Little River and McNorton St. - Winding turns (reason for previous petition) at Radcliff Ave and Little River. - Narrow street not wide enough accommodate bus traffic. - Busses will create visibility issues with oncoming vehicles or vehicles turning to and from adjoining streets.**
Concerns	**- Residents are concerns with the tight turn radii on and off Radcliff Ave at both Little River and McNorton St. - Winding turns (reason for previous petition) at Radcliff Ave and Little River. - Narrow street not wide enough accommodate bus traffic. - Busses will create visibility issues with oncoming vehicles or vehicles turning to and from adjoining streets.**



Findings	Bus Stop Radius is not compliant to Transit Windsor Design Criteria……

Findings

As per section 6 of the Transit Windsor Design Guidelines, Radcliff Ave **needs to have a receiving lane of <u>7 meters</u> and is currently <u>4.3 meters.</u>** Busses turning from Little River onto Radcliff Ave must do so with **<u>too tight a turn radius and is not compliant to the design criteria.</u>**



RECEIVING LANE WIDTH w2	CORNER RADIUS r
7.5m	8.0m
7.0m	9.0m
6.5m	11.0m
6.5m	10.0m
6.0m	12.0m
5.8m	13.0m

Actual

w 4.3 m r 8.7 m
(w 14.16 ft) (r 28.52 ft)

Taken from Figure 112 Diagram of Bus Turning Right at an Intersection;
TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES

DILLON CONSULTING

75 YEARS

TRANSIT WINDSOR

On Demand Transit Strategic Assessment

Final Report

September 2021 - 21-1745

Concerns raised contrary to Section 2.3 of assessment.

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

Title of Document Audited	Dillion Consulting On Demand Transit Strategic Assessment	***Noncompliant***
Date of report	6/20/2024	
Reported to:	Transit Windsor	City of Windsor
Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 2.3	Community Impact
Requirement	**Stop Locations:** Avoid locations on residential property, where possible.
Concerns	Privacy/Quality of Life - Noise and vibration – people and pets - Loss of parking - Wellbeing of pets
Findings	Houses on Radcliff Ave will have **<u>stops 15 feet from houses</u>** and side yards. This includes living spaces, bedrooms, backyard patios, decks, and pools. <u>Currently</u> - no bus stops <u>Impact</u> – potentially 34 occurrences daily at each stop - all 4 eastside stops on Radcliff Ave - a staggering increase from no busses to 17 hours per day every 30 min - operational times 6 am to 11 pm weekdays, slightly reduced on weekends

Findings	Continued ……..
Findings	 **15 feet from house/deck/etc. to bus stop and loss of parking**
Note	*No plans provided for Noise, Privacy or Vibration Abatement.* *Condominium company requires access from Radcliff to maintain yards.* *Residents were contacted during a petition process, to date nobody on any of the streets has been notified by either Transit Windsor or The City of a bus stop being placed at their side yard. Additionally, nobody was aware this change was coming. Every person was made aware during the petition process.*

Noncompliance Report Regarding Bus Route 335 – Radcliff Ave Portion

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Author:	Mark Sementilli, CD, B.Eng Tech, MSc., CSME	

Section 2.3	Community Impact
Requirement	**Reduce GHG Emissions**: The service should operate efficiently, minimizing non-revenue vehicle time/kilometers where vehicles are contributing to traffic and GHG emissions. When possible, Transit Windsor will also consider the introduction of electric vehicles to the fleet.
Concerns	- increased traffic problems being added to a street where there is no interest for a route being added. - utilize roads that are more equipped to handle the bus - no communication with the neighborhood that this change was being proposed despite promises from Transit and the City after the last attempts - despite two failed attempts to try a bus on Radcliff, transit will try it once more with no mitigation to resident's past or current concerns.
Findings	This **will not** minimize the non-revenue vehicle time/kilometers where vehicles are contributing to traffic and GHG emissions. <u>Currently</u> - no request for service. Transit Master Plan did not survey or provide outreach to this area. - Radcliff Ave. (as well as Maitland) has had several traffic calming studies asking the City of Windsor for help. - recent fatality on Mc. Norton just before the turn onto Radcliff Ave which will be part of the new bus route. <u>Impact</u> - no favorable cost to benefit ratio to run this service on Radcliff Ave. - this will only exasperate an existing traffic problem.

Findings	Continued ……..
Findings	The entire neighborhood was canvassed the week of April 8, 2024. With approximately **<u>300 signatures</u>**, there is almost **zero interest** for a bus on Radcliff Ave. No market surveys were completed for this change, the petition along with flyers made by the residents, was the first time people were finding out about this drastic change. Despite three previous requests for traffic calming, this proposed transit addition will increase traffic to Radcliff Ave contrary to the Dillion consulting recommendations. Proposed increased traffic due to bus: From no Bus to Every 30 minutes, 7 days per week Monday to Friday 6am to 11pm – 34 trips (17 hours per day) Sat 7 am to 11 pm – 32 trips (16 hours per day) Sun 8 am to 6:30 pm – 21 trips (With 4 bus stops along Radcliff, the following will be added: 223 trips down Radcliff 892 potential stops (braking noise and acceleration) This is a major impact with no supporting evidence from transit Windsor. The petition proves the opposite. This new route would turn Radcliff Ave into a pass through for Transit Windsor which is **<u>not compliant</u>** to this section of the Dillion Report.
Note	*The petition included Radcliff Ave and all adjoining streets since Transit Windsor suggested (with no supporting documentation) that the townhomes wanted this change.* Streets: Radcliff Ave, Derek St, Savanna St, Soloman St, Norbert St, Lakeview, Blair St, Cobblestone Crescent, Boulder Crescent, Rockland St, Maitland, Thistledown Ave, Duneshill Ave, Gatwick Ave

Next Step/Opportunity/Possible Solutions

During the petition and outreach process people repeatedly questioned why more appropriate existing roads that travel North/South and also met turning radius and width requirements were not being considered.

Examples include:

Clover Ave. – Bus currently runs on the road.

- 34 ft wide road
- Greater turning radius on and off Clover Ave
- Forward facing homes with 32 ft set back for noise and privacy
- No impact to park

Banwell Ave

- Four lanes vs two
- Greater turning radius on and off Banwell Ave
- Limited residential – condominiums
- No impact to park.

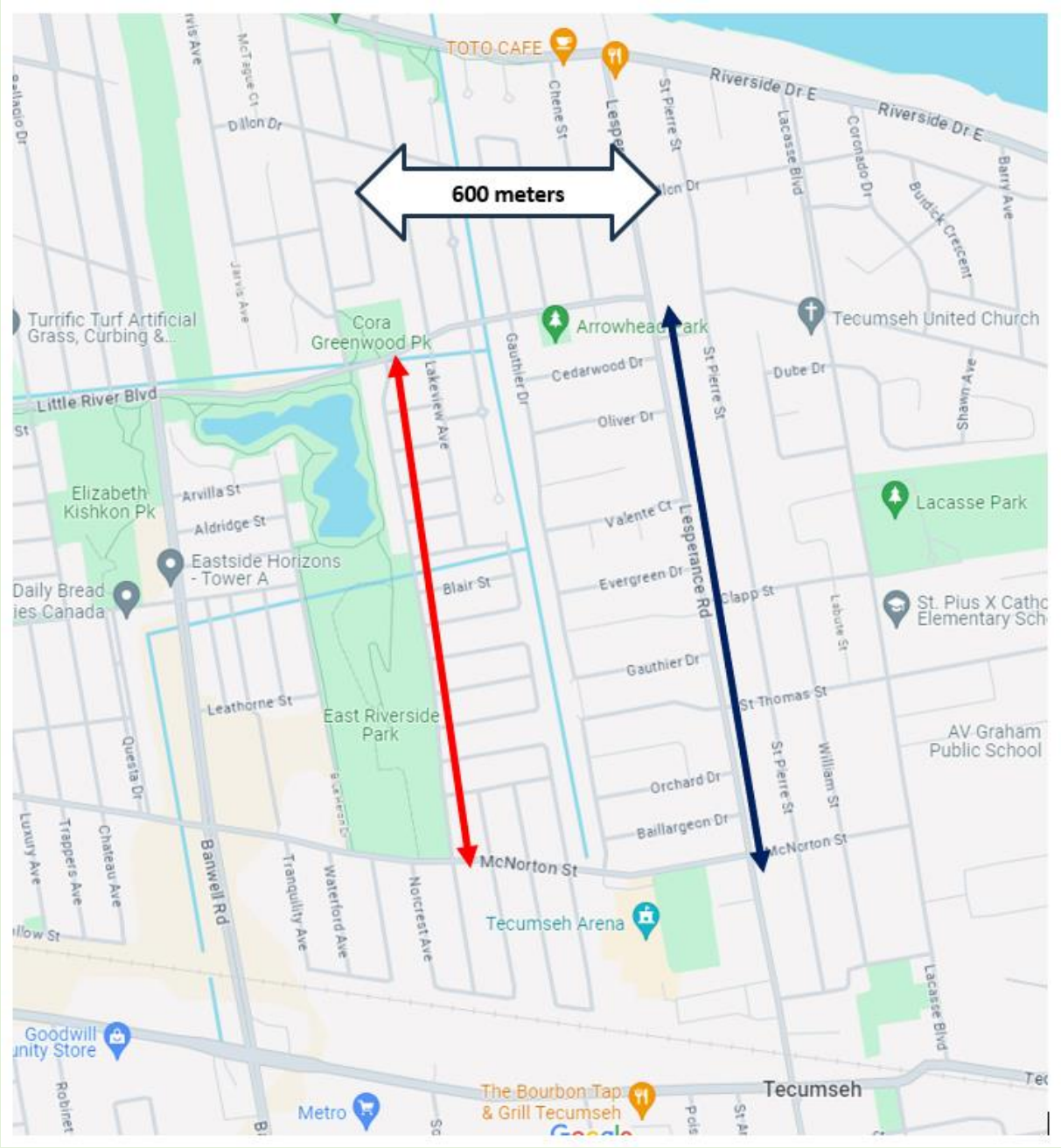
Chateau Ave

- 34 ft wide road
- Greater turning radius on and off Clover Ave
- Forward facing homes with 32 ft set back for noise and privacy
- No impact to park

Next Step/Opportunity/Possible Solution - Lesperance Rd.

During this outreach another North/South road that was continuously questioned was Lesperance Rd. in Tecumseh.

Only 600 meters away.



Next Step/Opportunity/Possible Solution

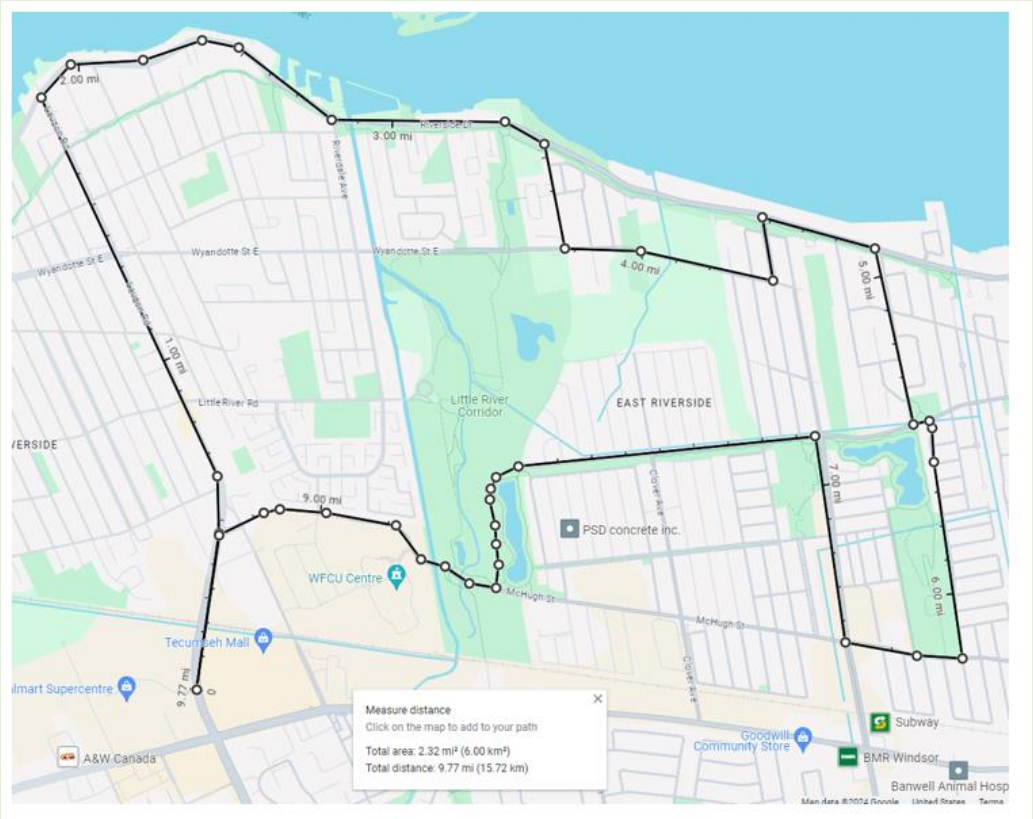
Overview

A 600 meter shift to Lesperance equals:

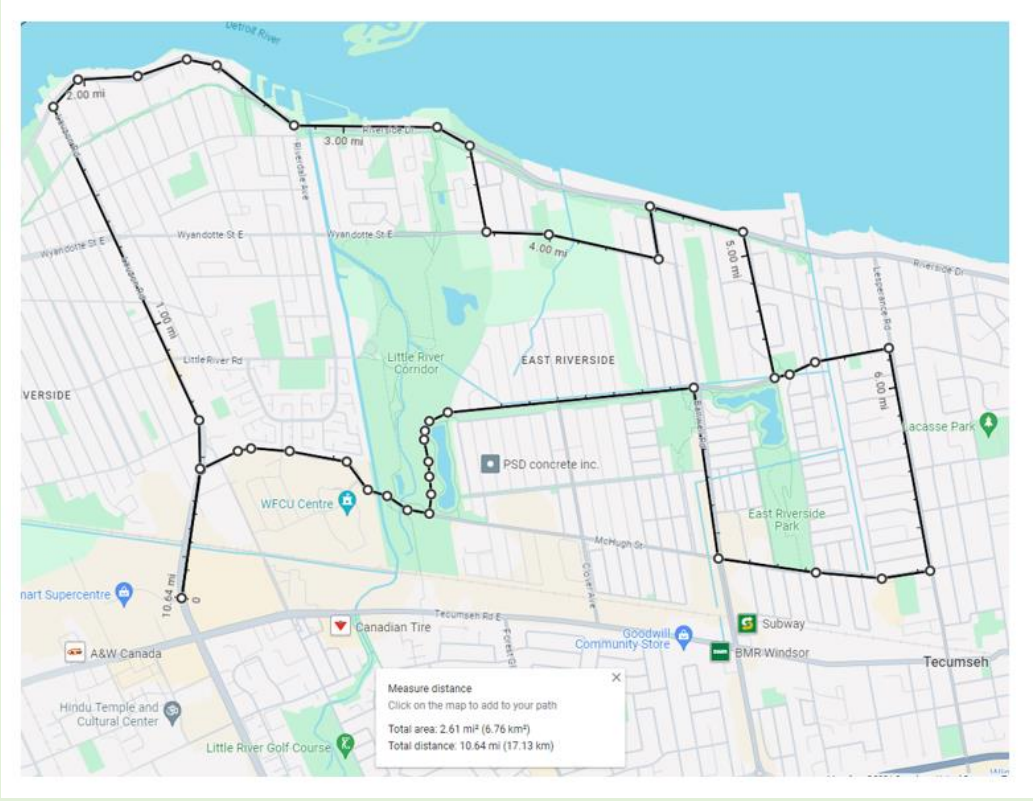
- Potential increase in ridership of 1500 houses within a 400 meter radius to the bus route.
- Regional connection of up to **9000 homes in Tecumseh** beyond what was identified for this route.
- Connect Students and Seniors to St. Clair College and University of Windsor
- Connect L'Essor Secondary School (boundary extends into East Windsor) to Windsor, schoolboard can be less reliant on School Busses.
- Connect Tecumseh to WFCU
- Connect Tecumseh to Tecumseh Mall
- Informal conversation with Tecumseh, there would be an interest in pursuing this model.

This small shift from Radcliff Ave to Tecumseh is truly a regional connection that will happen 7 days a week and roughly 6 am to 11 pm.

Next Step/Opportunity/Possible Solution



Total Distance
15.75 km



Total Distance
17 km

An 8% increase in distance equals an opportunity increase of 9000 homes and regional connection

Summary of finding .....

The following is a summary of findings in the report, compered to another local road where the bus is being removed.

Issue	Radcliff Ave	Clover Ave	Note
Meets Windsor Transit Design Route Infrastructure Planning and Design Guidelines.	**No**	**Yes**	Sections 1, 1.1, 2.1, 2.4, 6 and 6.3 are **not met** for Radcliff Ave.
- Road Width	**28.5 ft**	**38 ft**	Radcliff does not meet Transit Windsor Design Criteria for road width (Section 6.3) **Too narrow** by a range of 2ft to 4ft.
- Spacing of Stops	**Does not meet**	**Yes**	As per section 1 - **excessive number of stop**s have been planned for Radcliff which contradicts efficiency guidelines.
- Bus Stops (Location)	**Does not meet**	**Yes**	As per section 2.1 - width of the Radcliff Ave to support these stops is **too narrow.**
- Cross walks and Line of Sight	**No**	**Yes**	As per section 2.1 - Radcliff **does not meet** the criteria. There are currently two park entrances with no crosswalks, one park entrance does not have proper clearance from the bus stop to the cross walk, line of sight issues at some of the stops.
- Transit road design	**Does not meet**	**Yes**	Radcliff **does not meet section 6** - Several tight turn radii forcing bus or oncoming traffic into oncoming lanes.
- Intersection design	**Does not meet**	**Yes**	As per section 6 of the Transit Windsor Design Guidelines, Radcliff Ave needs to have a **receiving lane of 7 meters and is currently 4.3** meters. Busses turning from Little River onto Radcliff Ave must do so with too tight a turn radius and is not compliant to the design criteria. **Safety - does not meet design criteria.**
Meets Dillion Consulting – On Demand Transit Strategic Assessment	**No**	**Yes**	Community Impact (section 2.3) Stop Locations: Avoid locations on residential property, where possible.
- Bus Stops (Proximity to houses - location)	**Side yard**	**Front**	Reduction in Quality of Life. Privacy and noise.
- Bus Stops (Proximity to houses - distance)	**15 ft**	**32 ft**	Reduction in Quality of Life. Privacy and noise.
- Yellow line to separate traffic	**Not possible**	**Yes**	Will require bus to move into oncoming lane.
- Traffic light at major intersections	**No**	**Yes**	Known safety issues
Meets Transit Windsor Master Plan	**Does not meet**	**Yes**	**3.3 Mission of the Master plan** Safe – This speaks to a service that emphasizes the safety of its customers, employees, and any other roadway user or traveler driving, cycling, or walking near or in potential conflict with the transit vehicles **Risk Assessment** - no mitigation provided
- Outreach and Consultation	**Does not meet**	**NA**	No prior consultation was provided to residents of Radcliff Ave. No community feedback is being accepted.
Meets Master Environmental Plan	**No**	**NA**	Goes against several points in the plan. **No assessment has been completed**. Impact to East Riverside Park/Urban woodland and trails.
Other Observations			
Lane Separation	**No**	**Yes**	No road separation lines and parked cars - forces vehicles to move into opposite lane. 3.3 Mission of the Master plan Risk Assessment - no mitigation provided
Elimination of Parking	**Yes**	**No**	Reduction of parking on Radcliff Ave
No Community Mailbox cut ins	**No**	**NA**	3.3 Mission of the Master plan Risk Assessment - no mitigation provided

Sources

Risk Assessment

Federal Transit Administration- Safety Risk Assessments Matrices for Bus Transit Agencies

Sample Safety Risk Assessment Matrices for Bus Transit Agencies | FTA (dot.gov)

Engineering standards and design guidelines and sources:

TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES

Transit Windsor More Than Transit: 2019 Transit Master Plan

Translink – Bus Infrastructure Design Guidelines

Microsoft Word - BIDG - September 2018 v46 (translink.ca)

National Association of City Transportation Officials (NACTO) Urban Street Design Guide

American Association of State Highway and Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets (Green Book)

Institute of Transportation Engineers (ITE) Traffic Engineering Handbook

Safety Risk Assessment Register - Radcliff Ave

Identification							Initial Safety Risk Rating			Further Mitigation Action	Revised Safety Risk Index		Mitigation Owner and Implementation Date		
Hazard	**Hazard Type**	**Identification Date**	**Identification Source**	**Analysis Date**	**Worst Possible, Worst Credible, or Most Common Potential Consequence(s)**	**Existing Mitigation(s)**	**Severity of Consequences**	**Likelihood of Consequences**	**Safety Risk Index**	**Further Mitigation Action**	**Revised Safety Risk Index**	**Revised Safety Risk Index Date**	**Department Responsible for Mitigation**	**Estimated Implementation Date**	**Contact Person**
Bus turning Northbound onto Radcliff Ave	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Bus crosses into oncoming lane due to parked cars and nonstandard width roadway and there is a **head-on collision.** > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > Radcliff Ave is too narrow to accommodate busses, two way traffic and parked cars 28.5 ft is below design standards) > No yellow divide line to separate traffic > No traffic light at an identified high traffic area > No defined stop line from Radcliff Ave onto McNorton	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition - D**oes not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Car turning Northbound onto Radcliff Ave	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Car crosses into oncoming lane due to parked cars and nonstandard width roadway resulting in **head-on collision** with Bus. > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > No yellow divide line to separate traffic > No traffic light at an identified high traffic area > No defined stop line from Radcliff Ave onto McNorton	No existing mitigations (administrative only) - existing condition but increased frequency and severity by adding Transit	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus enters oncoming lane to clear parked cars in front of bus stop - **head-on collision.** > No yellow divide line to separate traffic > Radcliff Ave is too narrow to accommodate busses, two way traffic and parked cars 28.5 ft is below design standards) > History of collisions and traffic calming issues	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus creates visibility issues for pedestrians trying to cross road. - **On coming vehicle collision with pedestrians** > no stops signs or cross walks > two park entrances and sledding usage	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus along with parked cars creates visibility restrictions when Turing onto Radcliff Ave from various side streets. - **On coming vehicle collision or collision with pedestrians**	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Cars passing stopped busses trying to turn right or passing, **colliding** with the bus as the bus pulls out of the stop.	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Bus stops	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Side walk maintenance and snow removal. - sidewalks maintained by condo company, will condo company maintain? **- Slip and fall**	If existing snow removal service not established with condo company. No snow removal.	3 (Marginal)	B (Probable) - existing condition, frequency and probability increases slightly.	3B (Acceptable based upon mitigations)	Assumption Condo company will continue snow removal service of sidewalks.	4C (Acceptable)				

Bus turning Southbound onto Radcliff Ave **- turning from Little River Rd.**	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Bus crosses into oncoming lane due to nonstandard width roadway and winding section resulting is a **head-on collision.** > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > Radcliff Ave is too narrow to accommodate busses, two way traffic and two sections of curves (28.5 ft is below design standards) > No yellow divide line to separate traffic > No traffic light > No defined stop line from Radcliff Ave onto McNorton	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Bus turning Southbound onto Radcliff Ave **- turning from Little River Rd.**	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Potential of **head-on collision** due to Bus being struck by oncoming traffic. Oncoming traffic crosses into oncoming lane due to parked cars, nonstandard width roadway and winding road. > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > Radcliff Ave is too narrow to accommodate busses, two way traffic and parked cars 28.5 ft is below design standards) > No yellow divide line to separate traffic > No traffic light at an identified high traffic area > No defined stop line from Radcliff Ave onto McNorton	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Car turning Southbound onto Radcliff Ave	Technical - Operational	2/1/2024	Residential safety reporting. **Previous petition raised by residence.**	02/01/24	Car crosses into oncoming lane due to parked cars and nonstandard width roadway resulting in **head-on collision** with Bus. > Radius of turn nonstandard for single lane turning onto single lane. > Bus could have to complete turn in oncoming lane. > No yellow divide line to separate traffic > No traffic light at an identified high traffic area > No defined stop line from Radcliff Ave onto McNorton	No existing mitigations (administrative only) - existing condition but increased frequency and severity by adding Transit	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Bus Traveling Southbound	Technical - Operational	2/1/2024	Residential safety reporting.	02/01/24	Car crosses into oncoming lane due to parked cars and nonstandard width roadway resulting in **head-on collision** with Bus. > No yellow divide line to separate traffic > Radcliff Ave is too narrow to accommodate busses, two way traffic and two sections of curves (28.5 ft is below design standards)	No existing mitigations (administrative only) - existing condition but increased frequency and severity by adding Transit **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - once ever hour, hundreds of times per month	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				
Other factors															
School bus route	Technical - Operational	Date	Employee safety reporting	Date	Collision likelihood increases due to road being too narrow, with transit, two way traffic and parked cars.	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - daily during school season	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A	N/A	N/A	N/A	N/A
School bus route - no crosswalks	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus creates visibility issues for pedestrians trying to cross road. - **On coming vehicle collision with pedestrians** > no stops signs or cross walks > two park entrances and sledding usage	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition **- Does not meet design guidelines or best practices** (TRANSIT WINDSOR ROUTE INFRASTRUCTURE PLANNING AND DESIGN GUIDELINES, NACTA or Translink)	1 (Catastrophic)	A (Frequent) - daily during school season	1A (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1A				

Maintenance Crews - condos on sideroads	Technical - Operational	2/1/2024	Residential safety reporting.	2/1/2024	Bus creates visibility and Collison issues for maintenance crews that park and use equipment along Radcliff to service all the condos on the sideroads. Crews will be working around Mid Stop Bus Stops- **On coming vehicle collision with pedestrians, workers, equipment, bus stop interaction with lawn cutting tractors.**	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - new condition	1 (Catastrophic)	P (Probable) - once per week during lawn care months.	1B (Unacceptable under the existing circumstances)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	Remains 1B				
Animal Crossing to Blue Heron Park	Technical - environment	2/1/2024	Residential safety reporting.	2/1/2024	Bus creates increased traffic flow along with visibility and Collison issues for existing wildlife. - **Collision** is with wildlife but could be on occasion lead to motor vehicle or pedestrian collision.	No mitigations (administrative only) - Training, SOP and handling of transit driver only. - existing condition that will increase	4 (Negligible)	A (Frequent) - once ever hour, hundreds of times per month	4B (Acceptable based upon mitigations)	No mitigations present by Windsor Transit or the City of Windsor. Cannot rescore.	4B (Acceptable based upon mitigations)				

Sample Safety Risk Matrix and Likelihood and Severity Tables

Likelihood of Occurrence of the Consequence		
Qualitative Definition	*Meaning*	*Value*
Frequent	Likely to Occur Frequently ($>10^{-1}$)	A
Probable	Likely to Occur Several Times ($<10^{-1}$ but $>10^{-3}$)	B
Occasional	Likely to Occur Sometime ($<10^{-3}$ but $>10^{-6}$)	C
Remote	Very Unlikely to Occur ($<10^{-6}$ but $>10^{-8}$)	D
Improbable	Almost inconceivable that the event will occur ($<10^{-8}$)	E

Severity of the Consequence		
Definition Category	*Meaning*	*Value*
Catastrophic	Could result in one or more of the following: death, permanent total disability, irreversible significant environmental impact or monetary loss equal to or exceeding $10M.	1
Critical	Could result in one or more of the following: permanent partial disability, injuries or occupational illness that may result in hospitalization of at least three personnel, reversible significant environmental impact, or monetary loss equal to or exceeding $1M but less than $10M.	2
Marginal	Could result in one or more of the following: injury or occupational illness resulting in one or more lost work day(s), reversible moderate environmental impact, or monetary loss equal to or exceeding $100K but less than $1M.	3
Negligible	Could result in one or more of the following: injury or occupational illness not resulting in a lost work day, minimal environmental impact, or monetary loss less than $100K.	4

Risk Assessment Matrix				
Likelihood	*Severity*			
	1 (Catastrophic)	**2 (Critical)**	**3 (Marginal)**	**4 (Negligible)**
A (Frequent)	1A	2A	3A	4A
B (Probable)	1B	2B	3B	4B
C (Occasional)	1C	2C	3C	4C
D (Remote)	1D	2D	3D	4D
E (Improbable)	1E	2E	3E	4E

Risk Assessment Matrix Color Code	
Tolerability" based on identified severity and likelihood	
	Unacceptable under the existing circumstances.
	Acceptable based upon mitigations.
	Acceptable with senior management approval.

*Numbers provided for illustrative purposes only

Committee Matters: SCM 206/2024

Subject: Zoning By-law Amendment Application for 0 Bernard Road, Z-011/24 [ZNG-7193], Ward 5

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

Decision Number: **DHSC 630**
THAT the report of the Planner II - Development Review dated May 14, 2024 entitled "Zoning By-law Amendment Application for 0 Bernard Road, Z011/24 [ZNG-7193], Ward 5" **BE DENIED**.
Carried.
Member Daniel Grenier discloses an interest and abstains from voting on this matter.
Councillors Kieran McKenzie and Jim Morrison voting nay.

Report Number: S 65/2024
Clerk's File: Z/14744

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 Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Subject: Zoning By-law Amendment Application for 0 Bernard Road, Z-011/24 [ZNG-7193], Ward 5

Reference:

Date to Council: July 2, 2024
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: May 14, 2024
Clerk's File #: Z/14744

To: Mayor and Members of City Council

Recommendation:

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the east side of Bernard Road between Ypres Street and Somme Avenue, described as Lot 191, Part of Block C, and Part of Closed Alley, Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, (PIN No. 01362-0223 LT), by adding a site specific provision to permit a *Semi-Detached Dwelling* as an additional permitted use, subject to additional regulations:

504. EAST SIDE OF BERNARD ROAD BETWEEN YPRES STREET AND SOMME AVENUE

(1) For the lands comprising of Lot 191, Part of Block C, and Part of Closed Alley) Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, PIN No. 01362-0223 LT, a *Semi-Detached Dwelling* shall be an additional permitted *main use* subject to the following additional provisions:

1. The *Semi-Detached Dwelling* provisions of Section 10.2.5, save and except Subsections 10.2.5.1 and 10.2.5.2;
2. Lot Width - minimum 12.2 m
3. Lot Area - minimum 389.6 m^2
4. Section 5.99.80.1.1.b) shall not apply.
5. Notwithstanding Section 24.28.1.3.2, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area, parking space, or any combination thereof for a lot having a width of less than 9 metres shall not exceed 50% of the required front yard.

   [ZDM 11; ZNG/7193]

Executive Summary:

N/A

Background:

Application Information:

Location:	0 Bernard Road
	(Lot 191, Part of Block C and Part of Closed Alley, Plan 1102, Parts 2 & 4, Reference Plan 12R-28879; Roll No. 070-390-04903; PIN No. 01362-0223 LT)
Ward:	5
Planning District:	Fountainbleu
Zoning District Map:	11
Owner:	14535723 Canada Inc. (Andi Shallvari)
Applicant:	Same as Owner
Authorized Agent:	Pillon Abbs Inc. (Tracey Pillon-Abbs)

Proposal:

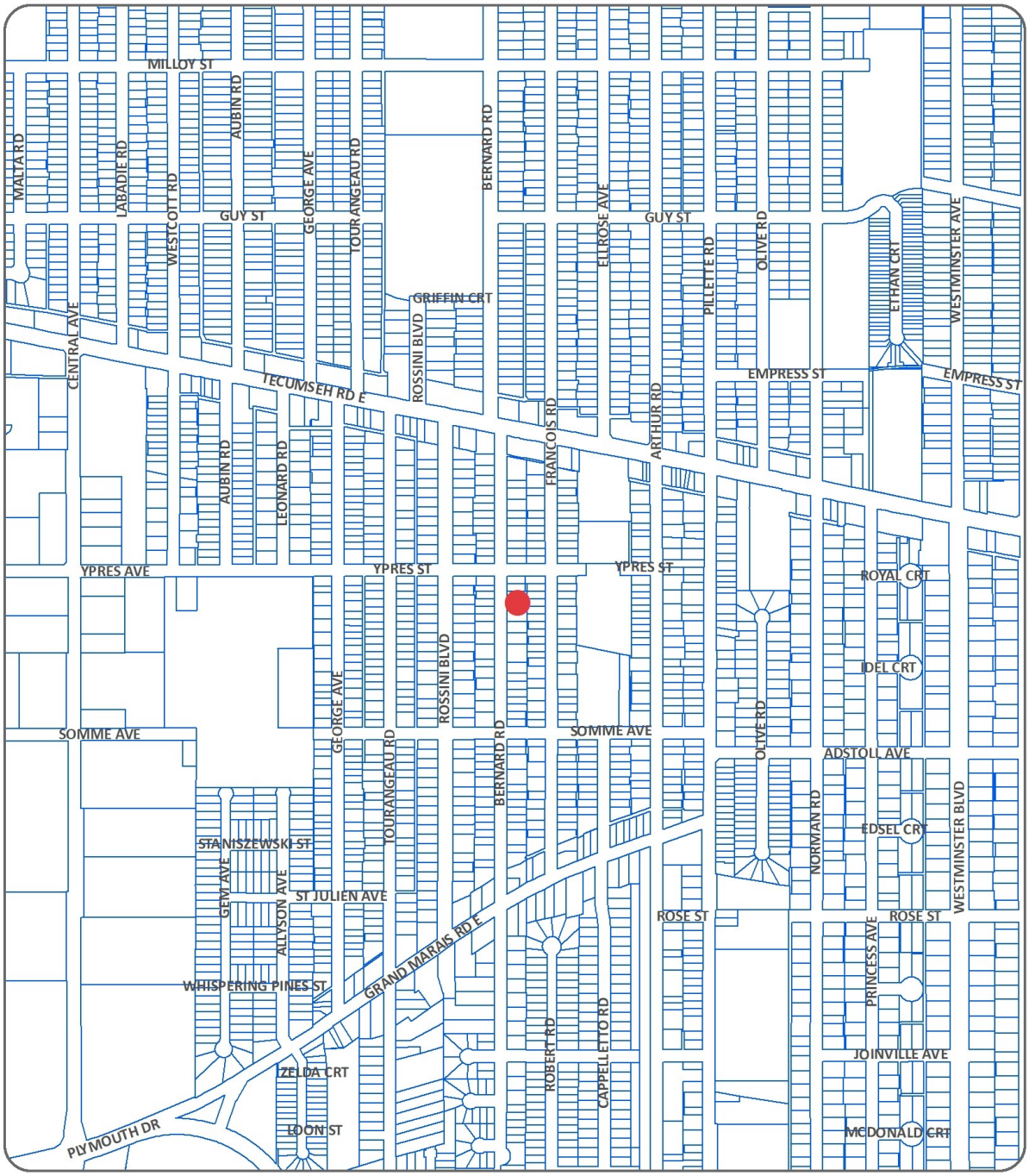
The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the east side of Bernard Road between Ypres Street and Somme Avenue, known municipally as 0 Bernard Road (the subject property), to add a site-specific provision to permit a semi-detached dwelling as an additional permitted main use on a lot with a minimum lot width of 12.2 metres, and a minimum lot area of 389.6 m^2.

Submitted Information: Conceptual Plans (See Appendix A), Deed, Plan of Survey, Planning Rationale Report (Scoped) (See Appendix G), and Zoning By-law Amendment Application Form

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential	Residential District 1.2 (RD1.2)	Vacant Land	Agricultural
Lot Width	**Lot Depth**	**Lot Area**	**Lot Shape**
12.2 m	32.0 m	389.6 m^2	Rectangular
All measurements are based on Reference Plan 12R-28879			

The subject property is a vacant lot maintained as landscaped open space. The subject property includes a 2.1-metre-wide utility easement adjacent to its rear lot line.



KEY MAP - Z-011/24, ZNG/7193

SUBJECT LANDS

PART OF ZONING DISTRICT MAPS 11

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: 14535723 Canada Inc. (Andi Shallvari)

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : APRIL, 2024
FILE NO. : Z-011/24, ZNG/7193

NEIGHBOURHOOD MAP - Z-011/24, ZNG/7193

SUBJECT LANDS

Neighbourhood Characteristics:

The subject property is located on the northern side of the Fountainbleu neighbourhood. The Fountainbleu neighbourhood constitutes the area north of the Canadian National Railway Company and Canadian Pacific Railway rail corridors, east of the former railway corridor that traversed the Chrysler Windsor Assembly Plant, south of Tecumseh Road East, and west of Jefferson Boulevard.

Surrounding Land Uses:

North:

- Low density residential

East:

- Low density residential
- Ypres Park

South:

- Low density residential

West:

- Low density residential

Municipal Infrastructure:

- Bernard Road is classified as a local road, which has a two-lane cross section with curbs and gutters, a single streetlight, and no sidewalks.
- Sanitary sewer, storm sewer and watermain are located within the Bernard Road right-of-way.

Discussion:

The Provincial Policy Statement 2020 (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 the PPS are considered relevant in discussing provincial interests related to this amendment:

1.0 Building Strong Healthy Communities

Policy 1.1.1 states:

- *Healthy, liveable and safe communities are sustained by:*

- *a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

    - This amendment will allow for a semi-detached dwelling infill development that optimizes existing municipal services.

- *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;*

    - This amendment will allow for the construction of a semi-detached dwelling, further diversifying the range and mix of residential types available in the Fountainbleu neighbourhood.

- *c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.*

    - This amendment will not cause any environmental or public health and safety concerns.

- *e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

    - This amendment will allow for the redevelopment of the subject property through residential intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
    - The redevelopment of the subject property at a higher density, in conjunction with it being within walking distance of transit stops, also represents a transit-supportive development.

        - 400.0 metres is typically used as an acceptable walking distance to a transit stop.
        - This is reflected within Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan.

- *f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.*

    - The interior layout and exterior site design for a semi-detached dwelling is exempt from having to comply with the Barrier-Free Design requirements of the *Ontario Building Code.*

        - The *Accessibility for Ontarians with Disabilities Act* does not apply to semi-detached dwellings.

    - *g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*

        - The subject property is serviced by a 150-millimetre cast iron pit cast watermain, 250-millimetre PVC sanitary sewer, and 300-millimetre concrete storm sewer within the Bernard Road right-of-way.
        - The subject property is serviced by overhead hydro lines running adjacent to the rear lot line through the abutting property known municipally as 2419 Francois Road.
        - The subject property has direct access to a public highway in the form of Bernard Road.
        - Ford City Public School and W.F. Herman Academy Elementary & Secondary School are located within 1.0 kilometre and 750 metres of the subject property, respectively.
        - St. Teresa of Calcutta Catholic Elementary School and F.J. Brennan Catholic High School are located within 1.6 kilometres and 3.0 kilometres of the subject property, respectively.
        - Gino and Liz Marcus Community Complex and Fontainebleau Branch Public Library are located within 3.6 kilometres and 2.8 kilometres of the subject property, respectively.

Policy 1.1.3.1 states:

- *Settlement areas shall be the focus of growth and development.*

    - The subject property is located within a Settlement area.

Policy 1.4.3 states:

- *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

    - *b) permitting and facilitating:*

        - *2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

            - Refer to the responses provided to PPS Policies 1.1.1 b) and 1.1.1 e) herein.

    - *c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

        - Refer to the response provided to PPS Policy 1.1.1 g) herein.

    - *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;*

        - Refer to the responses provided to PPS Policies 1.1.1 b), 1.1.1 e), and 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:

- *Policy 1.1.3.2* states:

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

        - *a) efficiently use land and resources;*
        - *b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
        - *f) are transit-supportive, where transit is planned, exists or may be developed; and*

    - Policy 1.6.6.2 states:

        - *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.*

    - Policy 1.6.7.4 states:

        - *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.*

    - Policy 1.7.1 states:

        - *Long-term economic prosperity should be supported by:*

            - *b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
            - *c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*

- Policy 1.8.1 states:
    - *Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:*
        - *e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*

Official Plan

Relevant excerpts from Volume I of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

The subject property is located within the Fountainbleu Planning District on *Schedule A - Planning Districts & Policy Areas,* and within a Residential land use designation on *Schedule D - Land Use Plan* to the City of Windsor Official Plan.

Volume I

Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

3.2 - Growth Concept

3.2.1 - Safe, Caring and Diverse Communities

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).

3.3 - Urban Structure Plan

This amendment does not comply with the following applicable key policy direction for managing the structural elements within the municipality.

3.3.3 - Neighbourhoods

The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods.

This amendment will allow a density of 51.4 units per hectare. Notwithstanding this non-compliance, this amendment will limit the semi-detached dwelling to two (2) dwelling units. The subject property does not have sufficient space to accommodate the third parking space required for establishing an Additional Dwelling Unit (ADU). A Minor Variance granted by the Committee of Adjustment to obtain relief from the ADU parking requirements of Zoning By-law 8600 is the only means of establishing an ADU.

The existing single unit dwellings within the 2400 block of Bernard Road (the block) only require two (2) parking spaces to establish two (2) ADU's for a total of three (3) dwelling units. All but one lot within the block currently has or can accommodate two (2) parking spaces without having to obtain relief from the ADU parking requirements.

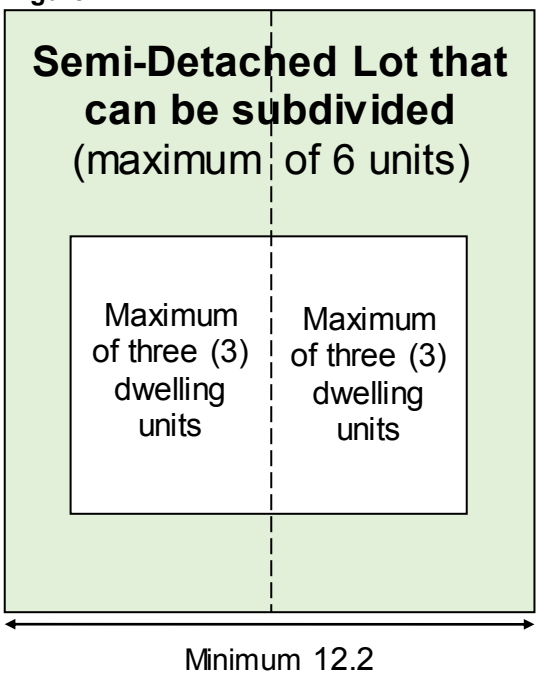
The density within the block ranges from approximately 10.3 units per hectare to 34.2 units per hectare, with an average of 21.7 units per hectare.

The density in the block ranges from approximately 30.8 units per hectare to 102.5 units per hectare, with an average of 65.2 units per hectare if two (2) ADU's for each existing single unit dwelling are factored in.

Section 35.1 of the *Planning Act* (i.e. Restriction for residential units) does not allow a zoning by-law to restrict the establishment of three (3) dwelling units on a parcel of urban residential land (lot) where a single unit dwelling, semi-detached dwelling, or townhome dwelling is a permitted use.

Section 5.99.80.1.1.b) of Zoning By-law 8600 (i.e. ADU Provisions) states that: *"For the purposes of this provision each semi-detached dwelling unit or townhome dwelling unit is considered to be located on its own parcel of urban residential land if it conforms with the provisions of the applicable zoning district and can be subdivided."*

Figure 1



Generally, this means that a semi-detached dwelling unit or townhome dwelling unit is considered to be on its own parcel of urban residential land if the lot <u>can be</u> subdivided without a Minor Variance. This is beneficial where all units within a dwelling are in common ownership. For a semi-detached dwelling this would permit two (2) ADU's within each dwelling unit resulting in a maximum of six (6) dwelling units on a single lot, as illustrated in Figure 1.

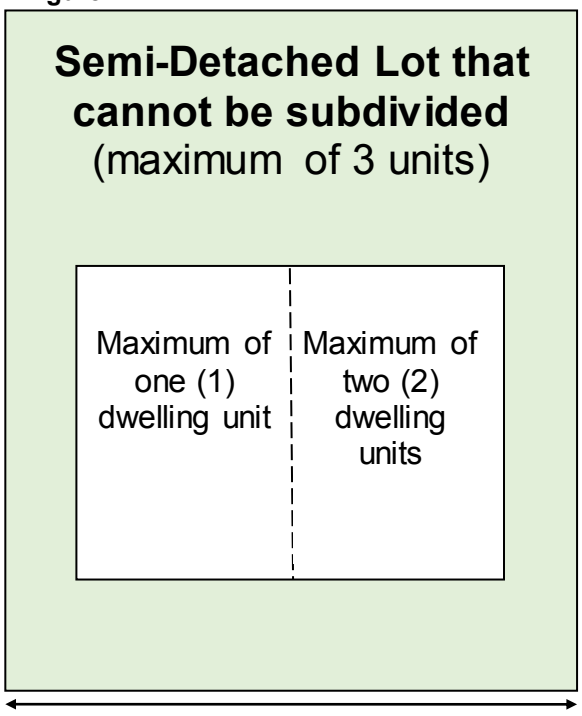
In the scenario where this criterion cannot be met, the ADU Provisions allow a semi-detached dwelling to have a maximum of one (1) ADU. This equates to a maximum of three (3) dwelling units on a single lot, as illustrated in Figure 2. This is the same number of dwelling units allowed for a single unit dwelling under the ADU Provisions.

The difference in density between the two scenarios as it pertains to the proposed development is illustrated in Table 1 below.

Table 1 - Density Comparison

Scenario	Max. No. Dwelling Units	Density
Semi-detached dwelling on a single lot that can be subdivided without a Minor Variance (maximum of 6 dwelling units per single lot)	6	154.0 units per hectare
Semi-detached dwelling on a single lot that cannot be subdivided without a Minor Variance, or a single unit dwelling (maximum of 3 dwelling units per single lot)	3	77.0 units per hectare

Figure 2



While the applicant is proposing a total of 2 units (i.e. 51.3 units per hectare), the Planning Department has concerns with the potential maximum density that can be achieved with this development as a result of the combination of:

- Section 35.1 of the *Planning Act* allowance of three (3) dwelling units on each parcel of urban residential land;
- Zoning Bylaw 8600 ADU Provisions recognizing each semi-detached dwelling unit as its own parcel of urban residential land (if can be subdivided without a Minor Variance); and
- Zoning Bylaw 8600 ADU Provisions allowing up to two (2) ADU's for each semi-detached dwelling unit on its own parcel of urban residential land.

Should Council adopt the Planning Department's recommendation to remove the applicability of Section 5.99.80.1.1.b) from the subject property, the result would limit the semi-detached dwelling to a maximum of three (3) dwelling unit's conditional on a Minor Variance granted by the Committee of Adjustment to obtain relief from the ADU parking requirements.

Should the current or future owner(s) wish to establish further ADUs a Consent granted by the Committee of Adjustment or a by-law passed by Council granting an Exemption from Part Lot Control must be approved, which would establish each semi-detached dwelling unit on a separate parcel.

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goal:

- *Safe, caring and diverse neighbourhoods (Goal 6.1.1).*
- *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 semi-detached dwelling is classified as a Low-Profile dwelling.

Types of Low-Profile Housing

For the purposes of this Plan, Low Profile housing development is further classified as follows: (Policy 6.3.2.3)

- *(a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and*
    - A semi-detached dwelling is classified as a small-scale form of Low-Profile dwelling.

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 275.0 metres of Tecumseh Road East, a Class II Arterial Road, approximately 500.0

metres of Grand Marais Road East, a Class II Collector Road, and approximately 550.0 metres of Pillette Road, a Class I 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 300.0 metres of the Transway 1C bus route.

Evaluation Criteria for a Neighbourhood Development Pattern

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)

- *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
    - This amendment will allow for a development that is compatible with the established built environment found within the block.
    - The Planning Department undertook a detailed analysis of the lots and buildings contained within the block, focusing on a variety of different factors associated with the criteria set forth under this policy.
    - The purpose of the analysis was to determine if a development permitted through this amendment will be compatible with the established built environment of the block.
    - The analysis found the block to have a diverse built environment, resulting from a buildout occurring over a period of nine (9) decades.
    - The data collected through this analysis is included in the table *attached* hereto as Appendix H.
    - The findings in relation to the said criteria is detailed below:
        - Scale and Massing
            - The lot areas of properties within the block range from approximately 292.6 m^2 to 973.1 m^2, with an average of 497.0 m^2.
                - The subject property has a lot area of 389.6 m^2.

- The lot widths of properties within the block range from approximately 9.1 metres to 30.5 metres, with an average of 15.8 metres.
    - The subject property has a lot width of 12.2 metres.
- The main building areas for properties within the block of range from approximately 54.2 m^2 to 207.1 m^2, with an average of 108.8 m^2.
- The total building area for properties within the block of range from approximately 84.7 m^2 to 223.0 m^2, with an average of 137.6 m^2.
    - The applicant is proposing a main building area (total building area) of approximately 156.8 m^2 for the semi-detached dwelling.
    - The RD1.2 zoning will permit a maximum building area of 175.3 m^2.
- The lot coverage for properties within the block range from approximately 12.2% to 44.8%, with an average of 23.3%.
    - The applicant is proposing a lot coverage of 40.2%.
- The block includes single unit dwellings of various sizes and architectural styles, reflective of their time of construction ranging from 1936 to 2015.

▪ Orientation, Parking and Amenity Areas

- The amenity areas, orientation, parking areas and siting will be consistent with the surrounding neighbourhood (i.e. driveway off street, front yard and rear yard amenity areas, street facing dwelling).
- The maximum area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof for a lot having a width of nine (9) metres or greater is the same for a single unit dwelling and semi-detached dwelling.
- The Planning Department is recommending that a site-specific provision be added to amend the current Front Yard Paving and Surfacing in Residential Districts provision by removing the following regulation:

  for a lot having a width of less than 9 metres: 50% of the required front yard area plus 5% for each 1 metre decrease in lot width below 9 metres to a maximum of 70% of the required front yard area (24.28.1.3.2).

and replacing it with:

for a lot having a width of less than 9 metres: 50% of the required front yard area.

- This regulation will apply in the scenario where the subject property is severed to create a lot for each semi-detached dwelling unit.
- This provision will prevent the two (2) less than nine (9) metre wide lots from having front yard paving occupying more than 50% of the required front yard area.
    - This consequently prevents a front yard paving to landscaped open space yard ratio that is inconsistent with and not complimentary to that found on the other residential properties within the block.
- This regulation will also limit the number of automobiles that can be accommodated on the subject property.

- Height, Siting and Setbacks
    - The provisions for maximum main building height, minimum front yard depth, minimum rear yard depth, minimum side yard width, and maximum gross floor area for a main building for a single unit dwelling and semi-detached dwelling under the RD1.2 zoning are identical.
        - The applicant is not requesting relief from any of these provisions.

- *(d) provided with adequate off-street parking;*
    - The proposed development will accommodate the required number of parking spaces onsite.
    - Transportation Planning, through their comments, confirmed that a parking study is not required so long as the required number of parking spaces are being provided onsite.

- *(e) capable of being provided with full municipal physical services and emergency services; and*
    - Refer to the response provided to PPS Policy 1.1.1 g) herein for details on the municipal physical services available to the subject property.
    - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 2) & Windsor Police Service.

Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
    - *(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
    - *(b) Relevant support studies;*
    - *(c) The comments and recommendations from municipal staff and circularized agencies;*
    - *(d) Relevant provincial legislation, policies and appropriate guidelines; and*
    - *(e) The ramifications of the decision on the use of adjacent or similar lands.*
        - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Zoning By-Law

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

The subject property is within a RD1.2 zone of Zoning By-law 8600, which does not permit a semi-detached dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to add a site-specific provision to allow a semi-detached dwelling with a minimum lot width of 12.2 metres, and a minimum lot area of 389.6 m^2.

The applicant's request for a site-specific provision in the Planning Rationale Report has been considered and is supported in this report in conjunction with the regulations being recommended by the Planning Department herein.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix G. 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.

There are no objections to the proposed amendment.

The applicant hosted a virtual public open house on January 31, 2024, via Zoom. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by one (1) resident. Comments from residents were also received by phone, letters, and email.

Section 3.2 of the Planning Rationale Report summarizes the comments and questions and includes corresponding responses.

Comments received were taken into consideration when preparing this report.

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

Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” *Provincial Policy Statement 2020*. The recommended zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The recommended zoning by-law amendment is consistent with the PPS, conforms with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP *Thom Hunt, MCIP, RPP*
Manager of Development *City Planner*

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

JP *JM*

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
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
7 Appendix G - Planning Rationale Report (Scoped)
8 Appendix H - Zoning Analysis

Bernard Ave.

Semi-Detached

Lot 191 Bernard Rd., Windsor, ON, N8W 4S1

ARCHITECTURAL SHEETS

A001	COVER SHEET
A100	FLOOR PLAN
A101	ELEVATIONS

ARCHITECTURAL LEGEND

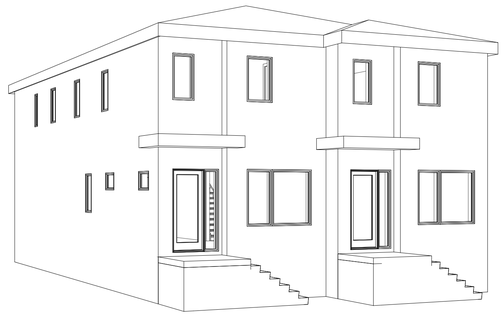
Room name
101 ROOM NUMBER
101 DOOR NUMBER
12 WINDOW TYPE
W13 WALL TYPE

No / SHEET / No — EXTERIOR BUILDING ELEVATION INDICATOR

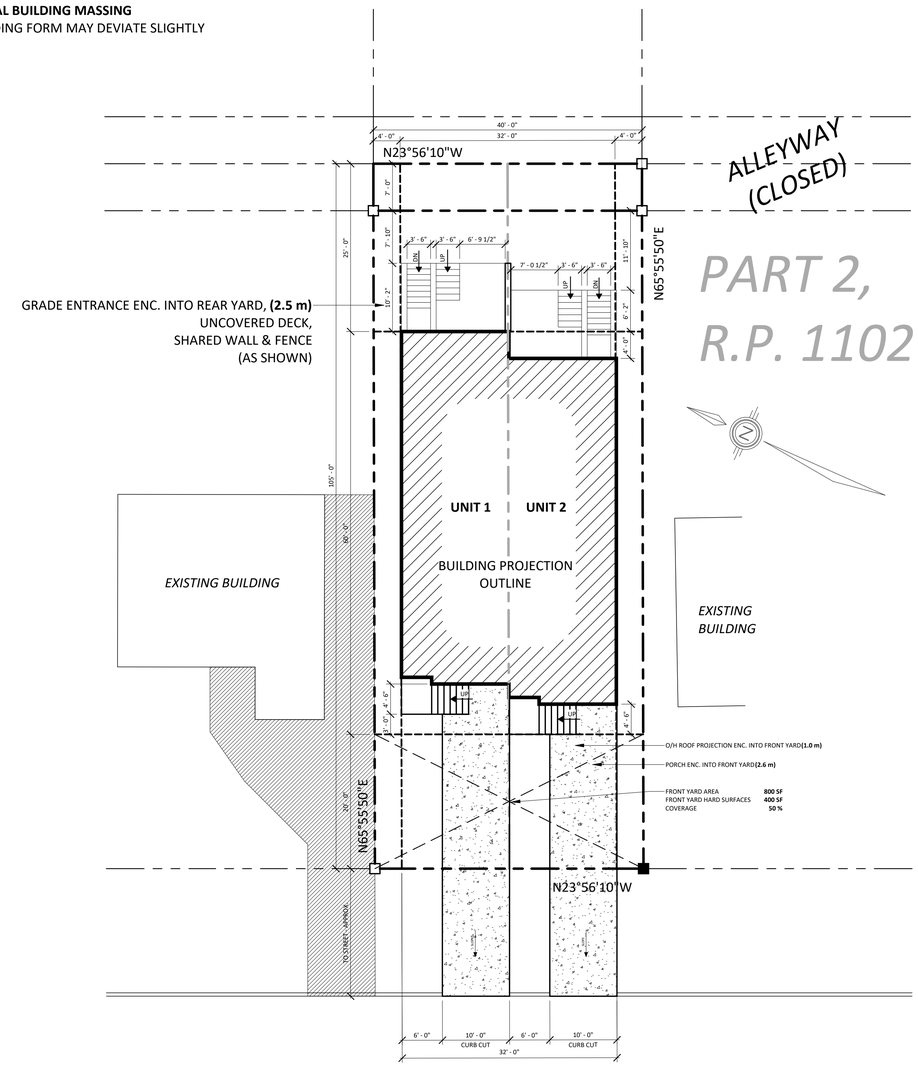
No / SHEET / No — INTERIOR BUILDING ELEVATION INDICATOR

No / SHEET — MILLWORK ELEVATION INDICATOR

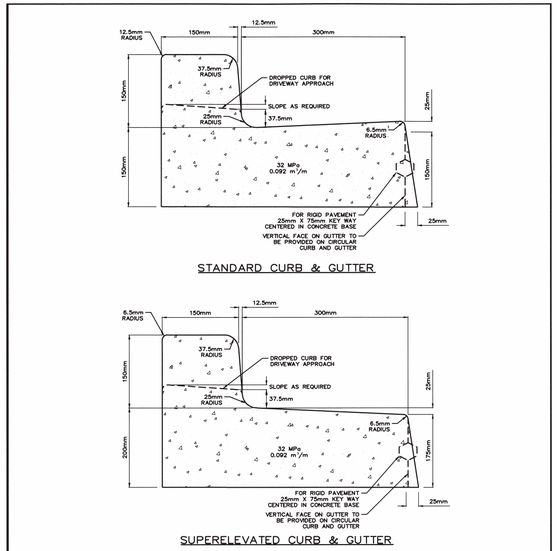
No / SHEET — SECTION INDICATOR



CONCEPTUAL BUILDING MASSING
FINAL BUILDING FORM MAY DEVIATE SLIGHTLY



1 Site Plan
3/32" = 1'-0"



STANDARD CURB & GUTTER

SUPERELEVATED CURB & GUTTER

GENERAL NOTES:

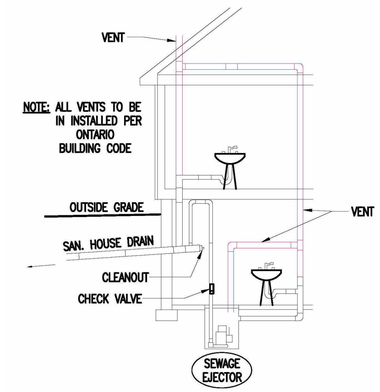
1. FILLER MATERIAL SHALL BE 12–20mm THICK PIECE OF FULL DEPTH AND WIDTH OF JOINT MEETING OPSS 1308 (EXCLUDING CORK FILLER)
2. MAXIMUM SPACING OF JOINTS:
   3m ON CIRCULAR SECTION WITH RADIUS LESS THAN 9m; 4.9m ELSEWHERE.
3. CONTRACTION JOINTS FOR ASPHALT SURFACES TO BE SPACED 5m AND COINCIDE WITH THE CONTRACTION JOINTS FOR CONCRETE PAVEMENTS.
4. CROSS FALL OF GUTTER SHALL CONFORM TO PAVEMENT CROSS FALL AT CATCH BASIN.
5. ALL WORK SHALL CONFORM TO CITY OF WINDSOR SPEC. S–5

CITY OF WINDSOR
ENGINEERING DEPARTMENT
STANDARD & SUPERELEVATED CURB & GUTTER FOR RESIDENTIAL ROADS

DR'N BY: E.T. , P.R.	DATE: MARCH 2017
REVISION: FEBRUARY 2018	CH'KD BY: M.C.
CH'KD BY: P.D.	PASSED BY: M.C.
CITY ENGINEER	AS–208

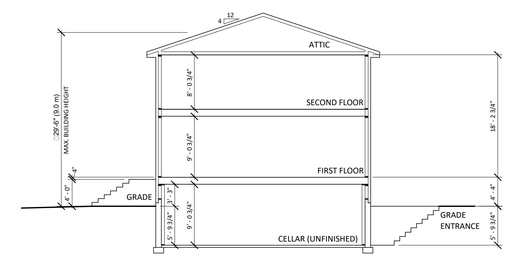
SITE PLAN DRAWING LEGEND

	PROPERTY BOUNDARY LINE		NEW CONCRETE
	BUILDING SETBACK LINE		NEW ASPHALT
	CHAINLINK FENCE	H.P.	HYDRO POLE
W	DOMESTIC WATER SERVICE		
S	STORM SERVICE		
SAN	SANITARY SERVICE		



INSTALL SANITARY SEWER EJECTOR IN ALL BASEMENTS

SANITARY EJECTOR PUMP SYSTEM OPTION



CONCEPTUAL BUILDING HEIGHT

SITEPLAN MATRIX:

PROPOSED ZONING: RD2.1

1. LOT WIDTH: 40'-0" **(12.2 m)**
2. LOT DEPTH: 105'-0" **(32 m)**
3. LOT AREA: 4,200 sq.ft. **(390.2 sm)**
4. LOT COVERAGE: 41% (1,687 sq.ft.) **(156.8 sm)**
5. MAIN BUILDING HEIGHT: 29'-0" (max.) **(9.0 m)**
6. FRONT YARD DEPTH: 20'-0" **(6.0 m)**
7. REAR YARD DEPTH: 25'-0" **(7.5 m)**
8. SIDE YARD WIDTH: 4'-0" **(1.2 m)**
9. GROSS FLOOR AREA: 3,374 sq.ft. (w/ UNFINISHED BASEMENT) **(313.5 sm)**

SITEPLAN NOTES:

1. SITE INFORMATION & OUTLINES SHOWN FOR REFEREENCE AND APPROXIMATED BASED ON GOOGLE AERIAL IMAGERY.
2. CONTRACTOR RESPONSIBLE FOR CONFIRMING ALL SITE DIMENSIONS & DATUMS, PROVIDING UP TO DATE SURVEY, AS WELL AS LOCATING ALL UNDERGROUND UTILITES PRIOR TO COMENCEMENT OF WORK.
3. NEW CONCRETE DRIVEWAYS & CURB CUTS TO BE AS PER TYPICAL CITY OF WINDSOR STANDARDS, REFER TO DETAILS.

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John Pasqualino Lucente
FIRM BCIN: 109257

Issued For:

Description	Date
Review 1	2dec23
Review 2	20dec23
Zoning Bylaw Amendment	28dec23
Zoning Bylaw Amendment - Rev.01	25mar24

Revision No.:

No.	Description	Date
1	Revision Front Yard hardscape coverage & building form.	25mar24

COVER SHEET

Bernard Ave.
Semi-Detached

Lot 191 Bernard Rd.,
Windsor, ON, N8W 4S1

Project number: 2311
Drawn by: Author
Checked by: Checker
Sheet: A001
Scale: As indicated

3/25/2024 11:33:57 PM

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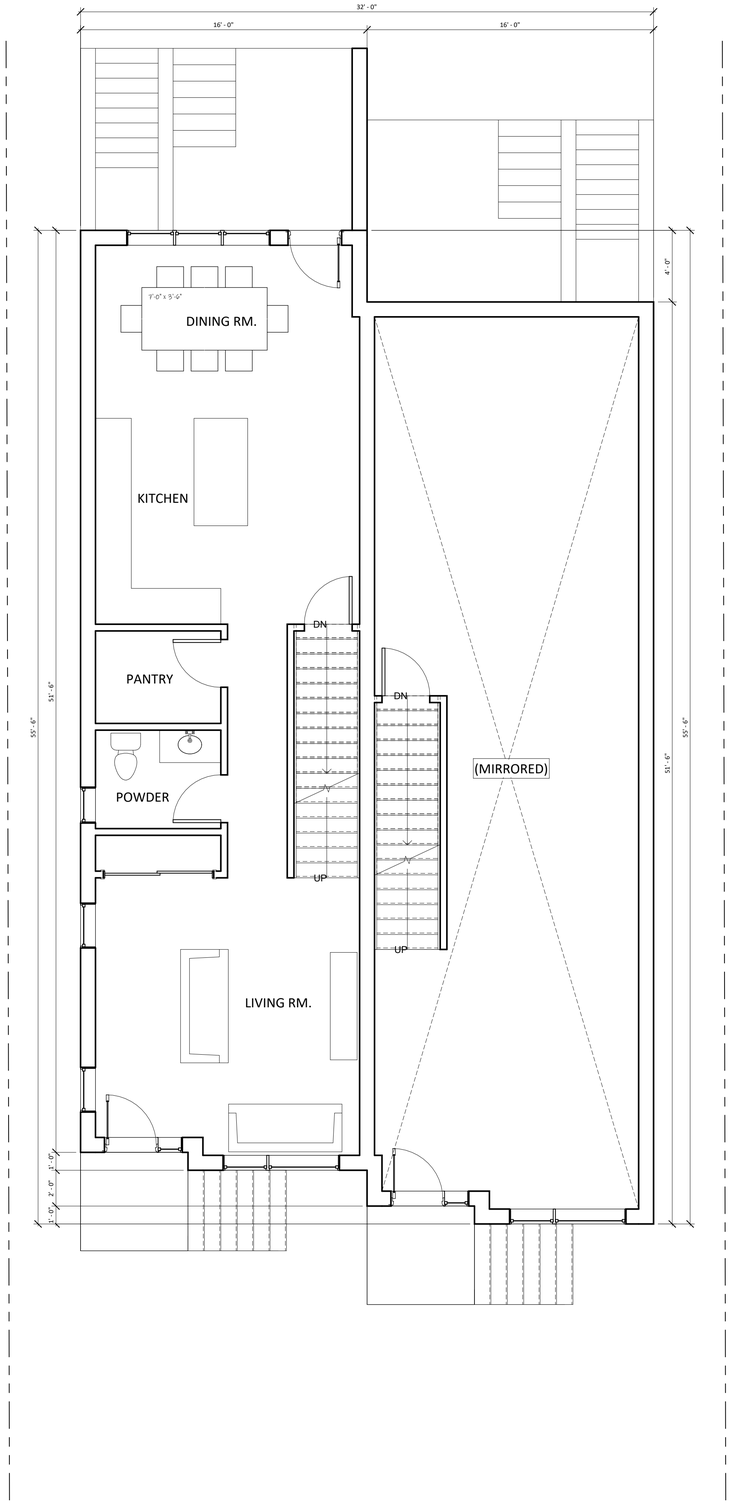

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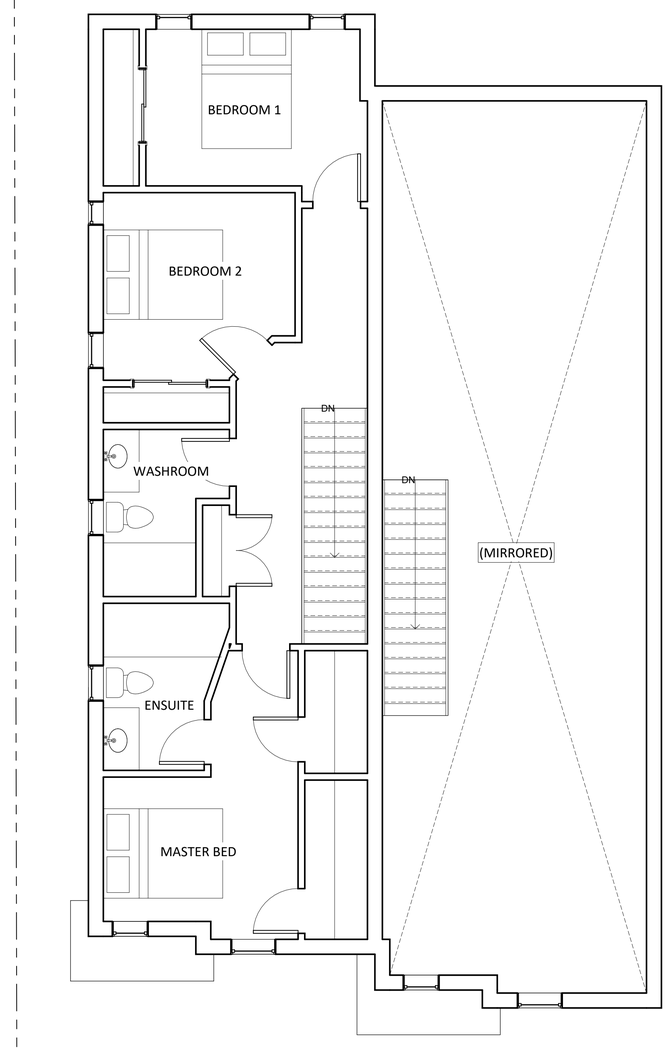

2 T/O 2nd Flr.
1/4" = 1'-0"

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Review 1	2dec23
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FLOOR PLAN

Bernard Ave.
Semi-Detached

Lot 191 Bernard Rd,
Windsor, ON, N8W 4S1

Project number:	2311
Drawn by:	Author
Checked by:	Checker
Sheet:	A100
Scale:	1/4" = 1'-0"

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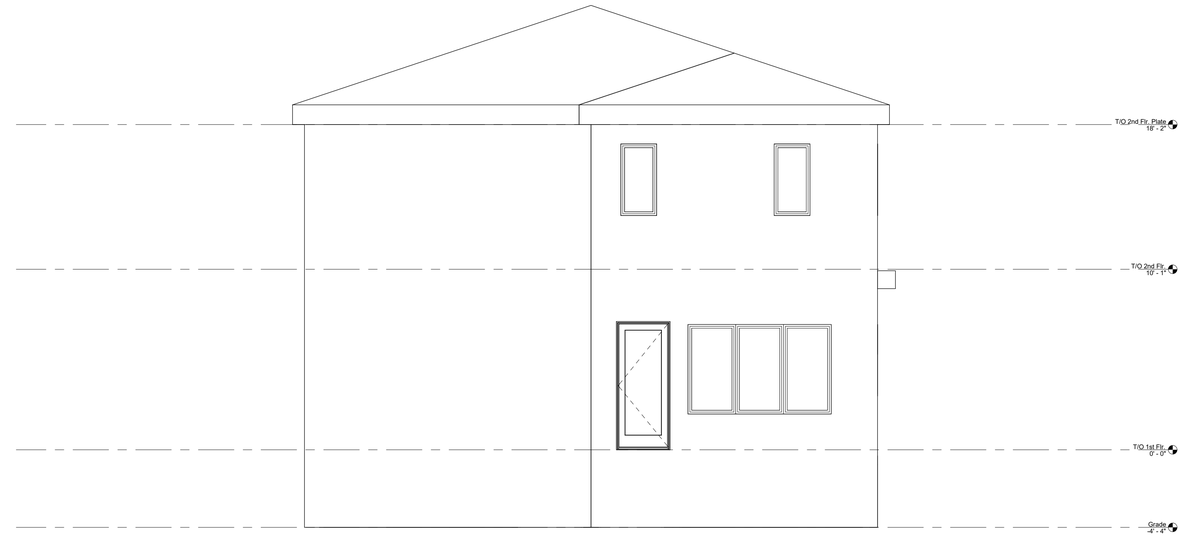
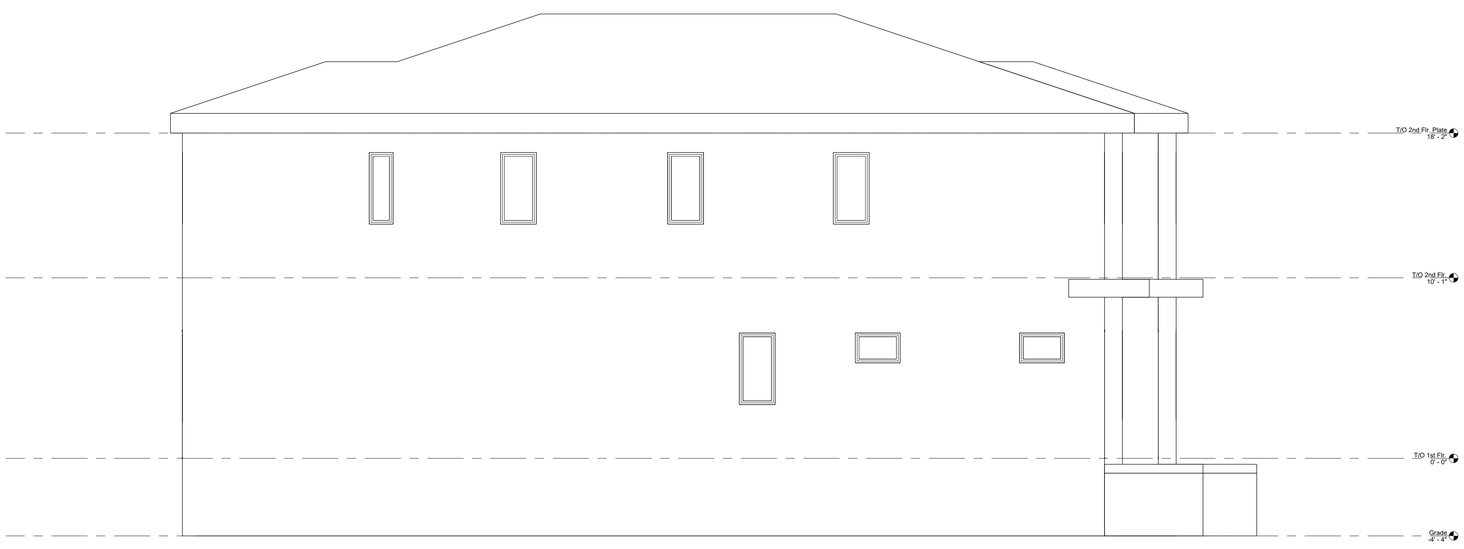


2 Elevation 1 - d
1/4" = 1'-0"



3 Elevation 2 - a
1/4" = 1'-0"

GENERAL NOTE:
BUILDING ELEVATIONS SHOWN ARE OF A CONCEPTUAL BUILDING FORM AND MAY DEVIATE FROM FINAL APPLICATION.

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Zoning Bylaw Amendment	28dec23
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No.	Description	Date
1	Revision Front Yard hardscape coverage & building form.	25mar24

ELEVATIONS

Bernard Ave.
Semi-Detached

Lot 191 Bernard Rd.
Windsor, ON, N8W 4S1

Project number: 2311
Drawn by: Author
Checked by: Checker
Sheet: A101
Scale: 1/4" = 1'-0"

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APPENDIX "B"
Site Photos (May 15, 2024)

Figure 1 - Bernard Road, looking north towards Ypres Street (subject property to right)

Figure 2 - Bernard Road, looking south towards Somme Avenue (subject property to left)

Figure 3 - Bernard Road, looking northwest towards Ypres Street (subject property to right)

Figure 4 - Looking east towards subject property from Bernard Road

Figure 5 - Looking northeast towards subject property from Bernard Road (2416 Bernard Road centre)

Figure 6 - Looking southeast towards subject property from Bernard Road (2426 Bernard Road centre)

Figure 7 - Looking west from subject property

Figure 8 - Looking southwest from 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.

3.3 Urban Structure Plan

3.3.3 Neighbourhoods

NEIGHBOURHOOD HOUSING VARIETY

Neighbourhoods are the most basic component of Windsor's urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services.

The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor‟s neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.

6. Land Use

6.1 Goals

In keeping with the Strategic Directions, Council's land use goals are to achieve:

NEIGHBOURHOODS

6.1.1 Safe, caring and diverse neighbourhoods.

RESIDENTIAL

6.1.3 Housing suited to the needs of Windsor's residents.

RESIDENTIAL INTENSIFICATION

6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. **(added by OPA #159 –APPROVED July 11, 2022, B/L# 100-2022)**

6.3 Residential

6.3.1 Objectives

RANGE OF FORMS & TENURES

6.3.1.1 To support a complementary range of housing forms and tenures in all neighbourhoods.

INTENSIFICATION, INFILL & REDEVELOPMENT

6.3.1.3 To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan. **(Added by OPA#159 - APPROVED July 11, 2022, B/L#100-2022)**

6.3.2 Policies

PERMITTED USES

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

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors. **(Added by OPA #159 – APPROVED July 11, 2022 , B/L# 100-2022)**

TYPES OF LOW PROFILE HOUSING

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

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

LOCATIONAL CRITERIA

6.3.2.4 Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where:

(a) There is access to a collector or arterial road;

(b) Full municipal physical services can be

(c) Adequate community services and open spaces are available or are planned; and

(d) Public transportation service can be provided.
(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN

6.3.2.5 At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; **(Added by OPA #159 – APPROVED July 11 2022, B/L# 100-2022)**

(d) provided with adequate off street parking;

(e) capable of being provided with full municipal physical services and emergency services; and

11. Tools

11.6 Zoning

11.6.1 Objectives

COMPATIBLE USES

11.6.1.2 To ensure compatibility between land uses.

11.6.3 Zoning By-law Amendment Policies

EVALUATION CRITERIA

11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II:

(b) Relevant support studies;

(c) The comments and recommendations from municipal staff and circularized agencies;

(d) Relevant provincial legislation, policies and appropriate guidelines; and

(e) The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX "D"
Excerpts from Zoning By-law 8600

SECTION 5 - GENERAL PROVISIONS

(AMENDED by B/L 274-1998, Oct. 2, 1998; B/L 31-2013, March 28/2013; DELETED By B/L 117-2016, Dec. 28, 2016; ADDED by B/L 177-2016, Dec. 28, 2016; AMENDED by B/L 95-2019, Sept. 27/2019)

5.99 ADDITIONAL USE PROVISIONS

5.99.80 SECOND UNITS / ADDITIONAL DWELLING UNITS

.1 For any zoning district that permits a single unit dwelling, semidetached dwelling, duplex dwelling, or townhome dwelling, the following additional provisions shall apply:

.1 Additional Permitted Uses

a) Two additional dwelling units shall be permitted on a parcel of urban residential land. This may be either:

i. Two additional dwelling units within the primary dwelling unit located in the main building, or

ii. One additional dwelling unit in the primary dwelling unit located in the main building and one additional dwelling unit in a building accessory to said dwelling.

For clarity, this provision permits a maximum of three dwelling units in total on a parcel of urban residential land as shown in Tables 5.99.80.11 and 5.99.80.12.

TABLE 5.99.80.11

Dwelling Type	Dwelling Units - Maximum		
	Main Building	Accessory Building	Total
Single Unit Dwelling	3	0	3
Semi-detached Dwelling Unit	3	0	3
Duplex Dwelling	3	0	3
Townhome Dwelling Unit	3	0	3

TABLE 5.99.80.12

Dwelling Type	Dwelling Units - Maximum		
	Main Building	Accessory Building	Total
Single Unit Dwelling	2	1	3
Semi-detached Dwelling Unit	2	1	3
Duplex Dwelling	2	1	3
Townhome Dwelling Unit	2	1	3

b) For the purposes of this provision each semi-detached dwelling unit or townhome dwelling unit is considered to be located on its own parcel of urban residential land if it conforms with the provisions of the applicable zoning district and can be subdivided.

SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019

10.2 RESIDENTIAL DISTRICT 1.2 (RD1.2)

10.2.1 PERMITTED USES

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

10.2.5 PROVISIONS

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

(AMENDED by B/L 101-2022, July 11, 2022)

SECTION 24 - PARKING, LOADING AND STACKING PROVISIONS

(AMENDED by B/L 8627 July 8/1986; B/L 9057 July 7, 1987; B./L 9882 July 31, 1989; B./L 10358 July 16/1990; B/L 10473 Nov. 5, 1990; 10993 May 4, 1992; B/L 11093 July 20, 1992; B/L 11157 Sept. 21,/1992; B/L 11780 March 28,/1994; B/L 12234 July 14/1995; B/L 12429 Jan. 8/1996; B/L 12819 March 17/1997; B/L 30-1998 March 2/1998; B/L 162-1998 June 24/1998; B/L 264-1999 Oct. 19/1999; B/L 33-2001 Oct. 23/2001 by OMB Decision No. 1716, Case # PL01023; B/L 370-2001 Nov. 15/2001; B/L 363-2002 Dec. 31/2002; B/L 92-2003 May 6/2003; B/L 269-2003 Sept. 15/2003; B/L 69-2004 March 31/2004; B/L 144-2004 June 11/2004; B/L 375-2004 Dec. 21/2004; B/L 46-2005 March 23/2005; B/L 212- 2005 Sept./ 22/2005; B/L 204-2006 Nov. 30/2006; B/L 166-2007 Oct. 5/2007; B/L 110-2009 by OMB Order PL090722 Issued Nov. 20/2009 and AMENDED by Order PL090722 Issued Dec. 4/2009; B/L 164-2010 Nov. 17/2010 AND DELETED AND REPLACED by B/L 129-2012 Oct. 2/2012; B/L 95-2019, Sept. 27/2019)

24.28 FRONT YARD PAVING AND SURFACING IN RESIDENTIAL DISTRICTS

24.28.1 IN ANY RESIDENTIAL DISTRICT:

.1 A walkway, driveway or access area necessary for access to a parking space may cross a required front yard. That part of the required front yard not used for a walkway, driveway, access area, or, where permitted by this by-law, a parking space, shall be used exclusively as a landscaped open space yard.

.3 For a single-unit dwelling, semi-detached dwelling, duplex dwelling or townhome dwelling unit, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof cannot exceed:

.1 for a lot having a width of 9 metres or greater: 50% of the required front yard area; or

.2 for a lot having a width of less than 9 metres: 50% of the required front yard area plus 5% for each 1 metre decrease in lot width below 9 metres to a maximum of 70% of the required front yard area.

b) For the purposes of this provision each semi-detached dwelling unit or townhome dwelling unit is considered to be located on its own parcel of urban residential land if it conforms with the provisions of the applicable zoning district and can be subdivided.

.5 All driveways, access areas and parking spaces, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof.

APPENDIX "E"
Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

We have reviewed the subject Rezoning application and have the following comments:

Sanitary and Storm Sewers

The site may be serviced by the existing 250mm sanitary sewer and a 300mm sewer located within the Bernard Road right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

Right-of-Way

The Official Plan classifies Bernard Road 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.

The applicant will be required to obtain driveway permits from the Engineering department. Only one driveway permit will be issued per property unless the site is severed.

Refer to Appendix - 1 for a full list of right-of-way permit requirements, prior to the issuance of a Building Permit.

In summary we have no objection to the proposed development, subject to the following requirements:

If you have any further questions or concerns, please contact Juan Paramo, of this department at jparamo@citywindsor.ca.

[Juan Paramo - Development Engineer]

ENGINEERING - R.O.W.

No comments provided

ENWIN UTILITIES LTD. - HYDRO ENGINEERING

No Objection.

Please be advised of the overhead 120/240 Volt secondary conductor along the eastern limit of the property, in the back alley.

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

[Nillavon Balachandran - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. - WATER ENGINEERING

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

FORESTRY

The two privately owned Locust trees located on the front of property were deemed to be in good health at the time of inspection.

It is recommended prior to construction either snow fence or another suitable barrier be installed around the drip line of the tree to help preserve the health of both trees.

By adding this barrier, it will reduce/eliminate soil compaction and a change in soil grade.

[Marc Edwards - Supervisor Parks]

PARKS DEVELOPMENT & DESIGN

No concerns from Natural Areas and Parks Development & Design.

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

There are no additional studies required from a landscape architectural or urban design perspective related to the proposed development at this time.

There is however a shared tree immediately in the front of the property. The owner is to consult with the City Forester in relation to the preservation of this tree during and after construction.

[Stefan Fediuk - Senior Urban Designer]

PLANNING DEPARTMENT - SITE PLAN CONTROL

Site Plan is not applicable for this proposed development pursuant to the *Planning Act* and City of Windsor By-law 1-2004.

[Jacqueline Cabral - Clerk Steno]

TRANSPORTATION PLANNING

The Official Plan classifies Bernard Road as a Local/Residential Road with a required right-of-way width of 20 meters. The current right-of-way sufficient; therefore, no conveyance is required.

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

- Only one driveway access is allowed.

All parking must comply with ZBL 8600.

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

[Elara MehriLou - Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided

Appendix - 1

Video Inspection - The Owner further agrees, at its entire expense and to the satisfaction of the City Engineer:

a. To undertake a video inspection, of any existing connections proposed for reuse to ensure the suitability of the connection for use in accordance with City of Windsor Standard Specifications S-32 CCTV Sewer Inspection.
b. Any redundant connections will be abandoned according to the City of Windsor Engineering Best Practice B.P.1.3.3.
c. Any new connections to combined sewers will follow City of Windsor Engineering Best Practice B.P.1.1.1

Driveway Permit - Each property will be permitted a driveway as per City Specifications and Engineering Best Practices. Owner to submit a site plan including the proposed driveways tying into the road, with dimensions provided at the property line and road.

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

1. asphalt in accordance with City of Windsor Standard Drawing AS-221; or
2. concrete in accordance with City of Windsor Standard Drawing AS-222;

3. to provide straight flare driveway approaches and to terminate the raised curbs at the property line and the raised curbs shall not extend into the driveway approaches, outside of the subject lands.

All work to the satisfaction of the City Engineer.

Sewer Connection Permit - The owner(s) will be required to obtain a permit from the Engineering Department to connect to existing sanitary and/or storm sewer connections. Existing connections are to be utilized wherever possible at the entire cost and risk of the owner. If an existing connection is not utilized, it shall be capped and abandoned to the satisfaction of the City Engineer. If a new connection is required, it shall be installed, by trenchless method under the existing pavement from the sewer main tap pit on Bernard Road, except when specific consent is given by the City Engineer.

Storm and sanitary connections are required for each property. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

If you have any further questions or concerns, please contact Lea Marshall, of this department at lmarshall@citywindsor.ca.

APPENDIX "F"
Draft Amending By-law

B Y - L A W N U M B E R -2024

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

Passed the day of , 2024.

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

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

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

504. EAST SIDE OF BERNARD ROAD BETWEEN YPRES STREET AND SOMME AVENUE

For the lands comprising of as Lot 191, Part of Block C, and Part of Closed Alley, Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, PIN No. 01362-0223 LT, a *Semi-Detached Dwelling* shall be an additional permitted use and the following shall apply:

1. The *Semi-Detached Dwelling* provisions of Section 10.2.5, save and except Subsections 10.2.5.1 and 10.2.5.2;
2. Lot Width - minimum 12.2 m
3. Lot Area - minimum 389.6 m^2
4. Section 5.99.80.1.1.b) shall not apply.
5. Notwithstanding Section 24.28.1.3.2, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area, parking space, or any combination thereof for a lot having a width of less than 9 metres shall not exceed 50% of the required front yard.

[ZDM 11; ZNG/7193]

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. Zoning Symbol	5. New Zoning Symbol

1	11	Lot 191, Part of Block C, and Part of Closed Alley, Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, PIN No. 01362-0223 LT (located on the east side of Bernard Road between of Ypres Street and Somme Avenue)	RD1.2	RD1.2 S.20(1)504

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024

Second Reading - , 2024

Third Reading - , 2024

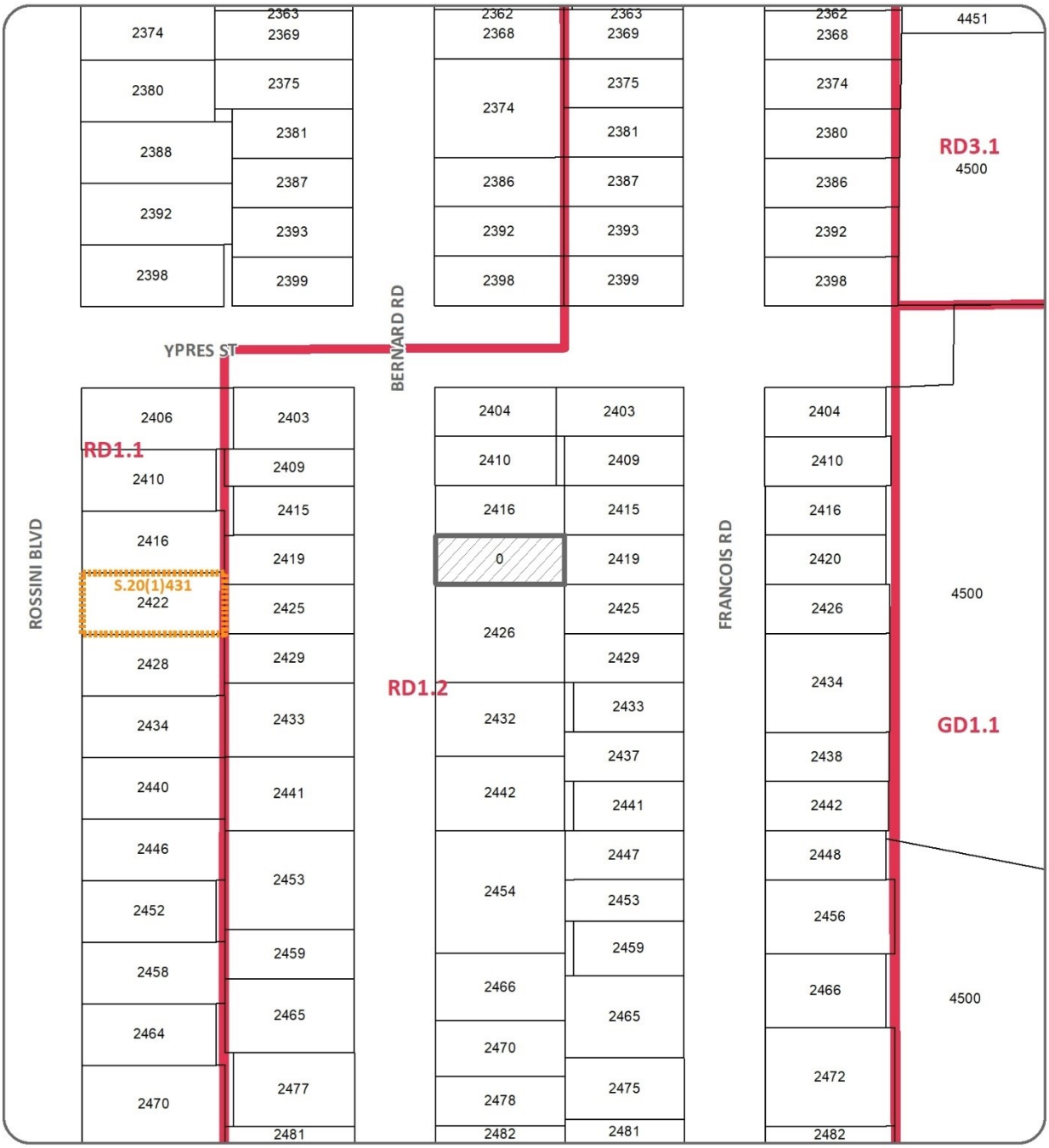
SCHEDULE 2

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

   To amend the zoning of the lands located on the east side of Bernard Road between of Ypres Street and Somme Avenue, legally described as Lot 191, Part of Block C, and Part of Closed Alley, Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, PIN No. 01362-0223 LT, so as to permit the development of a semi-detached dwelling on the subject land.

   The amending by-law maintains the RD1.2 zoning on the subject land and adds a special zoning provision permitting a semi-detached dwelling on a lot subject to additional regulations. The additional regulations reduce the minimum lot width and lot area and nullifies the Front Yard Paving and Surfacing in Residential Districts Provision regulation that allows a greater percentage of the required front yard to be paved for a lot having a width less than 9 metres and nullifies the Second Units / Additional Dwelling Units General Provision regulation that defines when a semi-detached dwelling unit is considered to be on its own parcel of urban residential land.

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



PART OF ZONING DISTRICT MAPS 11

N.T.S.

SCHEDULE 2

Applicant: 14535723 Canada Inc. (Andi Shallvari)

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : APRIL, 2024
FILE NO. : Z-011/24, ZNG/7193

PLANNING RATIONALE REPORT (SCOPED)

ZONING BY-LAW AMENDMENT

PROPOSED RESIDENTIAL DEVELOPMENT

0 Bernard Road

City of Windsor, Ontario

March 28, 2024

Prepared by:

Pillon Abbs Inc.
LAND USE PLANNING CONSULTANT

Tracey Pillon-Abbs, RPP
Principal Planner
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1.0 INTRODUCTION

I have been retained by 14535723 CANADA INC. (herein the "Applicant"), to provide a scoped land use Planning Rationale Report (PRR) in support of a proposed development to be located at 0 Bernard Road (herein the "Site") in the City of Windsor, Province of Ontario.

The Site, in Ward 5 (Fountainbleu Planning District), is made up of one (1) interior parcel of land, which is currently vacant.

The Site is located on the east side of Bernard Road, north of Somme Ave and south of Ypres Street, between 2416 Bernard Road and 2426 Bernard Road.

It is proposed to construct a new two (2) storey semi-detached dwelling. A total of two (2) residential units are proposed.

The tenure of each unit will be individually owned.

The proposed development provides for a new affordable housing choice in an existing neighbourhood.

Infilling an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

Parking will be provided in the front yard on private driveways.

The Site has access to full municipality services.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-036/23).

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

This scoped PRR will show that the proposed development is suitable, consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site is made up of one (1) interior parcel of land, which is currently vacant.

The Site was created by severance in 2021 (B-067/21).

The former alleyway at the rear of the Site has been closed and merged with the subject lands.

The Site is located on the east side of Bernard Road, north of Somme Ave and south of Ypres Street, between 2416 Bernard Road and 2426 Bernard Road (see the area in red on Figure 1 – Site Location).

Figure 1 – Site Location (Source: Windsor GIS)

The Site is part of the Fountainbleu Planning District and is located in the City of Windsor Ward 5.

The Site is owned, locally known as and legally described as follows:

Address	Legal Description	PIN	ARN	Owner	Purchased Date
0 Bernard Road, Windsor	LT 191 PL 1102 SANDWICH EAST; PT BLK C PL 1102 SANDWICH EAST (PT ALLEY CLOSED BY R554954) BEING FURTHER DESIGNATED AS PARTS 2 AND 4, PLAN12R28879; S/T INTEREST IN R561985; S/T 554954E; WINDSOR	01362-0233 LT	070-390-04903	14535723 CANADA INC.	2022

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 390.2 m2, with 12.2 m along Bernard Road and a depth of 32 m.

2.2.2 Existing Structures and Previous Use

The Site is currently vacant.

The previous use was residential.

2.2.3 Vegetation

The property currently has a mown lawn and two privately owned trees.

2.2.4 Topography and Drainage

The Site is generally level, and it is outside of the Essex Region Conservation Authority (ERCA) regulated area.

2.2.5 Other Physical Features

Fencing is located along a portion of the Site owned by others.

2.2.6 Municipal Services

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

The Site has access to transit and major roadways.

2.2.7 Nearby Amenities

There are many schools, parks and libraries in close proximity to the Site.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship, and local amenities.

2.3 Surrounding Land Uses

Overall, the Site is in an existing built-up area. The following is a summary of the abutting land uses:

Direction	Abutting Land Use
North	Residential
South	Residential
East	Residential
West	Residential

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site is currently vacant. It is proposed to develop the Site for residential purposes.

It is proposed to construct a new two (2) storey semi-detached dwelling. A total of two (2) residential units are proposed.

A concept plan was prepared by JL Design, dated March 25, 2024 (see Figure 2a –Concept Plan).

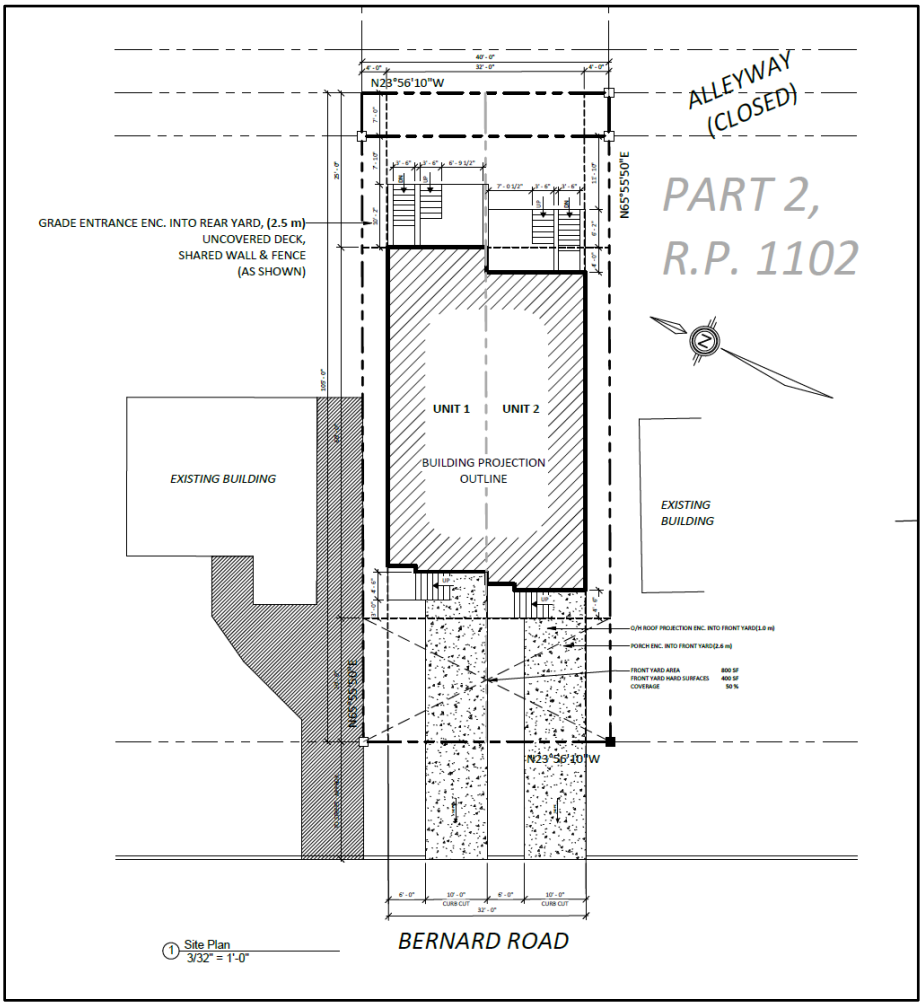


Figure 2a –Concept Plan

The Concept Plan is preliminary in order to illustrate how the Site can be developed.

The building area of the proposed dwelling will occupy a total of 156.8 m2 of the Site (41 %). The proposed height is 9.0 m.

The tenure of each unit will be individually owned.

The proposed dwelling will face Bernard Road. Conceptual elevations of the proposed dwelling have been prepared (see Figure 2b – Elevations).

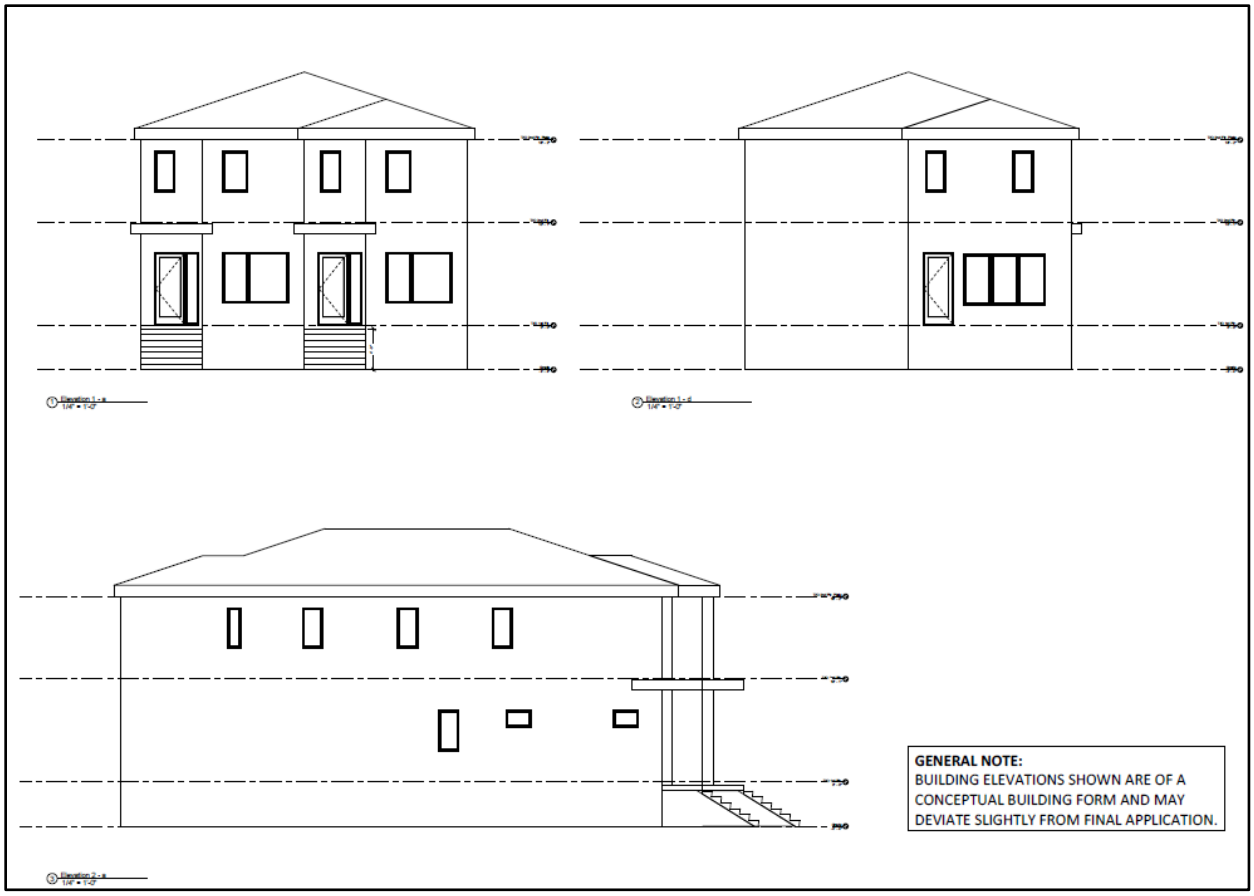


Figure 2b – Conceptual Elevations

The conceptual elevations are preliminary in order to illustrate how the Site can be developed.

Access to the proposed building will be from the east and west sides. There is a front porch proposed.

It is proposed that each unit will have 3 bedrooms. There is an unfinished basement.

Accessibility of units will be addressed at the time of the building permit.

A private uncovered deck will be located on the east side of the proposed building for each unit.

Landscaping and amenity space will be provided.

Parking will be provided in the front yard on private driveways.

The refuse (garbage and recycling) will be located in the individual units.

The Site will be serviced with full municipality services (sewer, water and storm).

There was an existing concrete driveway to the north which encroaches onto the Site and has now been removed.

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on Wednesday, January 31, 2024, from 6:00 pm to 7:00 pm.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of 62 owners and tenants were notified, which represents a 120 m radius from the Site.

In addition to the Applicant Team, there was one (1) resident registered and attended the open house.

There were phone calls and emails received.

The following is a summary of the comments and questions received, along with the responses provided.

Topic Item	Comments and Questions	Response
Development	No development is supported in the area. Does not in support of a semi-detached dwelling.	Infill and intensification are supported by the PPS and City OP.
Elevations	How many levels?	It is a 2 storey building with an unfinished basement.
Tenure	Does the builder have the intent to rent?	The tenure of each unit will be individually owned.
Application	What does the by-law amendment include/content?	It is proposed to amend the RD1.2 zone to permit a new semi-detached dwelling as an additional permitted use.

Topic Item	Comments and Questions	Response
		Relief for lot area and lot frontage is also included in the request.
Density	What is the occupancy capacity for each unit? Too many people.	Each unit will have 3 bedrooms.
Parking	Is there on street parking capacity for visitors?	On-street parking is available. Off-street parking will be available.
Services	What is the septic sewer capacity and flooding history?	The Site has access to full municipal services, including sewer and water. There will not be a septic system.
Fencing	Will existing fencing (chain link) be utilized or will better privacy fencing be installed?	Fencing is not yet determined.
Alley	Is the closed alleyway at the rear of this property?	The alleyway is closed and owned privately.
Site Plan	What are the measurements of the lot and the proposed setback? How is the side yard setback measured? Are eaves included in the side yard setback?	The lot is 40 ft wide. The proposed building is 32 ft wide and will have a 4 ft setback from both interior side yards. Side yards measured by the wall of the building. Eaves are allowed to encroach beyond the 1.20 m.

4.0 APPLICATION AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-036/23). Comments were received and have been incorporated into this scoped PRR.

The following explains the purpose of the application as well as a summary of the required support studies.

4.1 Zoning By-law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The current zoning of the Site, subject to development, is the Residential District 1.2 (RD1.2) category, as shown on Map 11 of the City of Windsor Zoning By-law #8600.

It is proposed to further amend the zoning to Residential District 1.2 (RD1.2 - S.20(1)(XXX)) category to permit one (1) new semi-detached dwelling as an additional permitted use.

Relief from certain regulations is also being requested.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this scoped PRR.

4.2 Other Application

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

The Site is not subject to Site Plan Control (SPC).

4.3 Supporting Studies

4.3.1 Tree

A Tree Inventory Report was determined by the City to be unnecessary. There are two privately owned locust trees identified on the front portion of the Site.

The trees were noted to be in fair health at the time of inspection.

It is recommended by the City that prior to construction, snow fencing, or another suitable barrier be installed around the dripline of the trees to help preserve their health.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

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

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

The Site is within a 'Settlement Area', as defined by the PPS.

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

PPS Policy #	Policy	Response
1.0	…..Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns…..	The City has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns. Existing semi-detached dwellings are a permitted use. A new semi-detached dwelling is proposed.
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	The proposed development is consistent with the policy to build strong, healthy, and livable communities as it provides for a new affordable housing choice in an existing built-up area.

PPS Policy #	Policy	Response
	Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; 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	The existing land use pattern provides for infilling and intensification. There are no environmental or public health and safety concerns as the area is established. The development pattern does not require expansion of the settlement area. Accessibility of units will be addressed at the time of the building permit. Public service facilities are available, such as local schools. The development pattern is proposed to be an efficient development of the Site. The Site has access to full municipal services.

PPS Policy #	Policy	Response
	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; and h) promoting development and land use patterns that conserve biodiversity.	
1.1.3.1	Settlement areas shall be the focus of growth and development.	The Site is within an existing settlement area.
1.1.3.2	Land use patterns within settlement areas shall be based on densities and a mix of land uses which: a) efficiently use land and resources; b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; c) minimize negative impacts to air quality and climate change, and promote energy efficiency; d) prepare for the impacts of a changing climate; e) support active transportation;	The Site offers an opportunity for intensification. The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area. Residents will have immediate access to local amenities. Transit is available for the area. The Site is located close to major roadways.

PPS Policy #	Policy	Response
	f) are transit-supportive, where transit is planned, exists or may be developed; and g) are freight-supportive.	
1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.	The proposed development is located on a Site that is physically suitable. The Site is generally level, which is conducive to easy vehicular movements. The intensification can be accommodated for the proposed development as it is an appropriate development of the Site. Parking will be provided on-site. On-street parking is also available.
1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.	The proposed building will be built with a high standard of construction. There will be no risks to the public.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of	The proposed development does have a compact built form. The proposed building size will allow for the efficient use of land, pedestrian and vehicle access,

PPS Policy #	Policy	Response
	land, infrastructure and public service facilities.	infrastructure, and public services.
1.4.1- Housing	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and 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 proposed development is consistent with the PPS in that it provides for a new housing choice in an existing built-up area. The proposed development will make efficient use of land, resources, existing infrastructure, and public service facilities by increasing the number of residential dwelling units within the existing settlement area. The proposed development encourages the utilization of existing transit located close to the Site to meet the health and well-being of future residents. The proposed development will provide for an infill and intensification opportunity in the existing built-up area. Municipal services are available.
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of	The proposed development provides for a new affordable housing choice and utilizes the Site in an efficient manner. The development will allow a new building to be used for

PPS Policy #	Policy	Response
	current and future residents of the regional market area.	residential purposes. This will address the need for new housing choices in the area. The proposed density will have a positive impact on the area. The proposed development will be limited to a 2 storey, low profile building, which is compatible with the surrounding area. The Site is close to nearby amenities. There is suitable infrastructure, including transit.
1.6.1 - Infrastructure	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	The development can proceed on full municipal services.
1.6.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to	The proposed development will be serviced by municipal sewer, water, and storm, which are the preferred forms of servicing for settlement areas.

PPS Policy #	Policy	Response
	optimize the use of the services.	
1.6.6.7	Planning for stormwater management shall: a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term; b) minimize, or, where possible, prevent increases in contaminant loads; c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure; d) mitigate risks to human health, safety, property and the environment; e) maximize the extent and function of vegetative and pervious surfaces; and f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	There are no anticipated negative impacts on the existing municipal system, as it will not add to the capacity in a significant way. There will be no risk to health and safety as the Site is outside of the ERCA regulated area. There are no natural heritage features located on the Site.
1.6.7.1	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and	The Site is in close proximity to major roadways.

PPS Policy #	Policy	Response
	goods, and are appropriate to address projected needs.	
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	The proposed development contributes to the City's requirements for development within a built-up area. The area is serviced by transit.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development will be limited to a 2 storey, low profile building, which is a compatible density for the Site and with the surrounding area. The proposed development is near many local amenities, and residents would not have to travel far to access necessities.
2.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water.	No water issues are anticipated.
3.0 – Healthy and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. The office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The Site is part of the Fountainbleu Planning District on Schedule A: Planning Districts & Policy Areas of the OP.

The current land use designation of the Site, subject to development, is 'Residential', as shown on Schedule D: Land Use Plan of the OP (see Figure 3 –OP).

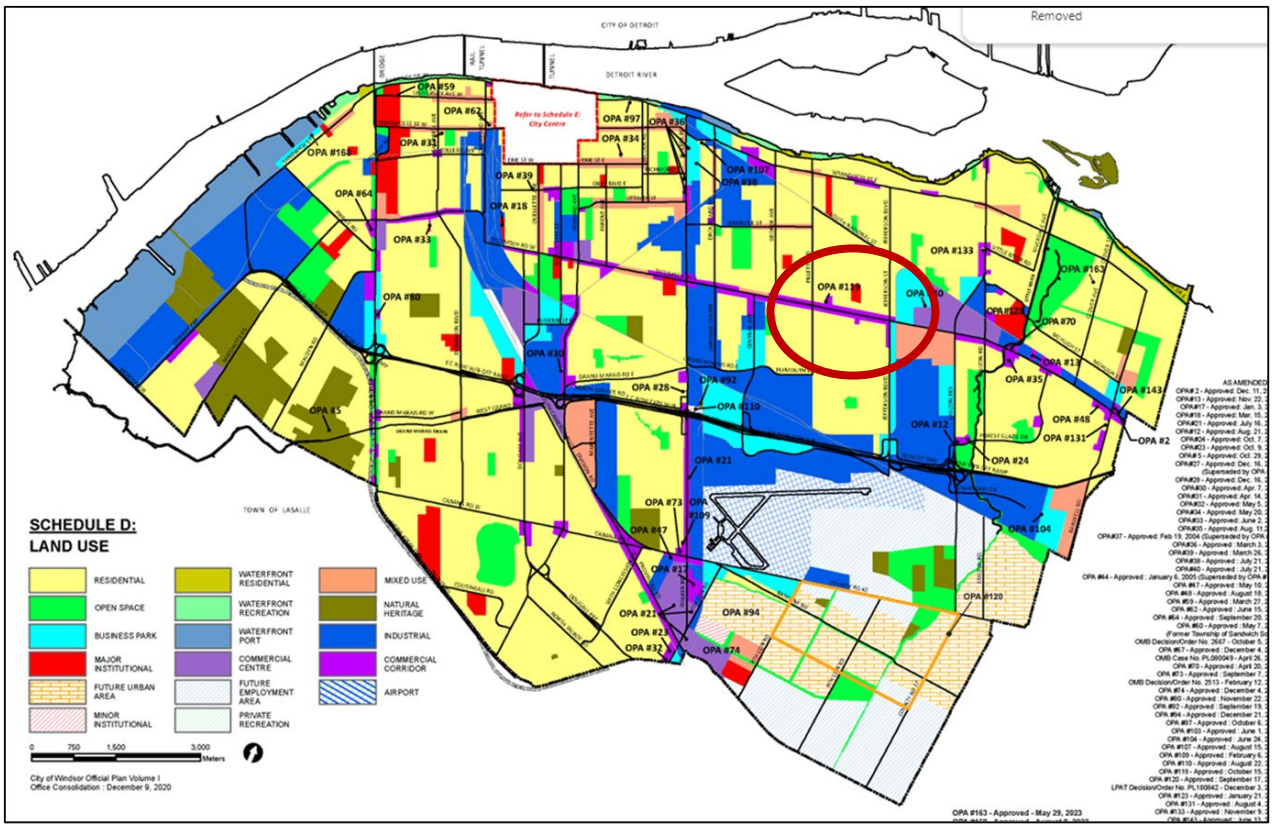


Figure 3 – OP

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

OP Policy #	Policy	Response
3.2.1.2 – Development Strategy	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.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types.
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	The proposed development will support the City's goal of promoting a healthy community in order to live, work, and play. The proposed development is close to nearby transit, employment, shopping, local amenities, and parks.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for addressing the City's residential needs. Existing semi-detached dwellings are a permitted use. A new semi-detached dwelling is proposed.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve: 6.1.1 Safe, caring and diverse neighbourhoods. 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.	The proposed development supports the goals set out in the OP. The proposed residential use will provide a new housing choice in an existing neighbourhood. The proposed semi-detached dwelling is suited for the needs of future residents.

OP Policy #	Policy	Response
		The Site is pedestrian friendly and close to nearby amenities and major roadways.
6.2.1.2 - General Policies, Type of Development Profile	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.	The proposed development is considered low profile.
6.3.1.1 - Residential	To support a complementary range of housing forms and tenures in all neighbourhoods.	The proposed semi-detached will complement the existing neighbour.
6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.	The proposed development is close to major roadways.
6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	The proposed development will provide for infilling and intensification.
6.3.2.1 – Permitted Uses	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	The proposed development is considered low profile.

OP Policy #	Policy	Response
	shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.	
6.3.2.3 – Types of Low Profile Housing	For the purposes of this Plan, Low Profile housing development is further classified as follows: (a) small scale forms: single detached, **semi-detached**, duplex and row and multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.	Semi-detached dwellings, which are considered small-scale, are permitted.
6.3.2.4 – Locational Criteria	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. **New residential development and intensification shall be located where:** (a) There is access to a collector or arterial road; (b) Full municipal physical services can be provided; (c) Adequate community services and open spaces are available or are planned; and (d) Public transportation service can be provided.	The Site is close to major roadways, has access to full municipal services, is close to nearby amenities and is close to transit.
6.3.2.5 – Evaluation Criteria (existing neighbourhood)	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	This scoped PRR has evaluated the PPS in Section 5.1.1. There are no constraint areas that impact the Site.

OP Policy #	Policy	Response
	Neighbourhood development pattern is: (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust; (iii) within a site of potential or known contamination; (iv) where traffic generation and distribution is a provincial or municipal concern; and (v) adjacent to heritage resources. (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency	There are no adjacent nuisances. There is no known contamination. Traffic generation is not anticipated to have any significant impact. There are no heritage resources on or near the Site. There are no secondary plans that impact the Site. The proposed development is compatible with the existing neighbourhood. **Existing** semi-detached dwellings are a permitted use. A **new** semi-detached dwelling is proposed. Only minor relief from the RD1.2 is being requested to allow the proposed dwelling type. The proposed building height will be similar to a single detached dwelling. The massing of the development has been carefully designed to emulate the scale of the existing structures and the surrounding context. The building will be oriented to face Benard Rd, similar to the existing built environment.

OP Policy #	Policy	Response
	services; and (f) Facilitation a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.	Lot area and lot frontages in the area vary in size. The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting. The Site is not in a mature neighbourhood, as shown on Schedule A-1. Off-street parking is provided. Amenity areas and landscaping will be provided. Full municipal and emergency services are available. No transition between uses is required as part of the building design.
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.

Therefore, the proposed development will conform with the purpose and intent of the City of Windsor OP.

5.1.3 Zoning By-law

The City of Windsor Zoning By-law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

According to Map 11 attached to the ZBL the Site is currently zoned Residential District 1.2 (RD1.2) category (see Figure 4 – ZBL).

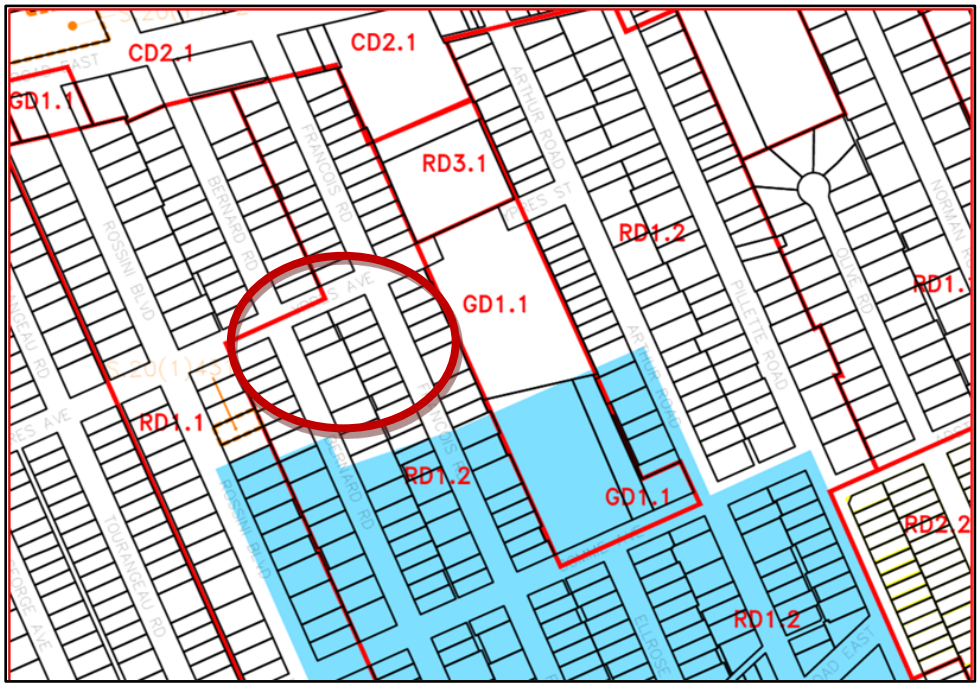


Figure 4 – ZBL

It is proposed to further amend the zoning to Residential District 1.2 (RD1.2 - S.20(1)(XXX)) category to permit one (1) new semi-detached dwelling as an additional permitted use with site specific relief.

SEMI-DETACHED DWELLINGS means one dwelling divided vertically into two dwelling units by a common interior wall having a minimum area above grade of 10.0 sq. m., and may include, where permitted by Section 5.99.80, up to two additional dwelling units.

A review of the RD1.2 zone provisions, as set out in Section 10.2 of the ZBL is as follows:

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-detached Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	Existing Duplex Dwelling **Existing Semi-Detached**	one (1) new semi-detached dwelling	Subject to the ZBA.

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-detached Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
	Dwelling One Single Unit Dwelling Any use accessory to the preceding uses		The proposed development is compatible with the existing neighbourhood. No transition between uses is required in the building design. The proposed building height will comply.
Lot Width – minimum	15.0 m	12.2 m	Relief Required. Lot frontage is existing. The request is minor. The Site is sufficient to accommodate the proposed semi-detached dwellings. The proposed side yard setbacks will comply.
Lot Area – minimum	450.0 m2	390.2 m2	Relief Required. Lot area is existing. The request is minor. The land area is sufficient to accommodate the proposed development. The proposed lot coverage will comply.
Lot Coverage – maximum	45.0%	41.0 % (based on building area of 156.8 m2)	Complies

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-detached Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
Main Building Height - maximum	9.0 m	9.0 m	The proposed lot coverage will comply.
Front Yard Depth – minimum	6.0 m	6.0 m	The proposed lot coverage will comply.
Rear Yard Depth – minimum	7.50 m	7.5 m	Complies
Side Yard Width – minimum	1.20 m	North side – 1.20 m South side – 1.20 m	Complies
Gross Floor Area – main building – maximum	400 m2	313.5 m2 (w/unfinished basement)	Complies
Parking Requirements - minimum 24.20.5.1	Semi-detached dwelling - 1 for each dwelling unit **Total required = 2**	>2 parking spaces (private driveways for each unit are proposed)	Complies
Driveway Hard Surface – maximum 24.28.3.1	50.0 % of the required front yard area (for a lot having a width of 9 metres or greater)	50.0 %	Complies

Therefore, the proposed development will comply with all zone provisions set out in the RD1.2 Zone except for the following, which requires site-specific relief:

1. *decrease the minimum lot width from 15.0 m to 12.2 m, and*
2. *decrease the minimum lot area from 450.0 m2 to 390.2 m2.*

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level,
- The Site will be able to accommodate municipal water, storm and sewer,
- There are no anticipated traffic or parking concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development will be limited to a 2 storey, low profile building, which is a compatible density for the Site and with the surrounding area.

The proposed residential use will provide a new housing choice in an existing built-up area.

The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.

Parking, amenity areas, and landscaping will be provided.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements.

Existing semi-detached dwellings are a permitted use. A new semi-detached dwelling is proposed.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

6.1.4 Environment Impacts

The proposal does not have any negative impact on the natural environment.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social, Cultural, and Economic Conditions

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

Infilling an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use patterns that sustain the financial well-being of the City.

The proposal does not cause any public health and safety concerns.

The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

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

There are no cultural heritage resources that impact the Site.

6.2 Conclusion

In summary, it would be appropriate for the City of Windsor to approve the ZBA application to permit the proposed development on the Site.

This scoped PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.

The report components for this scoped PRR have set out the following, as required under the City of Windsor OP:

10.2.13.2 Where a Planning Rationale Report is required, such a study should:

> *(a) Include a description of the proposal and the approvals required;*
>
> *(b) Describe the Site's previous development approval history;*
>
> *(c) Describe major physical features or attributes of the Site including current land uses(s) and surrounding land uses, built form and contextual considerations;*
>
> *(d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;*
>
> *(e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;*
>
> *(f) Describe whether the proposal addresses the Community Strategic Plan;*

(g) Describe the Suitability of the Site and indicate reasons why the proposal is appropriate for this Site and will function well to meet the needs of the intended future users;

(h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;

(i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;

(j) Describe the impact on the natural environment;

(k) Describe the impact on municipal services;

(l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,

(m) Describe areas of compliance and non-compliance with the Zoning By-law.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

Tracey Pillon-Abbs, RPP
Principal Planner

APPENDIX "H"

Zoning Analysis

Municipal Address	Age of Main Building	Lot Width (m) (Approximate)	Lot Area (m2) (Approximate)	Main Building Area (m2) (Approximate)	Total Building Area (m2) (Approximate)	Lot Coverage Main Building Only (Approximate)	Lot Coverage (Approximate)	Density (Approximate) (uph)	Density with ADU's (Approximate) (uph)
0 Bernard Road	0	12.2	389.6	156.8	156.8	40.2%	40.2%	51.3	51.3
2403 Bernard Road	1940	15.2	455.2	135.7	149.9	29.8%	32.9%	22.0	65.9
2404 Bernard Road	1936	12.9	364.2	103.6	134.2	28.4%	36.8%	27.5	82.4
2409 Bernard Road	1946	9.1	292.6	54.2	84.7	18.5%	28.9%	34.2	102.5
2410 Bernard Road	1956	12.2	364.2	120.2	184.3	33.0%	50.6%	27.5	82.4
2415 Bernard Road	1942	12.2	364.2	108.5	142.6	29.8%	39.2%	27.5	82.4
2416 Bernard Road	1947	12.2	393.8	88.0	104.3	22.3%	26.5%	25.4	76.2
2419 Bernard Road	1953	12.2	390.2	81.9	129.0	21.0%	33.1%	25.6	76.9
2425 Bernard Road	1939	12.2	390.2	76.2	102.8	19.5%	26.3%	25.6	76.9
2426 Bernard Road	1940	24.4	780.3	94.9	155.4	12.2%	19.9%	12.8	38.4
2429 Bernard Road	1936	12.2	390.2	75.9	107.6	19.5%	27.6%	25.6	76.9
2432 Bernard Road	1994	18.2	582.8	207.1	223.0	35.5%	38.3%	17.2	51.5
2433 Bernard Road	1959	18.3	585.3	113.6	159.3	19.4%	27.2%	17.1	51.3
2441 Bernard Road	1947	18.3	585.3	120.5	120.5	20.6%	20.6%	17.1	51.3
2442 Bernard Road	1950	18.4	587.7	100.5	153.8	17.1%	26.2%	17.0	51.0
2453 Bernard Road	1945	24.4	780.3	97.0	133.3	12.4%	17.1%	12.8	38.4
2454 Bernard Road	1940	30.5	973.1	126.4	189.8	13.0%	19.5%	10.3	30.8
2459 Bernard Road	1942	12.2	390.2	72.2	86.2	18.5%	22.1%	25.6	76.9
2465 Bernard Road	1950	16.8	536.5	77.0	89.1	14.4%	16.6%	18.6	55.9
2466 Bernard Road	1941	18.3	585.3	154.8	159.7	26.4%	27.3%	17.1	51.3
2470 Bernard Road	1993	13.7	438.9	111.2	121.1	25.3%	27.6%	22.8	68.4
2477 Bernard Road	1950	18.3	546.2	99.0	138.5	18.1%	25.4%	18.3	54.9
2478 Bernard Road	1936	12.2	390.7	116.2	130.3	29.7%	33.4%	25.6	76.8
2481 Bernard Road	1941	18.3	585.3	74.0	97.8	12.6%	16.7%	17.1	51.3
2482 Bernard Road	1970	12.2	390.2	120.8	154.1	31.0%	39.5%	25.6	76.9
2486 Bernard Road	1950	12.2	390.2	97.5	138.5	25.0%	35.5%	25.6	76.9
2489 Bernard Road	1941	18.3	585.2	96.6	133.8	16.5%	22.9%	17.1	51.3
2490 Bernard Road	2015	12.2	390.2	88.4	88.4	22.7%	22.7%	25.6	76.9
2494 Bernard Road	1936	12.2	364.2	92.4	130.1	25.4%	35.7%	27.5	82.4
2497 Bernard Road	1950	24.4	780.3	146.9	166.2	18.8%	21.3%	12.8	38.4
2498 Bernard Road	2015	12.2	364.2	163.3	201.8	44.8%	55.4%	27.5	82.4
Average		15.8	497.0	108.8	137.6	23.3%	29.4%	21.7	65.2

Committee Matters: SCM 207/2024

Subject: Request for Partial Demolition of Heritage Listed Property - 820 Monmouth Road, Terrace (Ward 4)

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

Decision Number: **DHSC 632**
THAT Council **BE INFORMED** of the proposed partial demolition at 820 Monmouth Rd, Terrace of 35 square feet of building to accommodate a one-storey rear addition.
Carried.

Report Number: S 73/2024
Clerk's File: MBA2024

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 Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Council Report: S 73/2024

Subject: Request for Partial Demolition of Heritage Listed Property - 820 Monmouth Road, Terrace (Ward 4)

Reference:

Date to Council: July 2, 2024

Authors:
Kristina Tang
Heritage Planner
Email: ktang@citywindsor.ca
Phone: 519-255-6543 X 6179

Tracy Tang
Planner III- Economic Development (A)
Email: ttang@citywindsor.ca
Phone: 519-255-6543 X 6449

Gabriel Lam & Danielle Poirier
Community Development Planning Assistant
Email: glam@citywindsor.ca ; dpoirier@citywindsor.ca
Phone: 519-255-6543 X 6438
Planning & Building Services
Report Date: June 4, 2024
Clerk's File #: MBA2024

To: Mayor and Members of City Council

Recommendation:

THAT Council **BE INFORMED** of the proposed partial demolition at 820 Monmouth Rd, Terrace of 35 square feet of building to accommodate a one-storey rear addition.

Executive Summary: N/A

Background:

The Vernacular Terraced Row House located at 820 Monmouth Road, was listed on the Windsor Municipal Heritage Register on August 27, 2007. Records indicate that the series of terraces on the 800 Monmouth Block were completed circa 1904. Attached to three other units (subject property being the second from north), the two storey townhouse is a well-preserved example of worker housing that distiller Hiram Walker &

His Sons (through Walker Subsidiaries) built for their employees during the Town of Walkerville's formative years.

View of 816-820 Monmouth Rd from Monmouth Rd (6/11/2024)

Current owner of the property, John Anthony Rosati, is proposing to partially demolish a portion of the rear building to accommodate an addition. Mr. Rosati applied for a Minor Variance for relief from the provisions of Zoning By-law 8600 to accommodate the rear addition to a Townhouse Dwelling Unit with reduced minimum side yard. The variance was granted under the condition that the owner obtain a Heritage Permit to the satisfaction of the City Planner at the Committee of Adjustment on May 30, 2024. The Owner formally submitted notification of the partial demolition through a heritage permit application in Appendix A and supplied all necessary information on June 11, 2024. A Building Permit will also be required for the addition prior to construction.

Location of Property (Red)

Discussion:

Legal Provisions:

The subject property is listed on the Windsor Municipal Heritage Register, but not designated. Section 27 of Part IV of the *Ontario Heritage Act* states that "the register

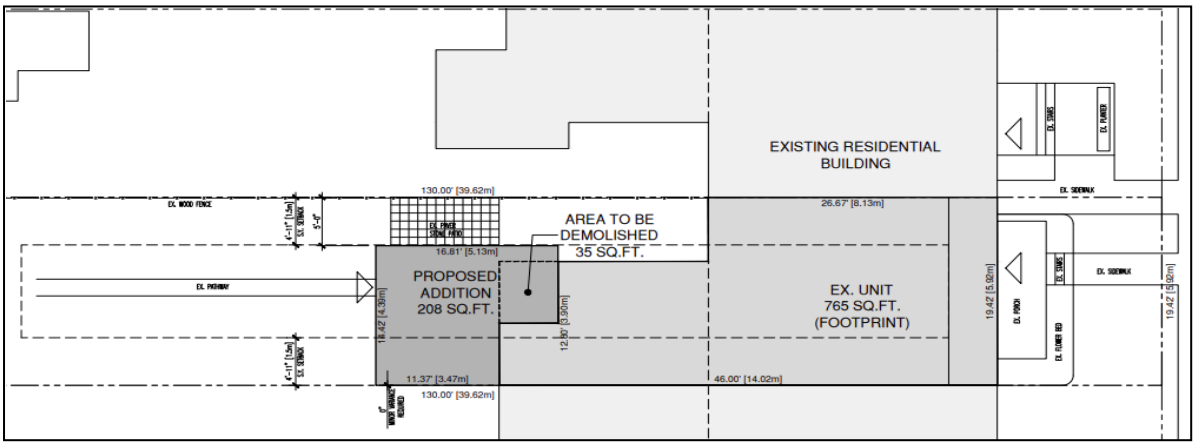
may include property ... that the council of the municipality believes to be of cultural heritage value or interest", without being designated. Also, "[T]he owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure." The 60 days only begins after notice is received accompanying plans and information as Council may require. City of Windsor Council approved "Requirements and Procedures, Application for Demolition of Heritage-Listed Properties" (Council Decision # M163-2015) which outlines the required information for demolition, and notes that Administration has 30 days to evaluate if the information submitted is sufficient. Only after determination has been made that the required information has been submitted, does the 60-day count begin.

During the 60 days after notice, City Council (with Committee consultation) may initiate designation or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, which are those features that are considered important to retain if any alterations to the property are proposed after designation. "Cultural heritage value or interest" is to be considered according to Ontario Regulation 9/06.

There is no explicit provision for the Committee or Council to comment on additions to or remodelling a heritage-listed, non-designated property, other than removal/demolition or partial demolition of structures from the Register under the *Ontario Heritage Act* unless designation is initiated. As this property is being evaluated as part of the ongoing Walkerville Heritage Conservation District Study, individual designation is not currently a recommendation of this report.

Proposal:

The owner is proposing the construction of a 208 square foot rear addition to the existing structure at 820 Monmouth Road. To allow for this addition, 35 square feet of the existing structure is proposed to be demolished. The addition will include a new rear entrance and new windows. Changes to the overall façade of the entire property would also include new windows, a new railing, and new vertical black wood composite siding around the existing front porch. The Owner will also conduct repointing of the historic masonry using appropriate lime rich Type O mortar.



Overall Site Plan (A-026-24)

Historical Background:

The subject property is located along Monmouth Road, between Cataraqui Street and Niagara Street. This neighbourhood is known to be one of the earlier industrial worker housing streets in Walkerville. The Town of Walkerville was founded by Hiram Walker of Detroit, Michigan in 1890[1]. Upon moving his liquor business to Canada, Walker created an industrial town with the Hiram Walker Distillery at its core. Monmouth Road played an essential role in Walkerville, providing rental housing for the workers. To this day, this section of Monmouth Road has maintained its heritage value through the original townhouse structures that are defined by its red brick and streetscape.

Front View of 820 Monmouth Rd (6/11/2024)

Heritage Considerations:

[1] Walkerville, n.d., *A History of Hiram Walker and Walkerville*, Visit Walkerville, n.d. https://visitwalkerville.com/history

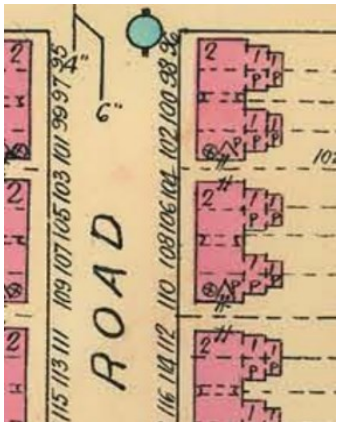
The Vernacular Terrace house at 820 Monmouth Road is representative of early worker housing in Walkerville. The Terrace features a symmetrical façade balanced in the center by the through alleyway, common bond red brick construction, with double rows of decorative brick beltlines between floors and beneath the parapet.-Openings feature voussoirs of double row rowlocks.

View of 816, 820, 822 & 826 Monmouth block (Google Streetview)

Back porch of 820 Monmouth Rd (Source: Owner)

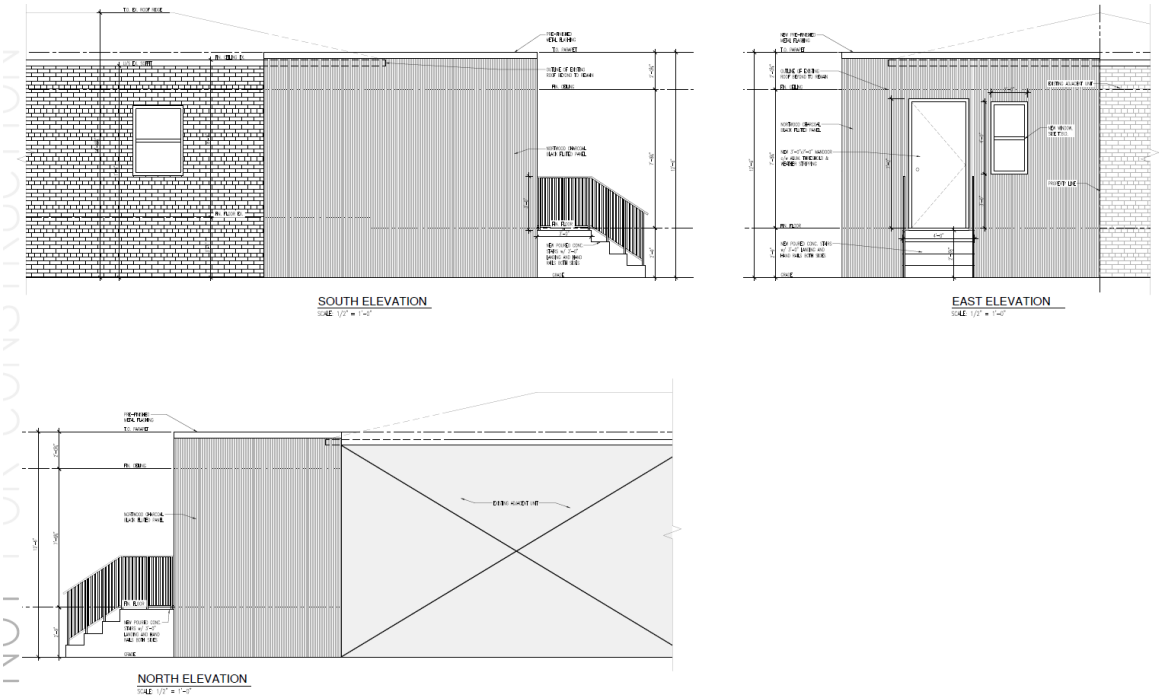
Rear View of 820 Monmouth Rd (6/11/2024)

Rear View of 820 Monmouth in 1958 (WPL Archives)



1924 Fire Insurance Map (address was originally 106 Monmouth Road)

The rear of 820 Monmouth property is not visible from Monmouth Road. Further, the height of the rear addition proposed is one storey and measures as 12 feet and 6 inches from final grade up to the parapet. The lack of visibility and sightlines of the new construction from the front façade and Monmouth Rd, as well as the proposed height of addition which is subordinate to the existing build, will not impact the overall streetscape character of Monmouth Road. Therefore, there is no heritage concern regarding the proposed addition and partial demolition.



Elevation Drawings of proposed rear addition

The proposed addition will be clad in black wood composite siding (NORTwood fluted panel ECO 50). This siding will also vertically clad the base of the front porch. The existing windows are proposed to be replaced with new, black vinyl windows, which have been used on the neighbourhood properties within this block.

Sample of composite siding proposed to be used

The proposed changes do not appear to negatively impact the property and appear to be fitting with the heritage context of the rowhouse block and the neighbourhood. A Building Permit would be required for the demolition and construction work.

Official Plan Policy:

Chapter 9 of the City of Windsor Official Plan, Heritage Conservation, includes the following objectives related to the recognition, conservation, and enhancement of heritage resources:

CONSERVATION MANAGEMENT	9.2.1	To conserve Windsor's heritage resources for the benefit of the community and posterity in a manner which respects their architectural, historical, and contextual significance and ensures their future viability as functional components of Windsor's urban environment.
IDENTIFY HERITAGE RESOURCES HERITAGE REGISTER	9.3.3.4	Council will identify heritage resources by: (a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and

The proposed addition and partial demolition conform with the Official Plan policies. The approval of the demolition would not impact the Heritage Register listing of the unit.

Risk Analysis:

The demolition proposed would allow the Owner to proceed with their desired renovation plans for the property, without negatively impacting the heritage value of the listed property. The notification of the proposed demolition authorized by the Ontario Heritage Act serves as an opportunity to provide a process to designate a property when required to prevent inappropriate and concerning changes applied to the building. In this case, the proposal does not result in negative heritage concerns.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

There is no cost to the city; the property owner is paying the full cost of the proposal. The proposed works may increase the assessed value of the property.

Consultations:

The associated Minor Variance Report (A-026-24) for the new addition included consultation from the Planning, Engineering and Geomatics, Parks and Facilities, Windsor Police services, and Heritage Planning staff with no specific objections to the proposal. No neighbouring properties provided objections to the proposal at the Committee of Adjustment. City staff visited the site on June 11, 2024.

Conclusion:

Council is to be informed of the proposed partial demolition to Heritage Listed Property- 820 Monmouth Road, Terrace. The proposal outlines a plan to partially demolish 35 square feet of the subject property to construct a 208 square foot rear addition. This partial demolition and new construction will not be visible to Monmouth Road, and therefore have no negative impact on the heritage character of the neighbourhood.

Planning Act Matters: N/A

Approvals:

Name	Title
Tracy Tang	Planner III- Economic Development (A)
Kristina Tang	Heritage Planner
Kate Tracey	Senior Legal Counsel
Jason Campigotto	Deputy City Planner - Growth
Thom Hunt	City Planner / Executive Director Planning & Building
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Name	Address	Email

Appendices:

1 Appendix A- Heritage Permit Application

Planning Department
Suite 320-350 City Hall Sq W
Windsor ON N9A 6S1

HERITAGE PERMIT APPLICATION

Revised 11/2023

APPLICATION TYPE

☐ **Minor Heritage Permit** (Delegated Authority Approval)
☐ **Major Heritage Permit** (City Council Approval)
☑ **Demolition**

1. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

APPLICANT

Contact Name(s) John Anthony Rosati

[redacted]

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) Same as above

Company or Organization N/A

Mailing Address N/A

City, Province N/A Postal Code N/A

Email N/A Phone(s) N/A

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) N/A

Company or Organization N/A

Mailing Address N/A

City, Province N/A Postal Code N/A

Email N/A Phone(s) N/A

Who is the primary contact?

☑ Applicant ☐ Registered Owner ☐ Agent

2. SUBJECT PROPERTY

Municipal Address: 820 Monmouth Road

Legal Description (if known): Plan 490; PT LOTS 6 and 8

Building/Structure Type:

☑ Residential ☐ Commercial ☐ Industrial ☐ Institutional

Heritage Designation:

☐ Part IV (Individual) ☐ Part V (Heritage Conservation District)

By-law #: N/A District: N/A

Is the property subject to a Heritage Easement or Agreement?

☐ Yes ☑ No

3. TYPE OF APPLICATION

Check all that apply:

☐ Demolition/Removal of heritage attributes ☑ Addition ☐ Erection ☑ Alteration*

☑ Demolition/Removal of building or structure ☐ Signage ☐ Lighting

*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

4. HERITAGE DESCRIPTION OF BUILDING

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

Two storey red brick rowhome, located on the 800 block of Monmouth.

Formerly housed Hiram Walker employees prior to it's existing use as a single family housing unit.

Designed by Albert Kahn.

5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

Please see attached drawings.

The addition of 185sf to the rear of the home will consist of a Laundry Room, Mud Room and office space. In addition, a new entrance to the home from the rear will be added to increase the functionality of the space. New construction will be be completed as per code and take into account Heritage construction best practices. We are also re-pointing some brick with Restomix Motor (see attached spec sheet). Exterior cladding material will be black wood composite siding (NORTwood) Existing windows to be replaced with new, black vinyl windows to match neighbours.

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Restoration to its pristine condition to sustain future generations.
The addition will create a more functional, livable space for the home.

Describe the potential impacts to the heritage attributes of the property.

Front facade will not be touched and will remain as is.

7. CHECKLIST OF MATERIALS SUBMITTED Check all that apply:

Required:

- ☑ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☑ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- ☑ Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☑ Specifications of proposed work(s) (e.g. construction specification details)

Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment

8. NOTES FOR DECLARATION

The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.

The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.

The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.

Signature of Applicant(s)	June 4, 2024 Date
Signature of Applicant(s)	Date

SCHEDULE A

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

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

I, N/A, am the registered owner of the land that is
name of registered owner

subject of this application for a Heritage Alteration Permit and I authorize
N/A to make this application on my behalf.
name of agent

Signature of Registered Owner — Date: N/A

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

I, John Anthony Rosati, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

Signature of Registered Owner — Date: June 4, 2024

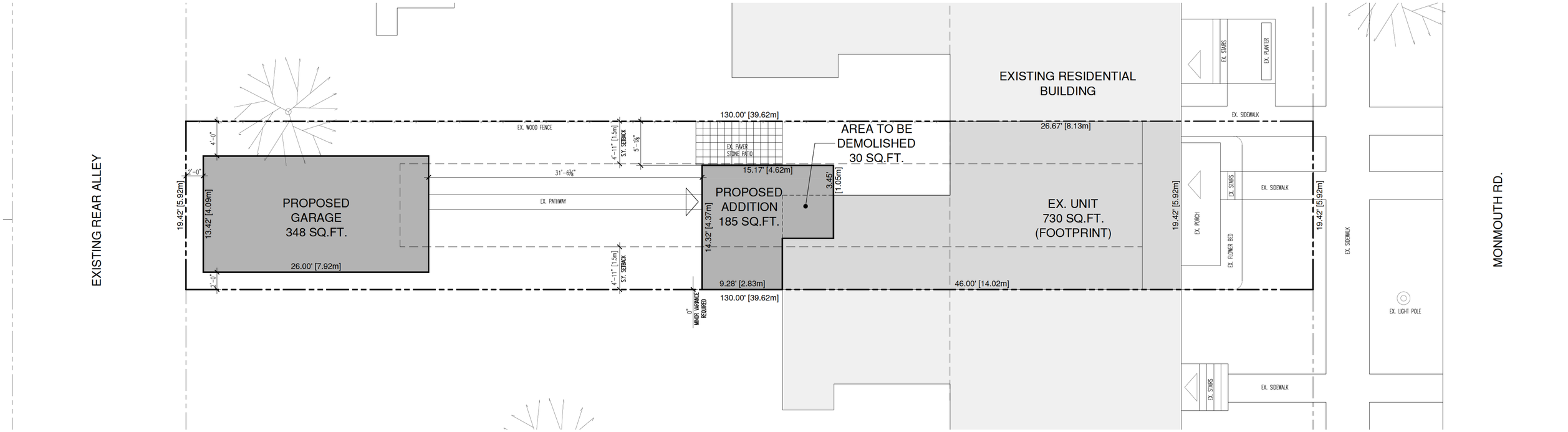
If Corporation – I have authority to bind the corporation.

C. Acknowledgement of Applicant

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

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

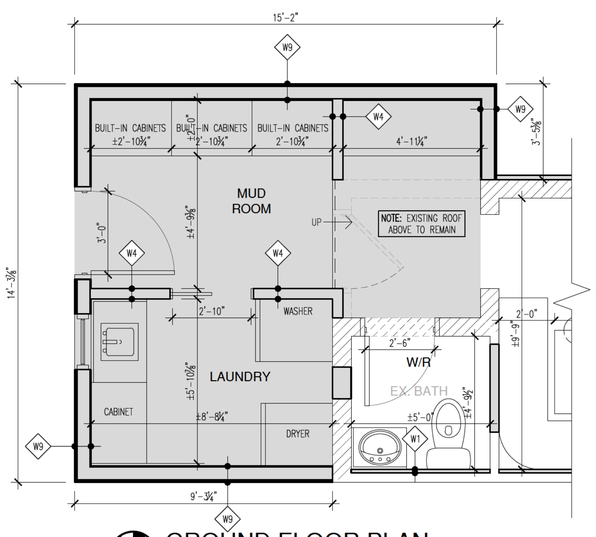
Signature of Applicant — Date: June 4, 2024



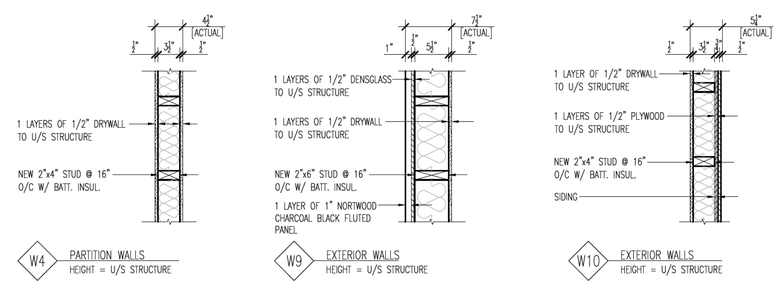
OVERALL SITE PLAN
SCALE: 3/16" = 1'-0"

OVERALL SITE STATISTICS

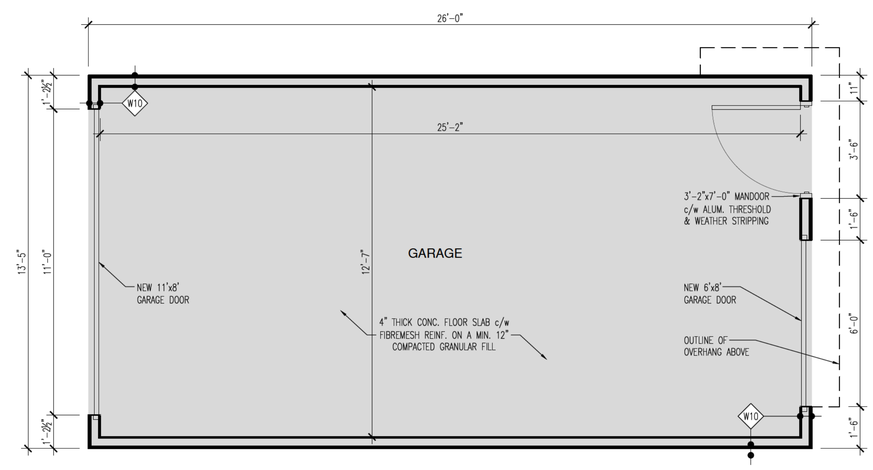
SITE ZONING:		RD2.2
LOT AREA =	2,525 SQ.FT.	(0.06 ACRES)
LOT COVERAGE (50% MAX.) =	1,230 SQ.FT.	(48.72%)
MINOR VARIANCE NUMBER		A-026/04



GROUND FLOOR PLAN
SCALE: 3/8" = 1'-0"



WALL TYPES
SCALE: 1" = 1'-0"



GARAGE FLOOR PLAN
SCALE: 3/8" = 1'-0"

DRAWING TITLE:

SITE PLAN, FLOOR PLAN, AND WALL TYPES

PROJECT/CLIENT:

BUILDING RENOVATIONS
WINDSOR, ON.

DATE	ISSUED FOR:	DATE	ISSUED FOR:
05.30.24	BUILDING PERMIT		

PROJECT No.:	2024010
SCALE:	AS SHOWN
DRAWN BY:	JR
CHECKED BY:	JR

GENERAL NOTES:

ALL DIMENSIONS TO BE CALCULATED AND VERIFIED ON THE JOB SITE. ANY AND ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT OR ENGINEER. ALL DRAWINGS REMAIN THE PROPERTY OF ROSATI GROUP INC.

DO NOT SCALE DRAWINGS

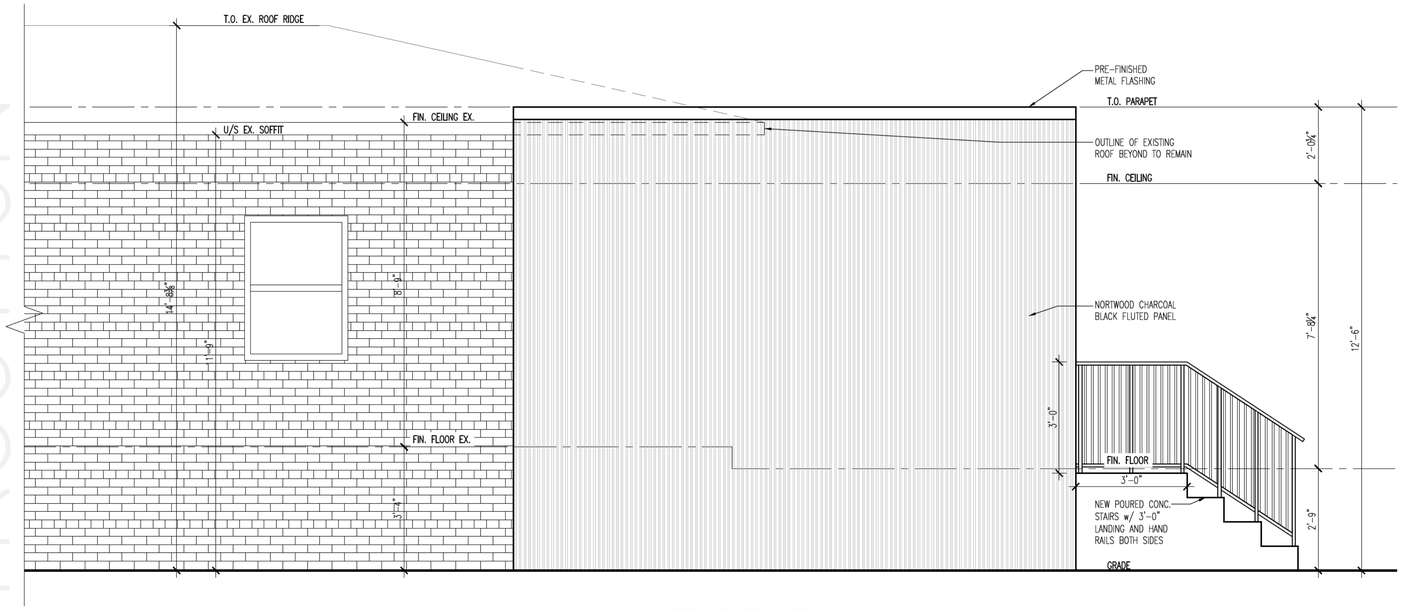
STAMP:

STAMP:

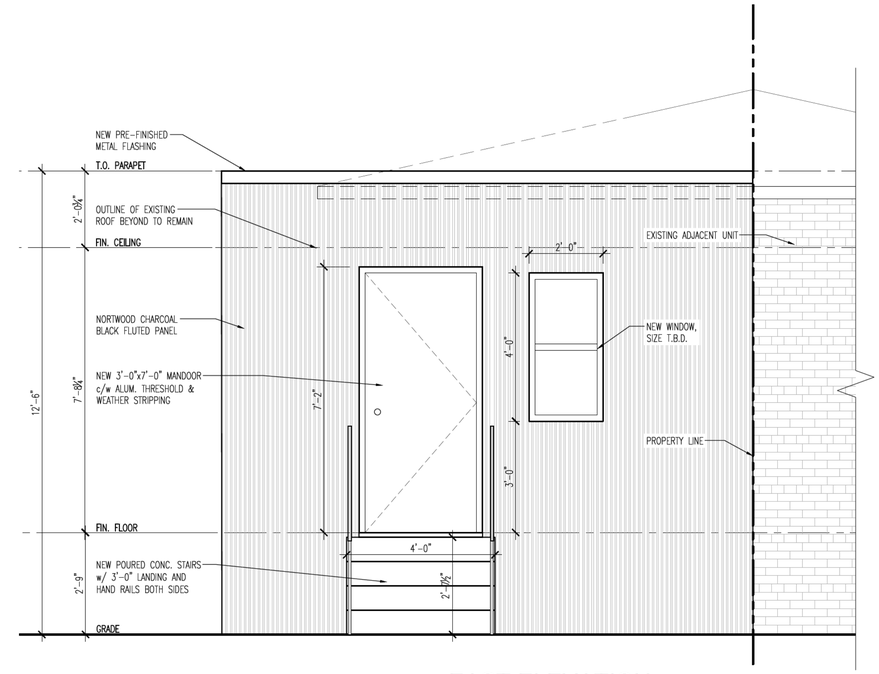
NOTES:

DRAWING No.:

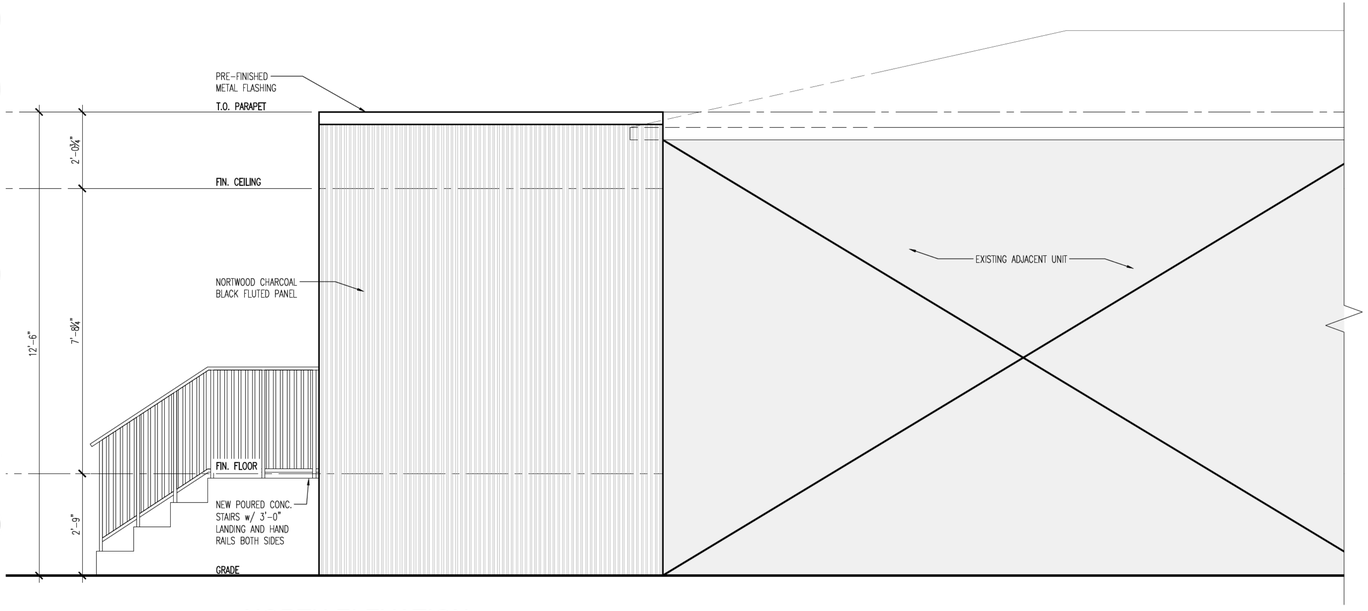
A2.0



SOUTH ELEVATION
SCALE: 1/2" = 1'-0"



EAST ELEVATION
SCALE: 1/2" = 1'-0"



NORTH ELEVATION
SCALE: 1/2" = 1'-0"

NOT FOR CONSTRUCTION

DRAWING TITLE: ELEVATIONS	DATE / ISSUED FOR: mm.dd.yy issue	DATE / ISSUED FOR:	PROJECT No.: 2024010	GENERAL NOTES: ALL DIMENSIONS TO BE CALCULATED AND VERIFIED ON THE JOB SITE. ANY AND ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT OR ENGINEER. ALL DRAWINGS REMAIN THE PROPERTY OF ROSATI GROUP INC.	STAMP:	STAMP:	NOTES:
PROJECT/CLIENT: BUILDING RENOVATIONS WINDSOR, ON.			SCALE: 1/2" = 1'-0"	DO NOT SCALE DRAWINGS			DRAWING No.: A3.0
			DRAWN BY: JR				
			CHECKED BY: JR				

Office of the Commissioner of Economic Development
Planning & Development Services

Committee of Adjustment

MISSION STATEMENT:
"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

Author's Name: Simona Simion, Planner II	**File No.: A-026/24**
Author's Phone: (519) 255-6543 ext. 6397	**Report Date: May 23, 2024**
Author's E-mail: ssimion@citywindsor.ca	**Committee Meeting Date: May 30, 2024**

To: **Committee of Adjustment**

Subject Application: **Relief from the provisions of the By-Law 8600**

Owner: **John Anthony Rosati**

Agent: **n/a**

Location: **820 Monmouth Rd**

Legal Description: **PLAN 490; PT LOTS 6 & 8; RP 12R16444; PARTS 1 & 2**

1. RECOMMENDATION:

That the Minor Variance application of John Anthony Rosati for relief from the provisions of the By-law 8600 to accommodate an addition to a Townhome Dwelling Unit with reduced minimum side yard, for the property municipally known as 820 Monmouth Rd, **BE GRANTED** with condition:

I. The owner/applicant shall obtain a Heritage Permit to the satisfaction of the City Planner.[1]

[1]*For questions, please contact Kristina Tang, Heritage Planner, at ktang@citywindsor.ca or Tracy Tang, Economic Development Planner, at ttang@citywindsor.ca*

2. THE REQUESTED VARIANCE:

Construct an addition to a Townhome Dwelling Unit with reduced minimum side yard, thereby seeking the following relief:

Section 11.2.5.5.7 - Minimum Side Yard Width (north lot line)

By Law Requirements	Proposed
1.50 m	0.0 m

Note: An approved variance is valid and must be acted upon before the expiration date. If a granted variance is not used within required timeline, the application is deemed to be null and void. A new Committee of Adjustment application will be required for any expired application.

3. PLANNING ANALYSIS:

The subject property consists of PLAN 490; PT LOTS 6 & 8; RP 12R16444; PARTS 1 & 2, municipally known as 820 Monmouth Rd. The property consists of a Townhome Dwelling Unit.

The applicant is seeking relief from Zoning By-law 8600 to accommodate an addition to the Townhome Dwelling Unit dwelling with reduced minimum side yard width. The proposed addition is to align to the zero-side yard width of the existing townhome.

PLANNING ACT

Subsection 45(1) of the Planning Act states that the Committee of Adjustment *"may, despite any other Act, authorize minor variance from the provisions of the by-law, in respect of the land building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained."*

Subsection 45(3) of the Planning Act **Power of committee to grant minor variances states**

(3) A council that has constituted a committee of adjustment may by by-law empower the committee of adjustment to grant minor variances from the provisions of any by-law of the municipality that implements an official plan, or from such by-laws of the municipality as are specified and that implement an official plan, and when a committee of adjustment is so empowered subsection (1) applies with necessary modifications. R.S.O. 1990, c. P.13, s. 45 (3).

Subsection 45(9) **Conditions in decision states**

(9) Any authority or permission granted by the committee under subsections (1), (2) and (3) may be for such time and subject to such terms and conditions as the committee considers advisable and as are set out in the decision. R.S.O. 1990, c. P.13, s. 45 (9).

PROVINCIAL POLICY STATEMENT (PPS) 2020

The Planning Staff has reviewed the relevant policies of the PPS - "Healthy, livable and safe communities" (Policy statement 1.1.1 of the PPS). The requested minor variances are consistent with these policies promoting cost-effective development to minimize land consumption and servicing costs.

OFFICIAL PLAN (OP)

The Minor Variance Policies in Section 11.6.6 are hereto attached as **Appendix A**. Section 11.6.6.2 outlines the evaluation criteria for minor variance applications.

The subject land is designated Residential per the Official Plan. The proposed development as an addition to a Townhome Dwelling Unit is permitted and conforms to the associated objectives and policies. Therefore, the requested variances meet the general intent and purpose of the Official Plan.

The proposed development conforms to the zoning bylaw provisions with the exception of the variance being requested. Therefore, the general intent and purpose of the by-law being varied is maintained.

The proposal will have no impact on the properties in the immediate neighbourhood. Therefore, the variance is minor in nature.

The variance is desirable for the appropriate use of the land providing an additional living space.

Section 11.6.6 Minor Variance Policies Committee of Adjustment of the Official Plan, subsection 11.6.6.3 Terms & Conditions states that the Committee of Adjustment may attach such terms and conditions as it deems appropriate to the approval of the application for a minor variance.

The subject property located at 820 Monmouth Road is listed on the Municipal Heritage Register. The applicant is required to submit a Heritage Permit, to the satisfaction of the City Planner.

ZONING BY-LAW 8600

The subject land is zoned Residential District 2.2 (RD2.2), S.20(1)267per By-law 8600 permitting a Townhome Dwelling Unit.

The requested variance will not result in undue hardship on the owner, adjoining properties or the public realm; therefore, the variance is minor in nature. The proposed minor variance meets the intent of Zoning Bylaw 8600.

COMMENT

The new construction shall be subject to Building Permit application and approval.

Demolition or partial demolitions of structures or buildings on the heritage property will require a Heritage Permit application. The application will need to be reviewed by Heritage Committee and through Council for a decision before a Building Permit can be issued.

The applicant to ensure that roof water run off is not draining on the neighbouring property to the north at 816 Monmouth Rd.

4. PLANNER'S OPINION:

The requested variance is minor in nature and maintains the general intent and purpose of the Official Plan and Zoning By-Law 8600.Therefore, the variances are consistent with section 45 (1) of the Planning Act. The Planning Division recommends approval of the applicant's request with condition.

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

I concur with the above comments and opinion of the Planner II.

Greg Atkinson, MCIP RPP
Development Manager / Deputy City Planner

SS/

CONTACT:

Name: Simona Simion
Phone: (519) 255-6543 ext. 6397
Fax: (519) 255-6544
Email: ssimion@citywindsor.ca

APPENDICES:
Appendix "A"- Excerpts from the Official Plan Volume I
Appendix "B" - Comments received by the Secretary Treasurer of the Committee of Adjustment

	4.2.3	**Quality of Life**
COMMUNITY NEEDS	4.2.3.3	To recognize the needs of the community in terms of shelter, support services, accessibility and mobility.

	11.6.6	**Minor Variance Policies**
COMMITTEE OF ADJUSTMENT	11.6.6.1	Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law(s) and/or any other by-law that implements the Official Plan.
EVALUATION CRITERIA	11.6.6.2	When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that: (a) The general intent and purpose of the Official Plan is maintained; (b) The general intent and purpose of the By-law being varied is maintained; (c) The variance is minor in nature; and (d) The variance is desirable for the appropriate use of the land, building or structure.
TERMS & CONDITIONS	11.6.6.3	The Committee of Adjustment may attach such terms and conditions as it deems appropriate to the approval of the application for a minor variance.
AGREEMENTS WITH MUNICIPALITY	11.6.6.4	The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

APPENDIX "B"
Comments received by the Secretary Treasurer of the Committee of Adjustment

PLANNING DEPARTMENT - ZONING
Required Minor Variances *

1. Minimum Side Yard Width: (11.2.5.5.7)
    a. 1.50 m (Required)
       0 m (Provided north side yard)

Ana Lukas, Zoning Coordinator

PUBLIC WORKS DEPARTMENT - ENGINEERING AND GEOMATICS
Right of way permits must be obtained for any work within the right of way.

This department has no objection to the proposed application.

Thomas Hyunh, Technologist

PUBLIC WORKS DEPARTMENT - TRANSPORTATION PLANNING

Transportation Planning has no comments.

Elara Mehrilou, Transportation Planner

PARKS & FACILITIES

There are no requirements from a landscape architectural perspective.

From and urban design perspective, the property is listed on the Heritage Registry. The applicant is to pre-consult with the Heritage Planner to ensure that the proposed development is appropriate and will not detract from the potential for designation.

Stefan Fediuk, Landscape Architect

WINDSOR POLICE SERVICES

I have reviewed the agenda items for the May 30th meeting of the Committee of Adjustment and would advise as follows:

- None of the applications being considered present outcomes that will negatively impact public safety or the ability of the Windsor Police Service to provide proper and adequate response to incidents and other service delivery requirements. As such, we have no concerns or objections with any of the applications on the May 30th meeting agenda.

Barry Horrobin, Director of Planning & Physical Resources

HERITAGE PLANNING

The subject property located at 820 Monmouth Road is listed on the Municipal Heritage Register.

820 Monmouth Rd | Terrace | c1904 | Vernacular Row House | Walkerville

Heritage Permit Application

Demolition or partial demolitions of structures or buildings on the heritage property will require a Heritage Permit application. The application will need to be reviewed by Heritage Committee and through Council for a decision before a Building Permit can be issued.

The permit application form and additional information about the heritage permit process are available online on the City's webpage here: https://www.citywindsor.ca/residents/planning/Plans-and-Community-Information/Know-Your-Community/Heritage-Planning/heritage-regulation/Pages/Application-for-Heritage-Alteration-Permit.aspx . Information about demolition is available here: https://www.citywindsor.ca/Documents/residents/planning/plans-and-community-information/know-your-community/heritage-planning/heritage-regulation/Notice%20of%20Intent%20to%20Demolish%20Requirements%202023-11.pdf

Please contact Kristina Tang (ktang@citywindsor.ca) and Tracy Tang (ttang@citywindsor.ca) to initiate the heritage permit process.

Tracy Tang, Planner

NORTwood

2024 Collection

SOAL

P 2 Tools & Safety

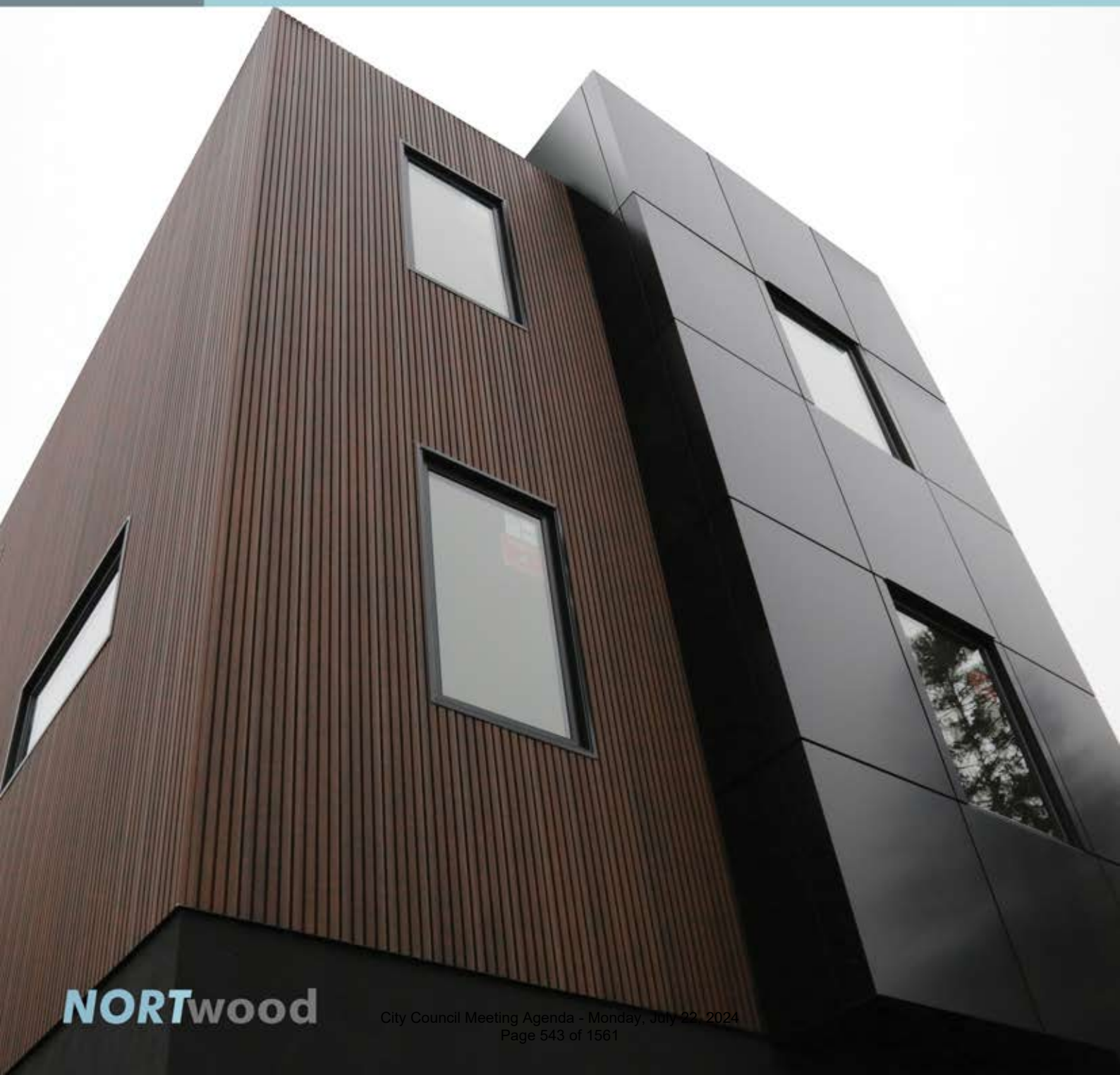
P 3 Color Collection

P 4-5-6 Fluted Panel

P 7 Subframe Requirements

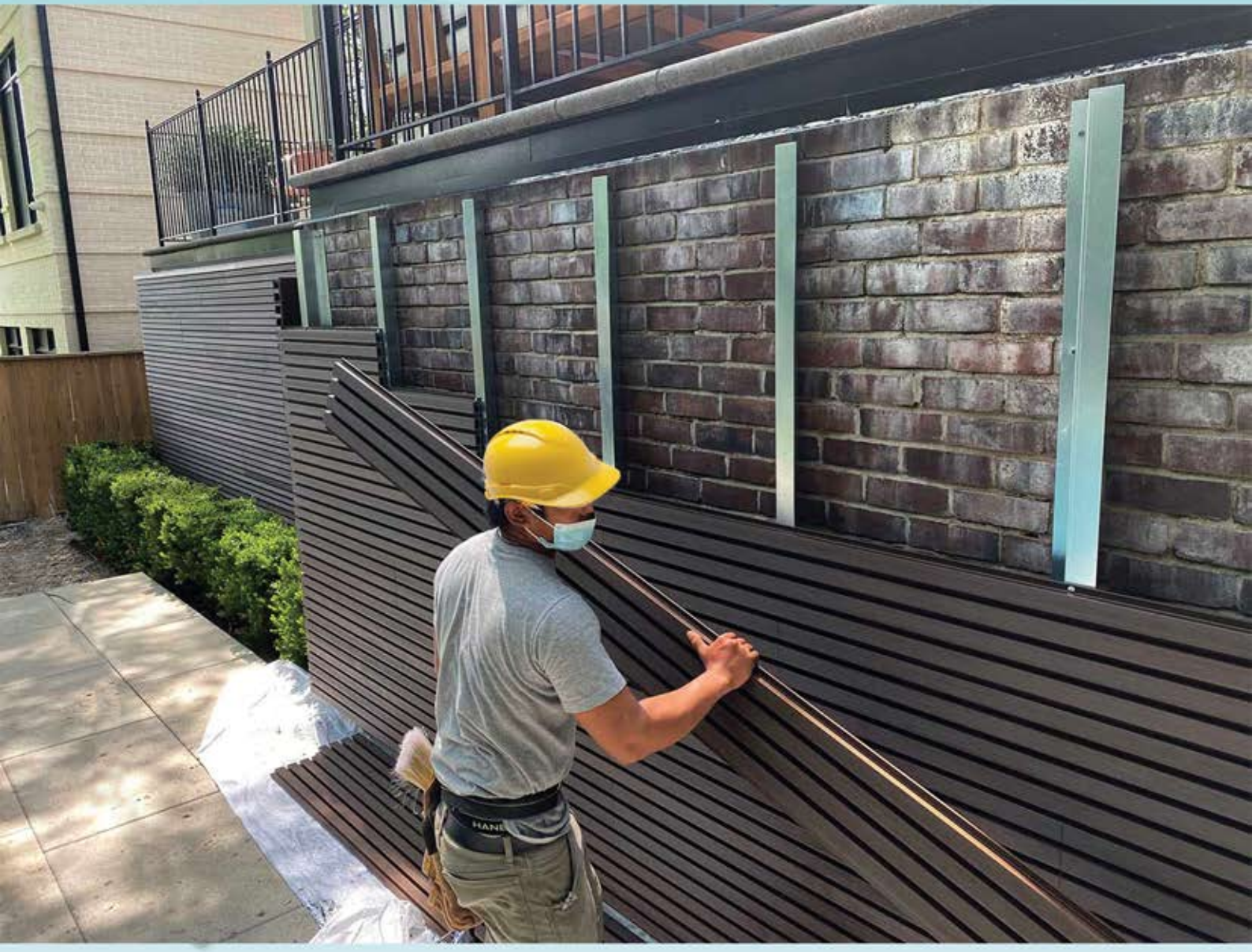
P 8-9-10-11 Installation

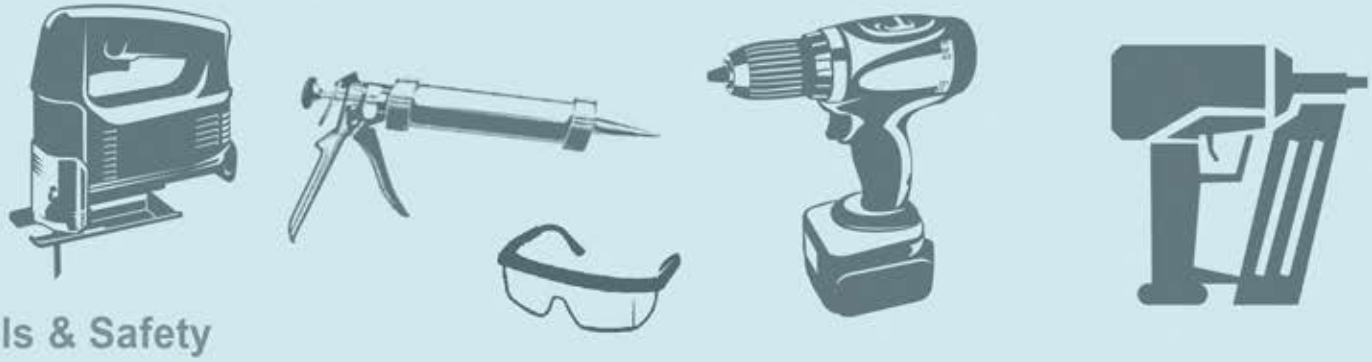
P 18 Miter Cut Techniques



NORTwood

NORT





Tools & Safety

Always remember to wear appropriate personal protective equipment (PPE), including eye and hearing protection.

Utilize standard wood-cutting tools such as a table saw and miter saw equipped with a carbide blade (60-80 tooth), a jig saw, a hole saw, and a drill for attachments

NORTwood Color Collection

Charcoal Black

Deep Gray

Norway Teak

Brazil Ipe

Golden Maple

Canada Oak

Antique Gray

Product Description

NORTwood Tongue & Groove Siding is an extruded WPC closed joint rainscreen siding system, designed to be installed horizontally or vertically.

Panels are available in standard lengths of 142" as well as trim Components, used for end captures such as along the 12' bottom and top of walls, around windows and doors, corners, end terminations and expansion.

Before installing Nortwood Cladding product, it is recommended that you check with local building codes for any special requirements or restrictions. All Pictures shown are for illustration purposes only and are not intended to provide a specific work order for installation.

Any construction or use of Nortwood panels must be in accordance with all local zoning and/or building codes. The consumer assumes all risks and liability associated with the construction and use of this product

Note: Recommende Construction Adhesive is :
LPG PL Premium Fast grab 8x

General questions:

What are Fluted Panels?

Fluting is a type of moulding finish in which squared moulding is repeated in a pattern. These are more refined versions of slat walls.

What Are ***NORT***wood Fluted Panels Made Of?

NORTwood Fluted panels are engineered from wood fibres with a polyethylene density, NORTwood plastic composite looks like natural wood with linear or vertical designs. The material is moisture, pest, and mould-resistant.

What Are Fluted Panels Used For?

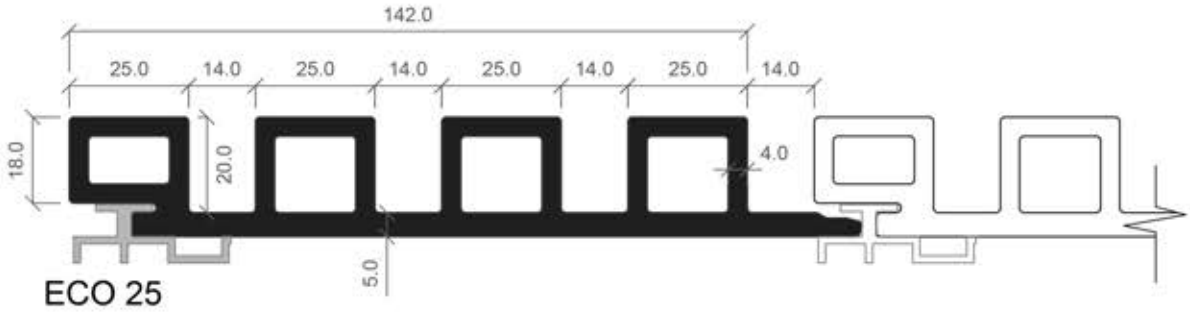
Fluted panels are great as extra décor features on modern homes, hotels lobbies, conference rooms, reception areas, and any space that requires something luxury.

ECO 25

NORTwood Fluted Panel

25mmx163mm x3600mm | 2.5 Kg/m

(1"x 6 1/2" x 142")

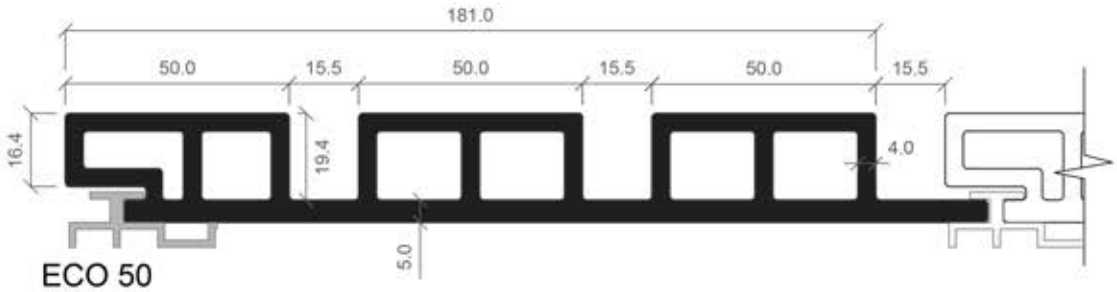


ECO 50

NORTwood Fluted Panel

26x208mm x3600mm | 2.2 Kg/m

(1"x 8 1/2" x 142")



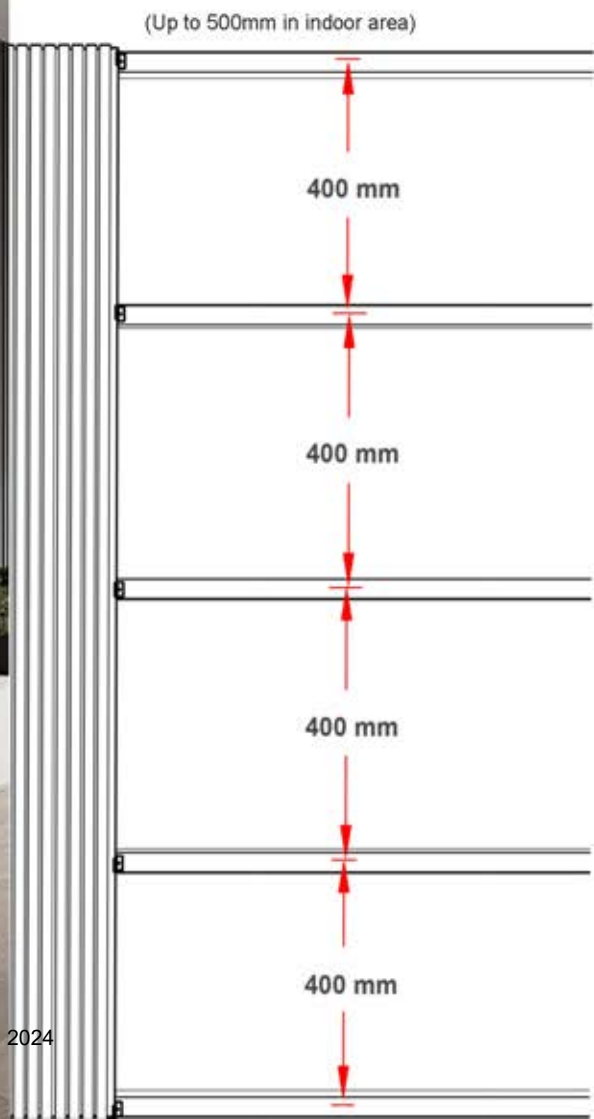
Product	Material		Part
Panel Clip	Aluminum		
Corner S-Clip (Optional)	Stainless Steel		
Aluminum Starter	Aluminum Profile		
F -Trim	WPC		
Corner Trim	WPC		
L -Trim	WPC		

Please be aware that in order to achieve an architectural exposed appearance and eliminate the necessity for extra trims, NORTwood panels can be readily cut and mitered for corner installations.

Subframe Requirements

Wood or Steel Strapping

The studs need to have a minimum thickness of 1 inch (25 mm). Straps should be fixed into position at a maximum of 16 inches (400 mm) centers using a suitable Stainless Steel Countersunk Wood/Masonry screw. All studs need to be flat and leveled against the wall surface use shims if necessary.
Architects should be consulted regarding weather barriers and insulation for your project.
Where a weather barrier is to be used, it should be a breathable type and must be positioned behind the studs.

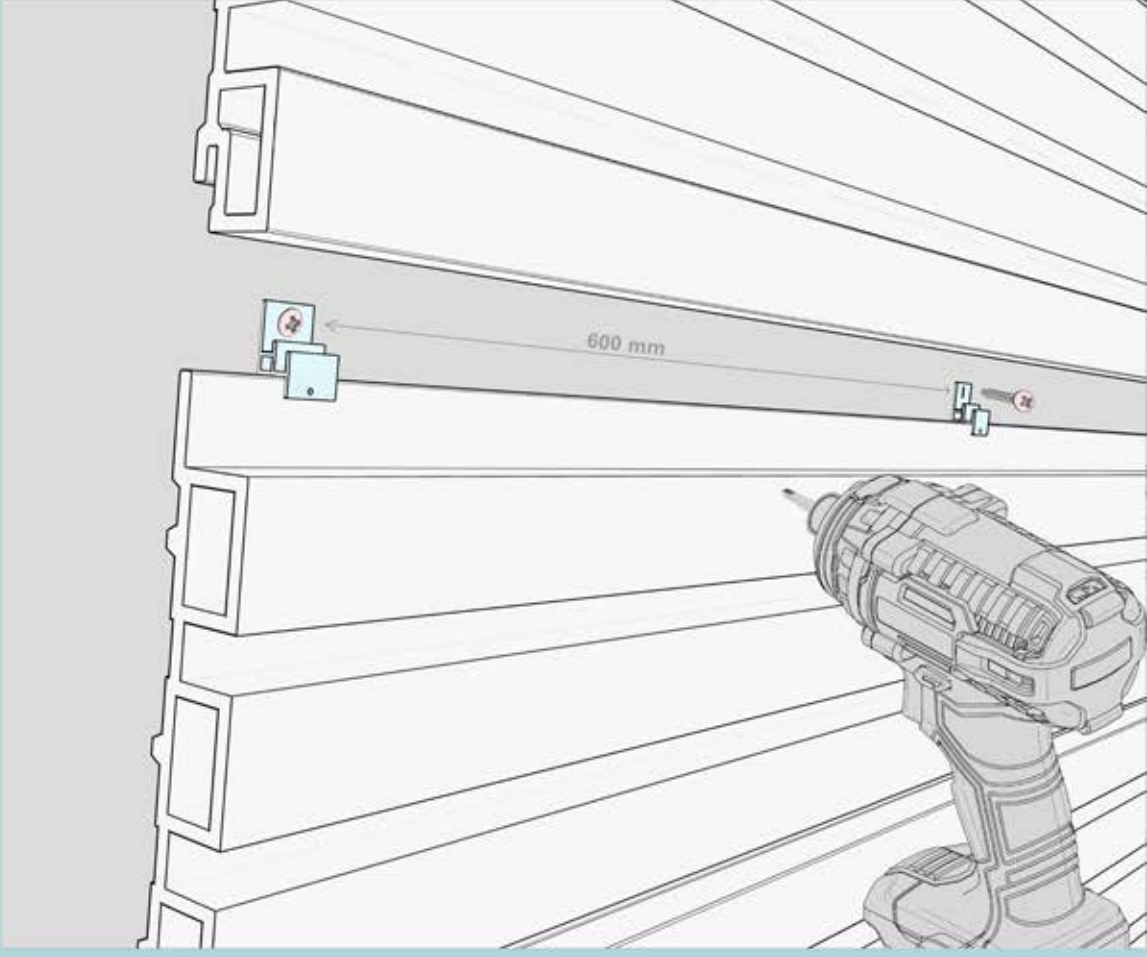


Horizontal Paneling

Aluminum Clips should be hard fastened every 600mm directly through the clips on the substrates.

Note:
Substrates must be able to carry the load of the panels. Please Consult with your engineer or architect.

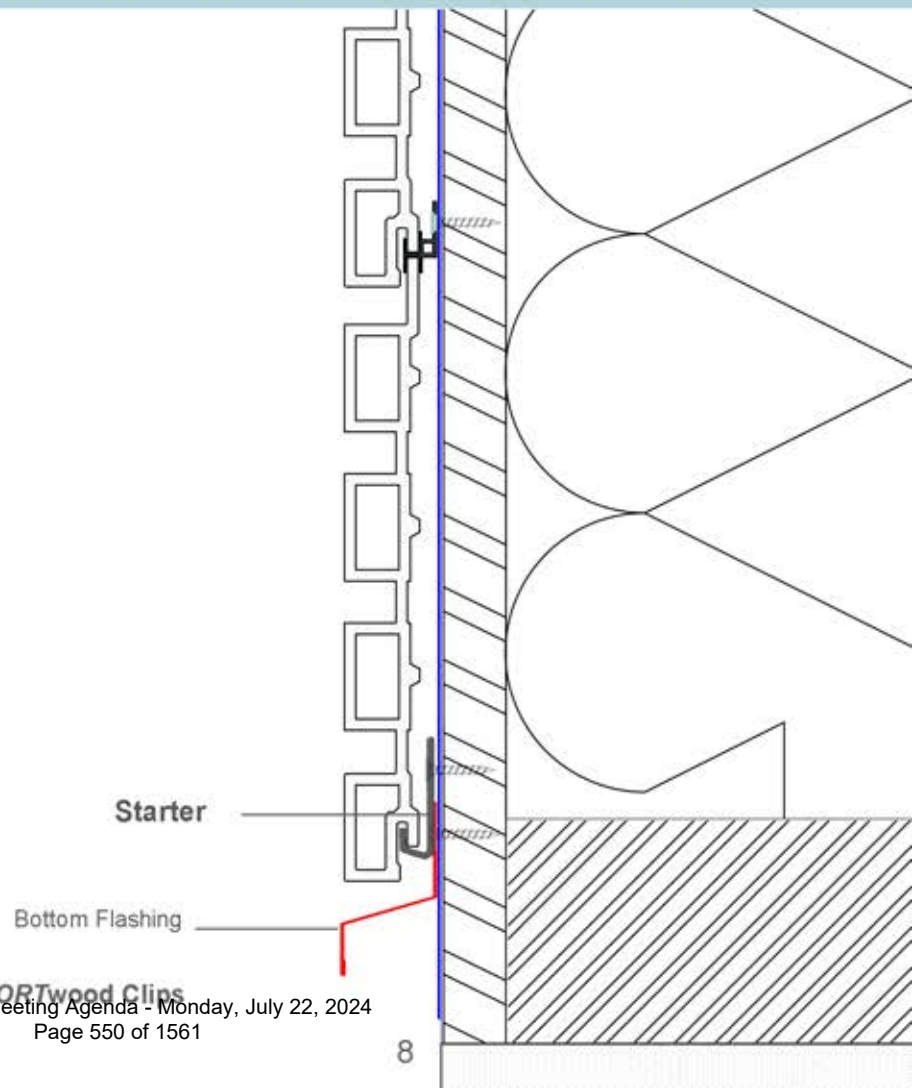
#8 pan-head screws are recommended.



All fasteners should be suitable for exterior use and be compatible with the substrate type.

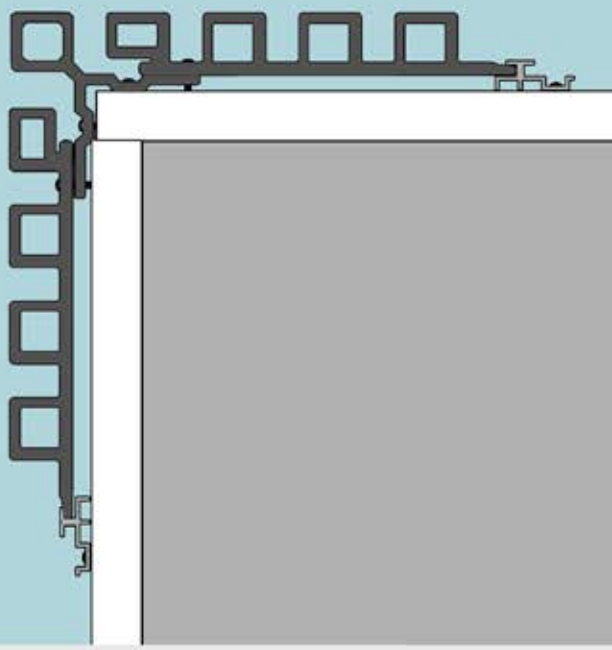
Used when locking the panels and installing into wood straps

Used when locking the panels and installing into metal studs



Panels & Starter components are secured using NORTwood Clips
(Fastened every 400mm (16") to the substrate.

Vertical Paneling



Outside Corner Trim

Place the corner trim on the perpendicular wall wall and adjust it so that one edge is flush with the surface of the panels. Hold it in place with two finish nails then screw to the wood or steel studs.

Use same Color Screws between Flute for all Corners

Item No. 8.14

Committee Matters: SCM 208/2024

Subject: Request for Partial Demolition of Heritage Listed Property - 886 Monmouth Road, Terrace (Ward 4)

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

Decision Number: **DHSC 633**
THAT Council **BE INFORMED** of the proposed partial demolition at 886 Monmouth Road, Terrace, to remove the existing poured concrete porch and construct a new front yard deck.
Carried.

Report Number: S 78/2024
Clerk's File: MBA2024

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 10.3 from the Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Subject: Request for Partial Demolition of Heritage Listed Property - 886 Monmouth Road, Terrace (Ward 4)

Reference:

Date to Council: July 2, 2024
Author: Tracy Tang
Planner III - Economic Development (A)
Email: ttang@citywindsor.ca
Phone: 519-255-6543 X 6449

Gabriel Lam & Danielle Poirier
Community Development Planning Assistant
Email: glam@citywindsor.ca; dpoirier@citywindsor.ca
Planning & Building Services
Report Date: June 12, 2024
Clerk's File #: MBA2024

To: Mayor and Members of City Council

Recommendation:

THAT Council **BE INFORMED** of the proposed partial demolition at 886 Monmouth Road, Terrace, to remove the existing poured concrete porch and construct a new front yard deck.

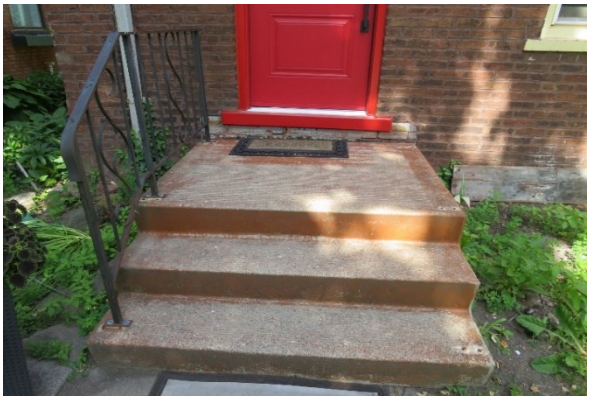
Executive Summary: N/A

Background:

The vernacular terraced rowhouse located at 886 Monmouth Road was listed on the Windsor Municipal Heritage Register on August 27, 2007. Records indicate that the series of terraces on the 800 Monmouth Block were completed circa 1904. Attached to three other units (subject property being the northern end unit), the two storey rowhouse is a well-preserved example of worker housing that distiller Hiram Walker & his sons (through Walker Subsidiaries) built for their employees during the Town of Walkerville's formative years.

On April 22, 2024, the Owner submitted a Building Permit application to remove the existing front porch and replace it by constructing a new deck. Through the Building Permit process, Heritage Planning staff were notified of the proposal and advised the Property Owner and their Contractor of the Heritage Planning requirements. On June 12, 2024, the Owner formally submitted notification of the removal (demolition) of the existing porch through a Heritage Permit application (Appendix A).

View of 886-896 Monmouth Rd from Monmouth Rd (June 11, 2024)



Front Porch of 886 Monmouth Rd from Monmouth Rd (June 11, 2024)

Discussion:

Legal Provisions:

The subject property is listed on the Windsor Municipal Heritage Register, but not designated. Section 27 of Part IV of the *Ontario Heritage Act* states that "the register may include property ... that the council of the municipality believes to be of cultural heritage value or interest", without being designated. Also, "[T]he owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure." The 60 days only begins after notice is received accompanying plans and information as Council may require. City of Windsor Council approved "Requirements and Procedures, Application for Demolition of Heritage-Listed Properties" (Council Decision # M163-2015) which outlines the required information for demolition, and notes that Administration has 30 days to evaluate if the information submitted is sufficient. Only after determination has been made that the required information has been submitted, does the 60-day count begin.

During the 60 days after notice, City Council (with Committee consultation) may initiate designation or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, which are those features that are considered important to retain if any alterations to the property are proposed after designation. "Cultural heritage value or interest" is to be considered according to Ontario Regulation 9/06.

There is no explicit provision for the Committee or Council to comment on alterations to a heritage-listed, non-designated property, other than removal/demolition or partial demolition of structures from the Register under the *Ontario Heritage Act* unless designation is initiated. As this property is being evaluated as part of the ongoing Walkerville Heritage Conservation District Study, designation is not a recommendation of this report currently.

Proposal:

The owner intends to construct a front yard deck that is 5 feet deep by 10 feet wide (50 square feet in area), of grey-toned composite decking material, 21 inches in height, with side steps and black discreet metal handrails affixed to the exterior brick wall.

To facilitate this proposed construction, the current poured concrete porch is proposed to be demolished (see drawings within Appendix A). The current porch is made of poured concrete in a reddish-orange tone. The landing of the porch is presently 4 feet deep, 5 feet wide, and 21 inches in height. There is a thin black metal handrail on one side of the porch. The railing on the other side has been removed by the Owner. The current railing is proposed to be replaced with a similar discreet, thin profile, black railing. The Owner has expressed the need to replace the existing porch as it is in poor condition, sinking on one side, and separating from the exterior brick wall.

Current condition of 886 Monmouth Road front porch (June 11, 2024)

Proposed grey-toned composite material (Provided by owner)

Historical Background:

The subject property is located on the east side of Monmouth Road in the 800 block between Cataraqui Street and Niagara Street. This neighbourhood is known to be one of the earlier industrial worker housing streets in Walkerville. The Town of Walkerville was founded by Hiram Walker of Detroit, Michigan in 1890[1]. Upon moving his liquor business to Canada, Walker created an industrial town with the Hiram Walker Distillery at its core. Monmouth Road played an essential role in Walkerville, providing rental housing for the workers. To this day, this section of Monmouth Road has maintained its heritage value through the original townhouse structures that are defined by its red brick and streetscape.

[1] Walkerville, n.d., *A History of Hiram Walker and Walkerville*, Visit Walkerville, n.d. https://visitwalkerville.com/history

Front view of 886 Monmouth (WPL Archives - 1958)

Heritage Considerations:

The Vernacular Terrace house at 886 Monmouth Road is representative of early worker housing in Walkerville. The terrace features a symmetrical façade balanced in the center by the through alleyway, common bond red brick construction, with a decorative brick belt course at the floor line and beneath the parapet. Openings feature voussoirs of double row rowlocks. The terrace has a medium pitch hipped roof with two small, hipped dormers and two brick chimneys.

Heritage Planning staff engaged in discussions with the Property Owner and their Contractor about the design of the proposed porch to make it more heritage-sensitive and appropriate in the neighbourhood. Staff have recommended changes to the size/massing and the material/colour. The Owner was agreeable to reducing the proposed size/massing of the front yard deck to 5 feet deep by 10 feet wide (from their original proposal of 8 feet deep by 10 feet wide). However, the suggested material/colour of using masonry or composite products in darker/brownish tones by Staff was not acceptable to the Owner. The Owner had purchased grey-toned composite decking material for the proposed porch prior to the discussions, and wishes to use that material. Other than the recommended material (particularly the cladding of visible sides of the porch), the proposed construction generally appears to be compatible with the heritage appearance of the property and is consistent with other Monmouth Road properties with enlarged front porches.

Another photo of the grey-toned composite material (Provided by owner).

Official Plan Policy:

Chapter 9 of the City of Windsor Official Plan, Heritage Conservation, includes the following objectives related to the recognition, conservation, and enhancement of heritage resources:

CONSERVATION MANAGEMENT	9.2.1	To conserve Windsor's heritage resources for the benefit of the community and posterity in a manner which respects their architectural, historical, and contextual significance and ensures their future viability as functional components of Windsor's urban environment.
IDENTIFY HERITAGE RESOURCES HERITAGE REGISTER	9.3.3.4	Council will identify heritage resources by: (a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and

The proposed size and massing conform to the Official Plan policies as it appears to be fitting with the heritage context of the neighbourhood.

Risk Analysis:

The partial demolition proposed would allow the Owner to proceed with their desired porch replacement plans for the property, as their current porch is in poor condition. The size and massing of the proposal does not negatively impact the heritage value of the listed property or the Walkerville Heritage Area. The notification of the proposed demolition authorized by the *Ontario Heritage Act* serves as an opportunity to provide a process to designate when required to prevent inappropriate and concerning changes applied to the building.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

There is no cost to the City; the Property Owner is paying the full cost of the proposal.

Consultations:

Heritage Planning staff discussed the details of the proposal with the Property Owner and their Contractor through email correspondence, phone calls, as well as an in-person Site Visit to the subject property on Tuesday, June 11, 2024. Heritage Planning staff consulted with Adam Maillet, Development Application Coordinator, Building Department, regarding the Building Permit application and Zoning By-law provisions; and Kate Tracey and Aaron Farough, both Senior Legal Councils, Legal & Real Estate Department, regarding the legal provisions within the *Ontario Heritage Act*.

Conclusion:

Council is to be informed of the proposed partial demolition to the Heritage Listed Property - 886 Monmouth Road, Terrace. The proposal outlines a plan to demolish the existing poured concrete front porch to facilitate the construction of a new front yard deck that is 50 square feet in area using grey-toned composite decking material. This partial demolition and new construction will be highly visible from Monmouth Road; however, its proposed size and massing is compatible and will not have a negative impact on the heritage character of the neighbourhood.

Planning Act Matters: N/A

Approvals:

Name	Title
Tracy Tang	Planner III- Economic Development (A)
Kate Tracey	Senior Legal Counsel
Jason Campigotto	Deputy City Planner - Growth
Thom Hunt	City Planner / Executive Director Planning & Building
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Name	Address	Email

Appendices:

1 Appendix A – Heritage Permit Application

Planning Department
Suite 320-350 City Hall Sq W
Windsor ON N9A 6S1

HERITAGE PERMIT APPLICATION

Revised 11/2023

APPLICATION TYPE

☐ **Minor Heritage Permit** (Delegated Authority Approval)
☐ **Major Heritage Permit** (City Council Approval)
☐ **Demolition**

1. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

APPLICANT

Contact Name(s) Mary Quenneville
Company or Organization
Mailing Address 886 Monmouth Road
City, Province Windsor ON Postal Code N8Y 3L4
[redacted]

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s)
Company or Organization
Mailing Address
City, Province Postal Code
Email Phone(s)

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s)
Company or Organization
Mailing Address
City, Province Postal Code
Email Phone(s)

Who is the primary contact?

☑ Applicant ☐ Registered Owner ☐ Agent

2. SUBJECT PROPERTY

Municipal Address: 886 Monmouth Road

Legal Description (if known): _____

Building/Structure Type:

☐ Residential ☐ Commercial ☐ Industrial ☐ Institutional

Heritage Designation:

☐ Part IV (Individual) ☐ Part V (Heritage Conservation District)

By-law #: _____ District: _____

Is the property subject to a Heritage Easement or Agreement?

☐ Yes ☐ No

3. TYPE OF APPLICATION

Check all that apply:

☐ Demolition/Removal of heritage attributes ☐ Addition ☐ Erection ☑ Alteration*

☐ Demolition/Removal of building or structure ☐ Signage ☐ Lighting

*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

4. HERITAGE DESCRIPTION OF BUILDING

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

- The home is one of the rowhouses on Monmouth. It is a two-story home and is one of the end units.
- The front porch (cement) is sinking on the right side and has detached from the house.

5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

I plan to put up a new front porch – approximately 5' x 10' in a neutral grey composite. This necessitates removing the cement stoop – or at least part of it.

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

The sinking front stoop is an eyesore. I've re-pointed and replaced the front door. The new porch will finish my renovation of the front of my home.

Describe the potential impacts to the heritage attributes of the property.

In my view, the porch will enhance the look of the property.

7. CHECKLIST OF MATERIALS SUBMITTED Check all that apply:

Required:

- ☐ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☐ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- ☐ Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☐ Specifications of proposed work(s) (e.g. construction specification details)

Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment

8. NOTES FOR DECLARATION

The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.

The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.

The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.

Signature of Applicant(s)	June 11/24. Date
Signature of Applicant(s)	Date

SCHEDULE A

A. Authorization of Registered Owner for Agent to Make the Application
If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the applicant is authorized to make the application must be included with this application form or the authorization below must be completed.

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

subject of this application for a Heritage Alteration Permit and I authorize

_____ to make this application on my behalf.
name of agent

_____ _____
Signature of Registered Owner Date

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

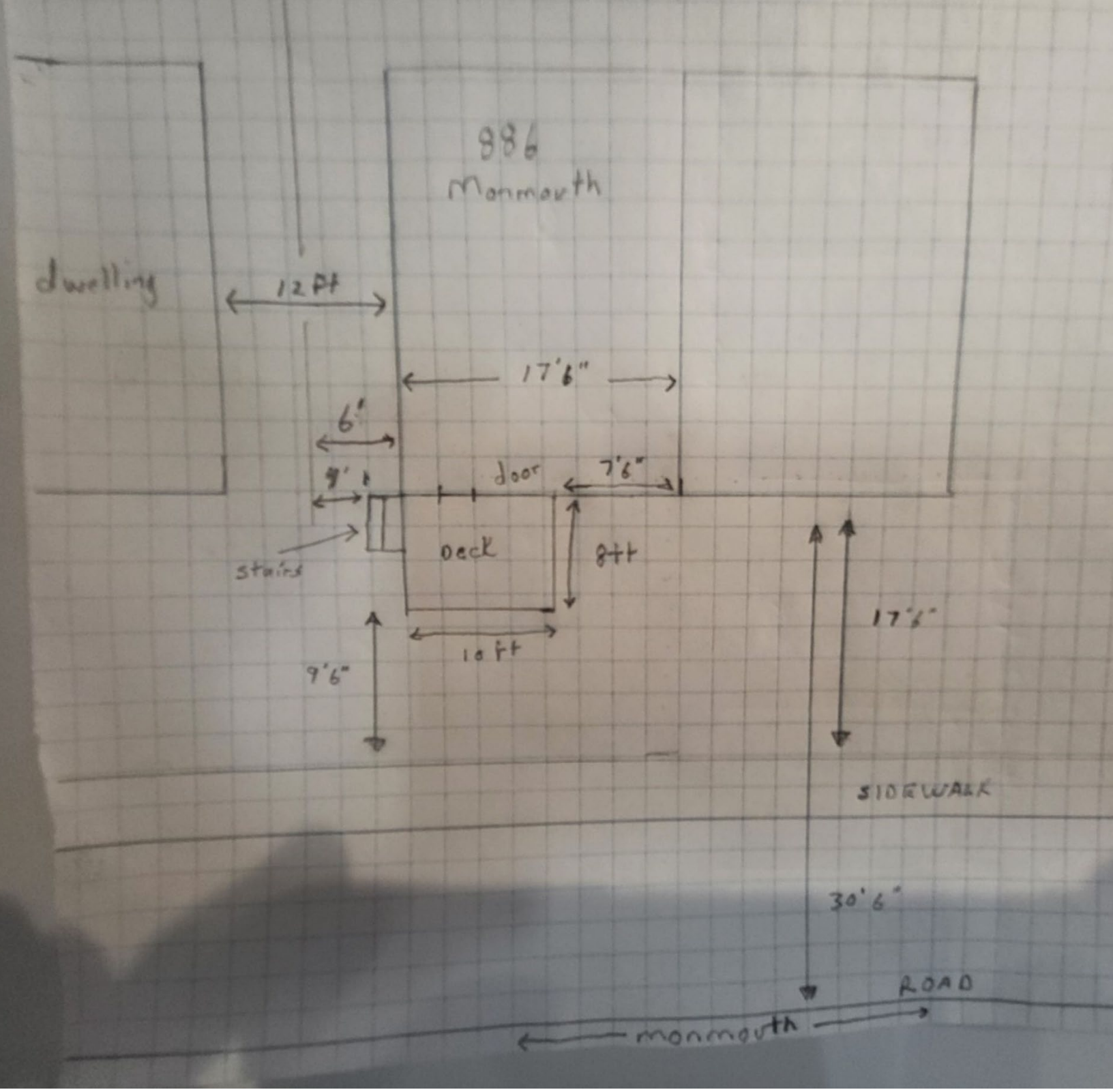
I, Mary Quenneville, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

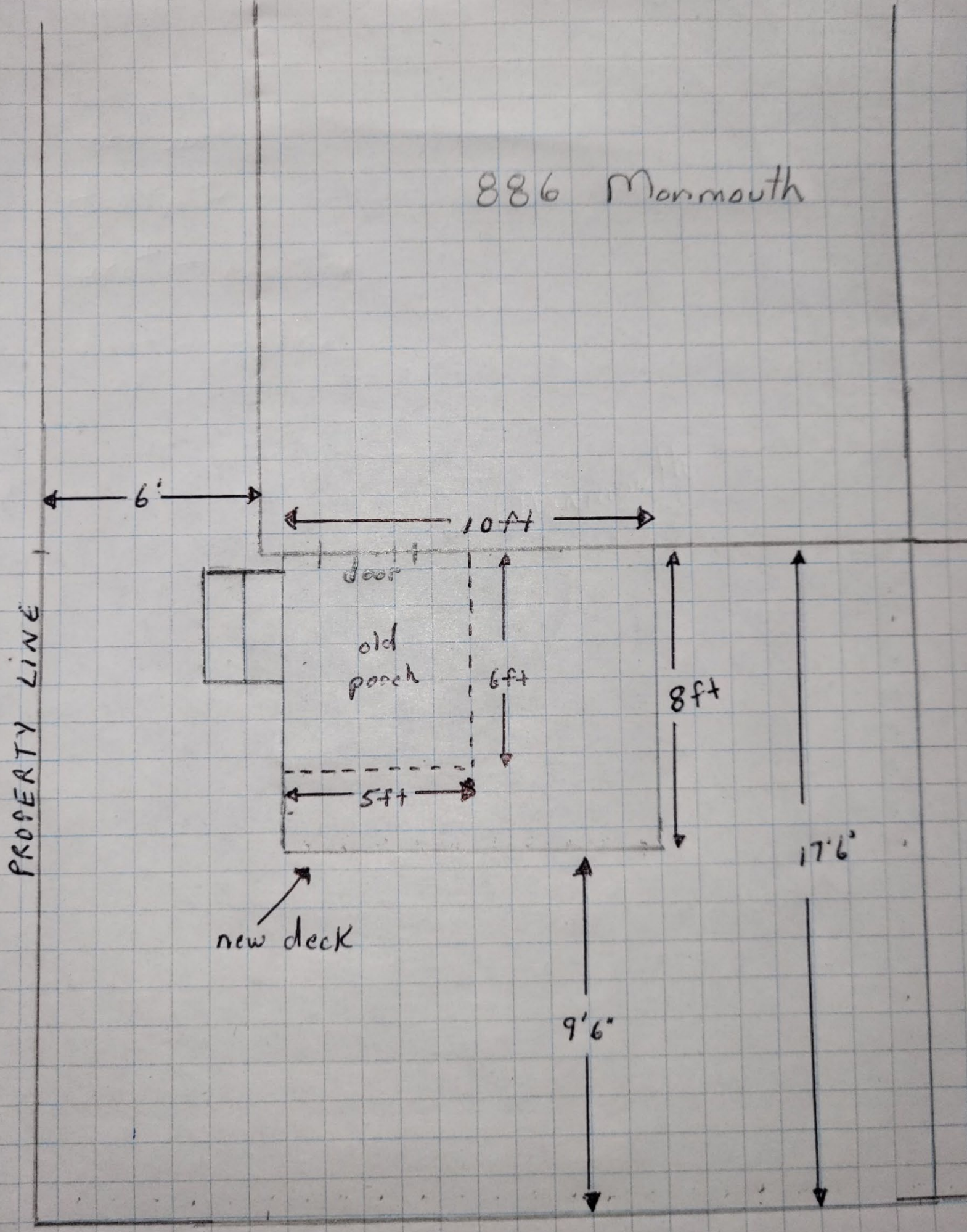
M. Quenneville June 11/24
Signature of Registered Owner Date

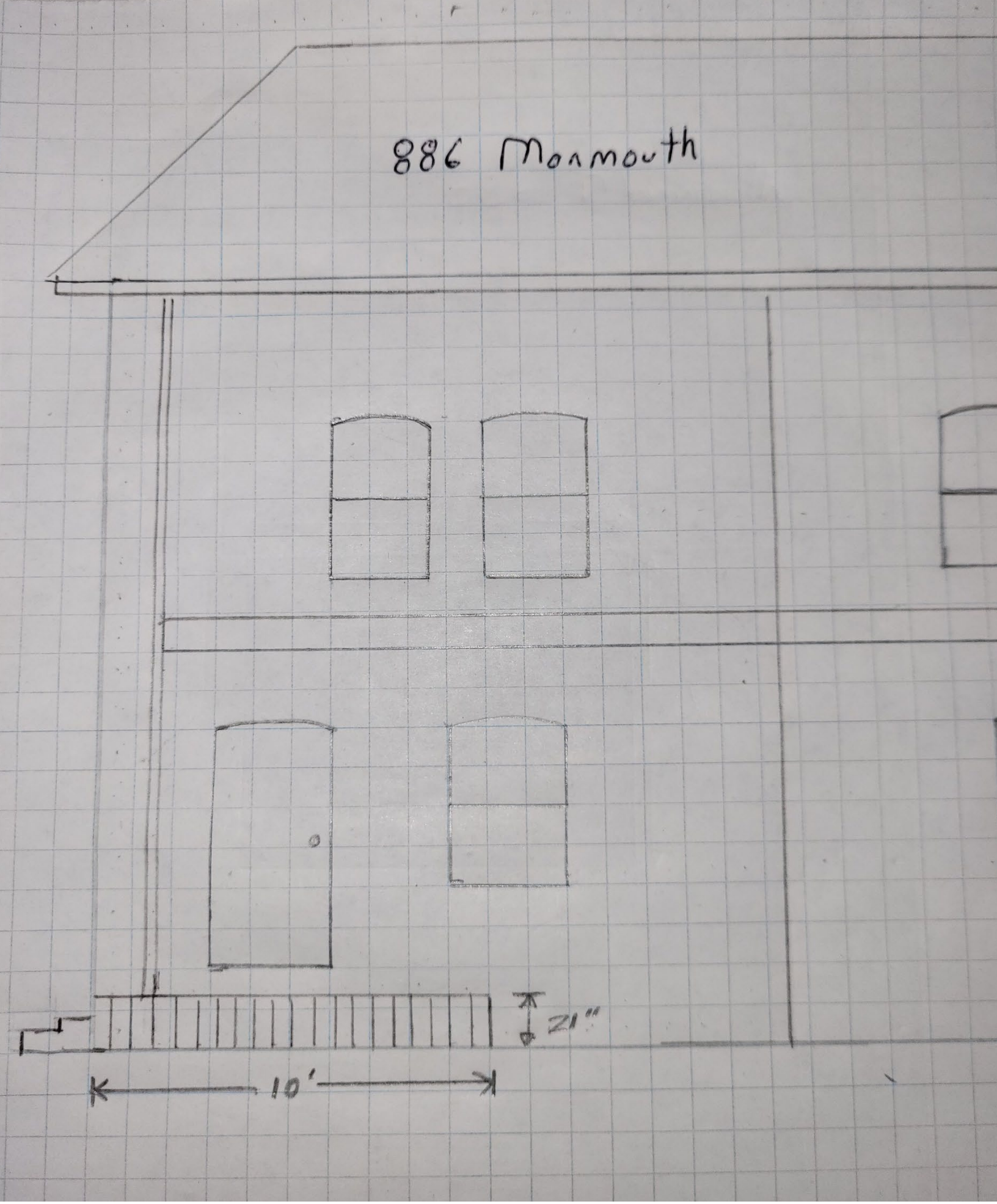
If Corporation – I have authority to bind the corporation.

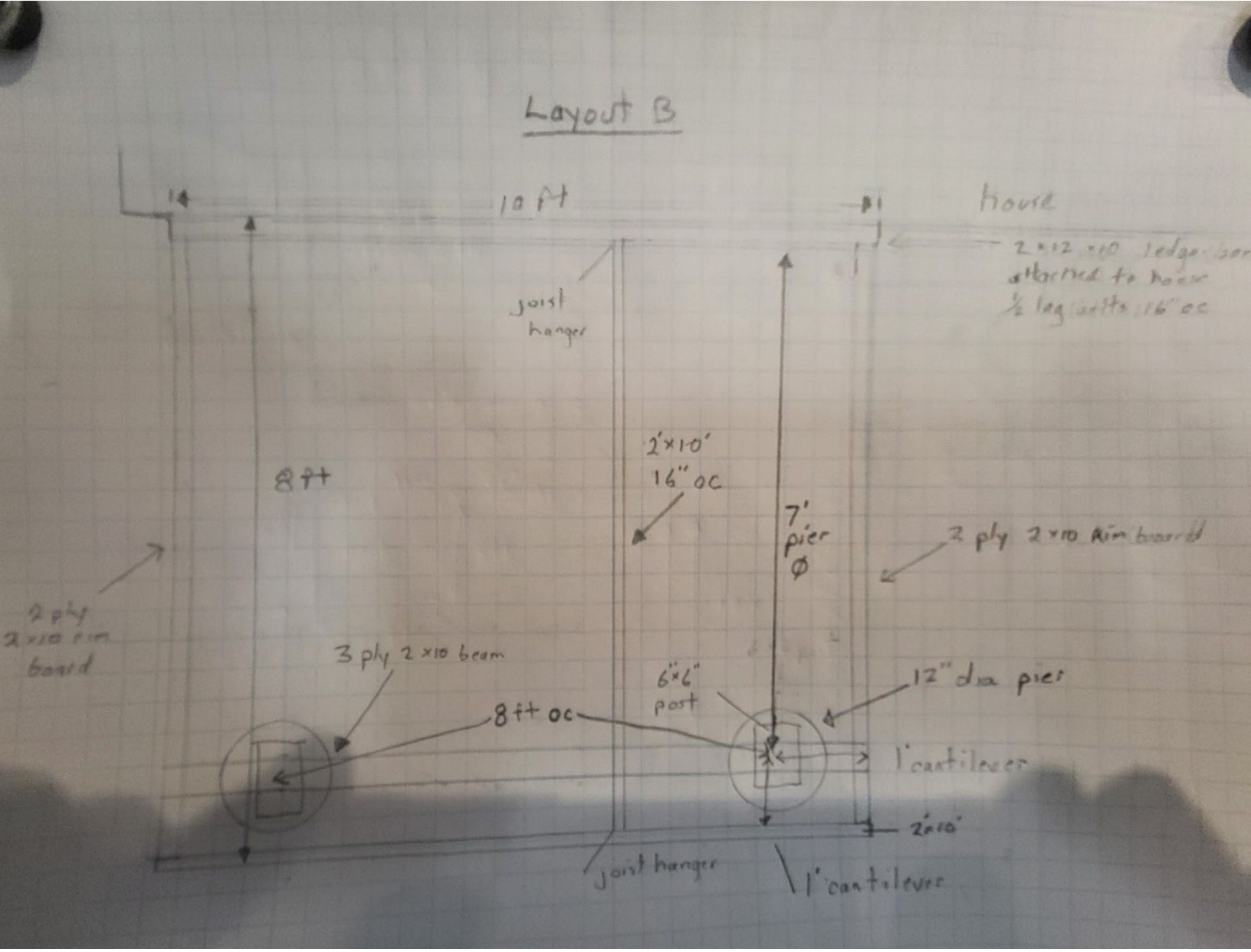
C. Acknowledgement of Applicant
I understand that receipt of this application by the City of Windsor Planning Department does not guarantee it to be a complete application. Further review of the application will occur and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.
I further understand that pursuant to the provisions of the *Ontario Heritage Act* and the *Municipal Freedom of Information and Protection of Privacy Act*, this application and all material and information provided with this application are made available to the public.

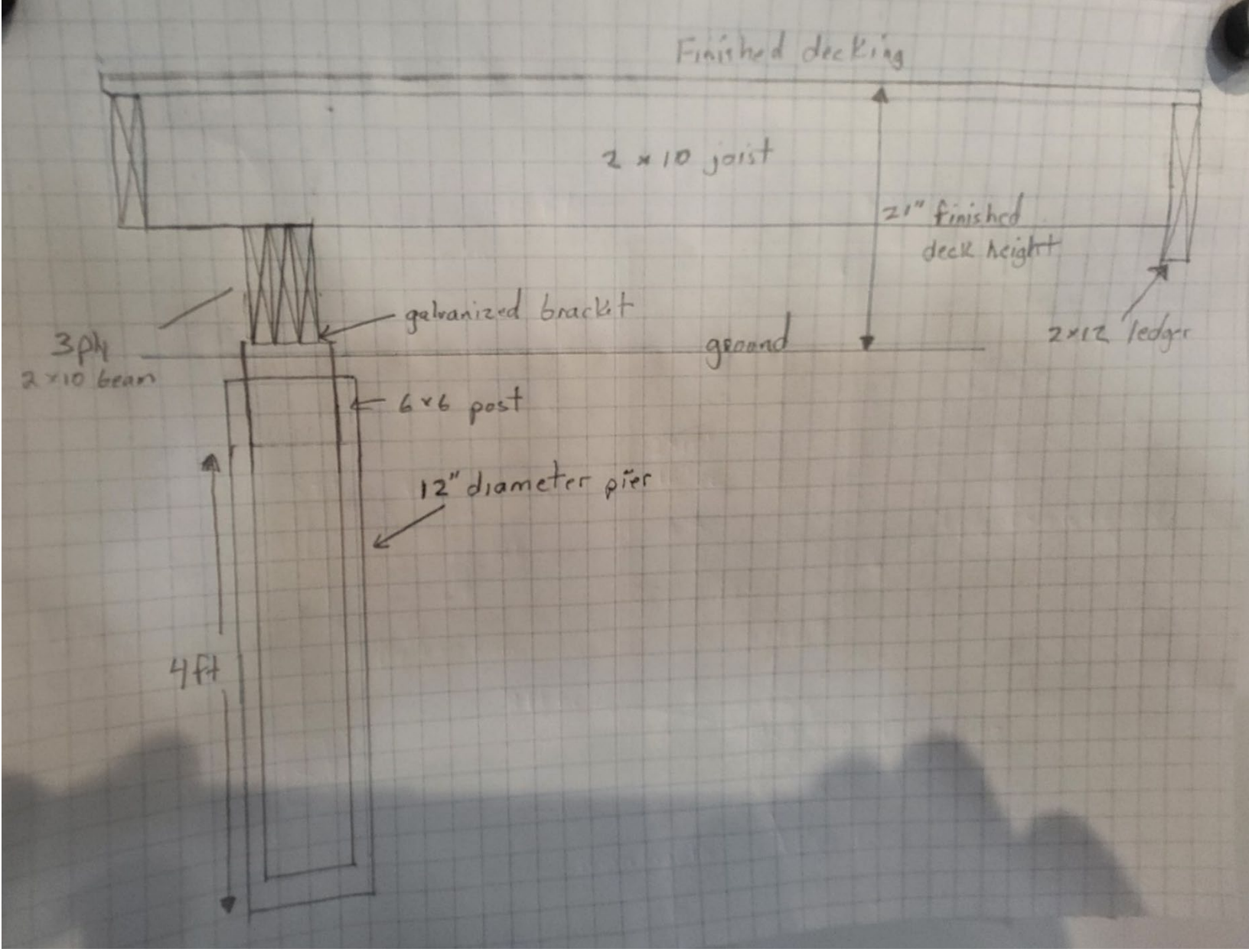
M. Quenneville June 11/24
Signature of Applicant Date


886
Monmouth
dwelling
12 ft
17'6"
6'
9'
door
7'6"
stairs
deck
8 ft
10 ft
9'6"
17'6"
SIDEWALK
30'6"
ROAD
monmouth


886 Monmouth
6'
10ft
door
old
porch
6ft
8ft
5ft
17'6"
PROPERTY LINE
new deck
9'6"


886 Monmouth
21"
10'


Layout B
10 ft
house
2×12×10 ledger bar
attached to house
½ lag bolts 16" oc
joist
hanger
8 ft
2'×10'
16" oc
7'
pier
Ø
2 ply 2×10 rim board
2 ply
2×10 rim
board
3 ply 2×10 beam
6"×6"
post
12" dia pier
8 ft oc
1' cantilever
2'×10'
joist hanger
1' cantilever


Finished decking
2 x 10 joist
21" finished deck height
galvanized bracket
3ply 2 x 10 beam
ground
2x12 ledger
6 x 6 post
12" diameter pier
4ft

Grey-toned composite decking material (indoor lighting)

Grey-toned composite decking material (natural outdoor lighting)

Property Photographs – 886 Monmouth Road, Terrace

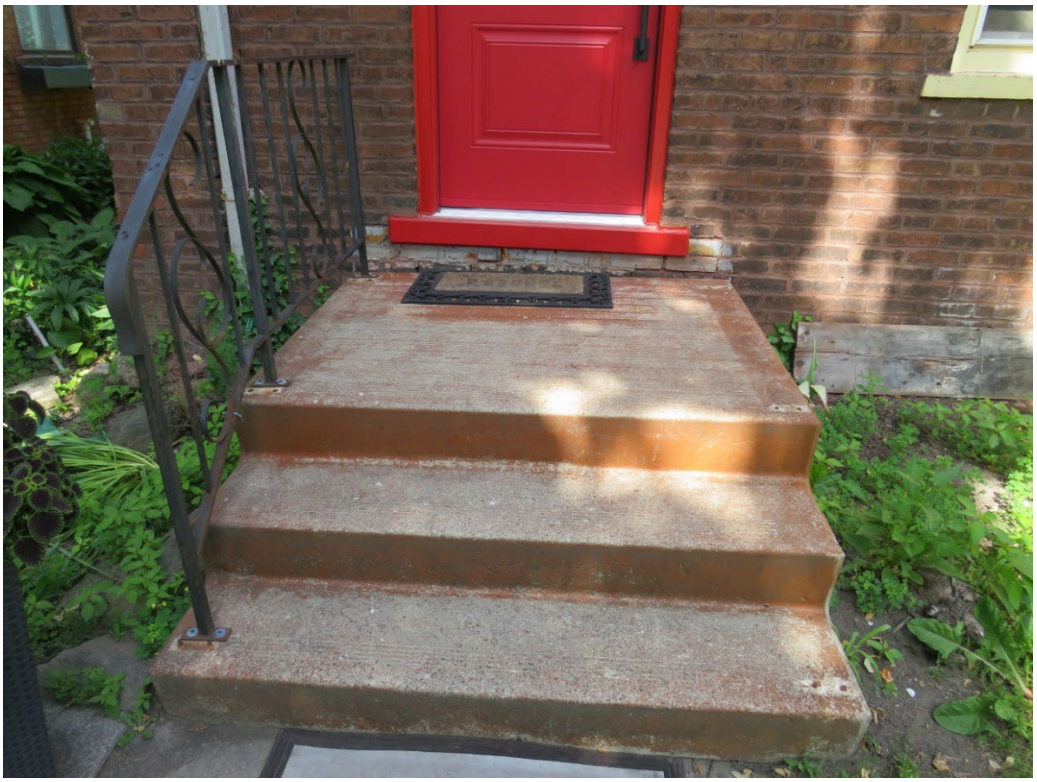
Images taken by staff on June 11, 2024

Front of the property from Monmouth Rd

Front of the property looking south

Front of the property looking north

Perspective of the front yards of the terrace building looking south



Front porch of poured concrete, proposed to be demolished

Front porch of poured concrete, side view

Porch detaching from exterior brick wall

Porch detaching from exterior brick wall

Item No. 8.15

Committee Matters: SCM 209/2024

Subject: Official Plan Amendment to Facilitate Additional Changes to Streamline the Development Approval Process - City Wide

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

Decision Number: **DHSC 628**

1. THAT Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Official Plan Amendment (OPA) 179 attached hereto as Appendix 1, and summarized as follows:

   a) Chapter 10, Procedures; Section 10.2, Supporting Studies and Information is hereby deleted and replaced by a new Section 10.2 Development Applications;
   b) Chapter 10, Procedures; Section 10.6, Public Participation is hereby deleted and replaced with a new Section 10.6 Public Participation;
   c) Chapter 11, Tools; Subsection 11.4.3, Consents is hereby deleted and replaced by a new Subsection 11.4.3 Consent Policies;
   d) Chapter 11, Tools; Section 11.4.4, Part Lot Control is hereby deleted and replaced with a new Subsection 11.4.4 Part Lot Control Policies;
   e) Chapter 11, Tools; Subsection 11.6.3, Zoning By-law Amendment Policies is hereby amended by adding Subsection 11.6.3.4;
   f) Chapter 11, Tools; Subsection 11.6.6 Minor Variance Policies is hereby amended by deleting and replacing with new Subsections 11.6.6.1 to 11.6.6.5 (inclusive); and,
   g) Chapter 11, Tools; Section 11.7 Site Plan Control is hereby amended by deleting and replacing with a new Section 11.7.; and,

2. THAT the Terms of Reference – Planning Application Technical Guidelines attached as Appendix 2 to this report **BE ADOPTED** as a reference document to assist administration and applicants when submitting development applications; and,

3. THAT Administration continue to give consideration to matters which could further assist with streamlining the development approval process and **REPORT BACK** on any options or parameters regarding the delegation of authority to Administration.

Carried.

Report Number: S 22/2024
Clerk's File: Z/14733

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 7.1 from the Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Council Report: S 22/2024

Subject: Official Plan Amendment to Facilitate Additional Changes to Streamline the Development Approval Process OPA 179[OPA/7166] - City Wide

Reference:

Date to Council: July 2, 2024
Author: Michael Cooke, MCIP, RPP
(519) 255-6543 x 6102
mcooke@citywindsor.ca

Planning & Building Services
Report Date: June 12, 2024
Clerk's File #: Z/14733

To: Mayor and Members of City Council

Recommendation:

1. THAT Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Official Plan Amendment (OPA) 179 attached hereto as Appendix 1, and summarized as follows:

   a) Chapter 10, Procedures; Section 10.2, Supporting Studies and Information is hereby deleted and replaced by a new Section 10.2 Development Applications;
   b) Chapter 10, Procedures; Section 10.6, Public Participation is hereby deleted and replaced with a new Section 10.6 Public Participation;
   c) Chapter 11, Tools; Subsection 11.4.3, Consents is hereby deleted and replaced by a new Subsection 11.4.3 Consent Policies;
   d) Chapter 11, Tools; Section 11.4.4, Part Lot Control is hereby deleted and replaced with a new Subsection 11.4.4 Part Lot Control Policies;
   e) Chapter 11, Tools; Subsection 11.6.3, Zoning By-law Amendment Policies is hereby amended by adding Subsection 11.6.3.4;
   f) Chapter 11, Tools; Subsection 11.6.6 Minor Variance Policies is hereby amended by deleting and replacing with new Subsections 11.6.6.1 to 11.6.6.5 (inclusive); and,
   g) Chapter 11, Tools; Section 11.7 Site Plan Control is hereby amended by deleting and replacing with a new Section 11.7.

2. THAT the Terms of Reference – Planning Application Technical Guidelines attached as Appendix 2 to this report **BE ADOPTED** as a reference document to assist administration and applicants when submitting development applications.

3. THAT Administration continue to give consideration to matters which could further assist with streamlining the development approval process and **REPORT BACK** on any options or parameters regarding the delegation of authority to Administration.

Executive Summary: N/A

Background:

Changes to Provincial Legislation:

Since 2019, the Province of Ontario has introduced a number of legislative changes that have collectively served to encourage municipalities to:

- streamline the development approval process (i.e. shorten the length of time);
- increase the supply of new housing units; and
- support development and growth.

The relevant legislation is: Bill 108, *More Homes More Choices Act* (2019); Bill 109, *More Homes for Everyone Act* (2022); Bill 3, *Strong Mayors, Building Homes Act* (2022); and Bill 23, *More Homes Built Faster Act* (2022). Administration has previously reported to City Council on the implications of the legislation in reports: S57/2022; S91/2022; C18/2023 and C19/2023. In addition, City Council adopted recommendations contained in report C21/2023 to pledge to a provincial target of creating 13,000 new housing units in the City over a 10 year period.

In order to provide municipalities with needed resources to review and implement the legislative changes at the municipal level, the Province established a "Streamline Development Approval Fund" (SDAF). On February 14, 2022, City Council approved Administration's recommendations related to the SDAF Transfer Payment Agreement with the Province of Ontario. The eligible funding allowed the City to complete a number of studies and subsequent amendments including: Zoning By-law Amendments; Official Plan Amendments; and, general changes to development application processes and procedures. The funding made it possible for SDAF work to be completed by internal staff together with external consultants led by Jim Dyment (Municipal Planning Consultants) and Ron Palmer (The Planning Partnership).

The purpose of the Official Plan amendment being brought forward in this report is to further implement the Provincial Legislative changes referenced above. The intent of this third and final phase of the SDAF project serves as an important component to both simplify and streamline the development approval process with the goal of supporting development to create housing units while supporting the economy. The SDAF has assisted municipalities in Ontario to make the development approval process clearer and quicker for all participants including: applicants/developers; agents representing applicants; members of the public; and members of Administration.

Note: On June 6, 2024, Provincial Bill 185 (*Cutting Red Tape to Build More Homes Act*) received Royal Assent. This report and the recommended Official Plan Amendment have been updated to ensure consistency with respective sections of Bill 185. In addition, the Province has brought forward proposed changes to the Provincial Policy Statement (2020).

Administration will continue to monitor these and any other amendments approved by the Province and will report to DHSC and City Council on changes required to either the Official Plan, Zoning By-laws or Site Plan Approval process.

Discussion:

The following is a brief summary of the three phases of work completed as part of the SDAF project since 2022:

Phase 1: The first phase of the project resulted in Official Plan and Zoning By-law amendments being adopted by City Council in 2022. Those changes now allow specific lands within the City to be designated and pre-zoned to remove the requirement for Official Plan Amendments and Zoning By-law Amendments. This facilitates great opportunities for mixed-use (including residential) development to be built “as-of-right” along many public transit corridors and nodes (defined as major intersections and/or concentrated areas of land use). The reaction from the development community was considered to be very supportive of these changes as it will facilitate streamlining by removing the requirement for Zoning and Official Plan amendments in some areas of the City.

Phase 2: The second phase of the project provided recommendations regarding the development process for planning applications that were adopted by City Council in early 2023. The purpose of those changes were to reduce timelines between an application being deemed complete and a decision of City Council. This “streamlining” initiative was in response to the legislated deadlines for making decisions on development applications contained in Provincial Bill 109. The changes also provided targeted timelines for the development approval processes involving Official Plan and Zoning By-law amendments and site plan review. City Council supported these changes in order to reduce the likelihood of development application fees needing to be reimbursed as prescribed by Bill 109.

Phase 3: The key components of this third and final of the SDAF project will allow for further streamlining while also improving guidance and information provided to applicants and enhancing public participation. These components are outlined as follows:

Viability:

In the past, Administration has received feedback from the development community that they would appreciate knowing early in the process if:

- a development proposal is worth pursuing;
- a change to the proposal should be considered; or
- an alternate site might be considered that would better suit the proposal.

For this reason, Administration has introduced a statement of "viability" as part of the response to a Stage 1 Planning Consultation application (see section 10.2.3) In this regard, Administration is able to offer some guidance to suggest if a development proposal is 'viable' (i.e. appears to be an appropriate development application) or if it might be considered "not viable' (i.e. will be subject to a number of significant challenges related to any combination, lack of infrastructure; conflicting land uses; significant number of studies being required; negative impact on surrounding land uses).

In addition, Administration often works with property owners and developers who may be unfamiliar with the development approval process. The newly adopted process of Stage 1 Planning Consultation and ability of staff to help determine the general viability of a proposal has been identified as a valuable to especially assist anyone new to the process. As has been the practise in the past, Administration remains committed to working with the development community to assist in creating solutions that support developers while balancing the interest of the public that can ultimately be recommended by City Council.

Technical Studies:

If a particular proposal requires a number of studies in order to be considered as part of a development application (e.g. Planning Rationale; Stormwater Management; Transportation Impact; Noise and Vibration) a significant cost can result. In the event that a proposal is ultimately denied, the developer has incurred a significant cost and the proposal does not proceed. (note: with the introduction of a 'viability' statement as referenced above, it is the hope that most if not all applications can proceed with support of Administration, the general public and City Council).

A key and positive benefit resulting from this phase of the SDAF work program, has been to provide the development community with a guideline document that clearly details the scope of work for any technical study that may be requested by Administration (see Appendix 2). This will assist both in-town and out-of-town developers and their agents to gain a better understanding of the work required to prepare a technical studies. It is important to note that while the guidelines are detailed, the scope of work can be reduced depending on the nature of the proposal. This step also provides the opportunity to allow for development proposals to proceed quicker through the approval process since study components are clearly outlined in advance.

Public Engagement:

It is a requirement of the Planning Act that the public is notified and invited to attend and/or provide written comments to the Development & Heritage Standing Committee for any development application. Included within OPA 179, are changes that enhance the opportunity for public participation and involvement early in the process before a development application is submitted. Section 10.6 of the OPA indicates that an applicant may be required to hold an 'Open House' meeting with surrounding property owners in order to obtain and record their comments and concerns. The direct value of these meetings is to allow the public to be informed and be heard before a development application is submitted to the Planning Department.

This change provides a very significant opportunity for members of the public to be engaged and participate in the development process. In the past, the public would only learn of a development proposal if they received an invitation in the mail to attend an upcoming meeting to the Development & Heritage Standing Committee (DHSC). By that stage, the developer's proposal would have already undergone an extensive Administrative review. If area property owners expressed any objection at DHSC the result would often result in a recommendation of deferral with a request to have the developer meet with residents to hear their concerns and possibly amend their proposal. This additional step would extend the timeline of the approval process with the added risk of potentially increasing the applicant's costs if the proposal required revisions.

By introducing the requirement of an Open House in the 'Consultation Stage' the Public, Applicant and Administration can all be provided with an opportunity to be more aware of any questions or concerns. In this regard, a proposal can be amended before it is submitted as part of a formal application to amend the Official Plan and/or Zoning By-law. This change facilitates streamlining by reducing the need for an application to be deferred at DHSC by obtaining public input sooner by way of an Open House.

Flexibility:

OPA 179 introduces enabling policies in sections 11.6.3 and 11.6.6 to allow Administration and Committees the opportunity to expedite development approvals by providing greater flexibility in the process. In circumstances of a minor amendment to the Zoning By-law, the prescribed process under the Planning Act will still be followed. However, in some circumstances an amendment/variance might also be able to proceed under an application for a minor variance with the Committee of Adjustment – a generally shorter process under the requirements of the Planning Act. Given that developers seek to move through the approval process as quickly as possible, Administration considers these options around flexibility to be appropriate since the opportunity for public involvement is not sacrificed.

A further underlying advantage of these amendments is to recognize that in some situations, the quality of a development proposal can be enhanced even if minor amendments are necessary. The principle at work here is to work with an applicant and

area residents to achieve a high quality proposal even if the trade-off requires additional minor amendments to a development proposal.

A powerpoint presentation summarizing the work completed in Phases 1 to 3 has been prepared by the consultants and is attached as an information item (see Appendix "4").

Planning and Land Use Implications:

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 following policies outline those related to the responsible and efficient use of land while facilitating intensification, economic development and municipal servicing

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

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely,

to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

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

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

a)efficiently use land and resources;

b)are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

c)minimize negative impacts to air quality and climate change, and promote energy efficiency;

d)prepare for the impacts of a changing climate;

e)support active transportation;and

f)are transit-supportive, where transit is planned, exists or may be developed.

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

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

This OPA covers all lands within the City of Windsor. The intent of this amendment (together and collectively with the work completed as part of Phase 1 and Phase 2 of the SDAF project) is to implement the above policies of the PPS 2020 by:

- facilitating infill development in existing areas of the city by reducing the requirement for applications in some circumstances;
- increasing the opportunity for public participation by standardizing the requirement for open house/information sessions with area property owners before a development application is submitted;
- allowing the development industry to have a clearer understanding of the types of studies that may be required before a development application is submitted.

In addition to the above PPS policies, this OPA supports the Provincial direction to streamline development approvals at the municipal level. In this regard, the OPA has

been identified as a component and final deliverable from the City to the Province as part of the SDAF funding.

City of Windsor Official Plan (OP)

Growth Concept, S 3.2, OP Vol 1*:* "The policies of this Plan are directed toward accommodating the projected growth through practical and efficient land use management strategies that promote a compact pattern of development and balanced transportation system. Compatible residential, commercial and employment growth will be directed to appropriate locations within existing and planned neighbourhoods to reduce development and infrastructure costs and provide opportunities to live, work and shop in close proximity".

Infrastructure, s. 7.0 of OP Vol. 1: "The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion".

OPA 179 is in conformity with the above Official Plan policies. It will continue to ensure that the goals and objectives of the plan allow for the orderly development of land in a streamlined approach. This will be achieved by allowing the public to be engaged in the development approval process through non-statutory open house information sessions and also the public meeting of the Development & Heritage Standing Committee and City Council.

The OPA also provides an opportunity both Administration and the applicants requiring a development approval to have a clear understanding of the scope of work required for any of the technical studies that may be requested. Hereto, the intent is to provide an opportunity for timelines to be shortened so that any required studies can be prepared with a better understanding of the work required. For reference purposes, a side-by-side comparison table of the existing Official Plan policies and the ones proposed in OPA 179 are provided in the attached Appendix 3.

Risk Analysis: N/A

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

There are no anticipated financial implications associated with the adoption of these recommendations.

Consultations:

Consultation comments have been received from administrative departments including: Public Works (Operations); Public Works (Engineering), Legal, Parks & Facilities and also from external agencies. All comments and suggested changes have been

reviewed, discussed and considered in the final version of OPA 179 as recommended in this report.

The required statutory public notice was posted in the Windsor Star in early June in advance of the July 2, 2024 meeting of the Development & Heritage Standing Committee. A copy of the OPA was circulated to planning consultants who represent the local development community and also relevant external agencies. A copy will also be made available to the public on the City's website a minimum of 10 days in advance of the Committee meeting.

Conclusion:

If approved, the expected outcomes of this OPA will include a number of further changes to facilitate streamlining by providing applicants with more information earlier in the process regarding the viability of proposals and nature of technical reports that may be required. The amendments also enhance the opportunity for greater public participation before proposals are finalized. The applications which are impacted include minor variances; consents; minor zoning amendments; and site plan control.

Planning Act Matters:

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

Neil Roberson, MCIP, RPP
Deputy City Planner, Growth

Thom Hunt, MCIP, RPP
City Planner

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

JP JM

Approvals:

Name	Title
Greg Atkinson	Deputy City Planner, Development
Neil Robertson	Deputy City Planner, Growth
Thom Hunt	City Planner
Jelena Payne	Commissioner, Economic Development
Wira Vendrasco	Acting City Solicitor

Notifications:

Name	Address	Email
List provided to Clerks		

Appendices:

Appendix 1: Official Plan Amendment OPA 179

Appendix 2: Terms of Reference – Planning Application Technical Studies

Appendix 3: Comparison Table of Proposed and Current Official Policies

Appendix 4: Powerpoint presentation of consultant Jim Dyment

APPENDIX 1

AMENDMENT NO. 179

TO THE OFFICIAL PLAN

CITY OF WINDSOR

Part B (Details of the Amendment) contained in the following text of the City of Windsor Official Plan constitute Amendment No. 179

Also included, but not constituting part of the Amendment are: Part A (Basis); Part C (Implementation) and Appendix A (Results of Public Consultation).

June 12, 2024

This Official Plan Amendment contains the following Parts:

Part A: Basis

Part B: Details of the Amendment

Part C: Implementation

Appendix A: Results of Public Consultation

PART A: BASIS

1.0 PURPOSE

The purpose of this amendment is to implement policies that will further enhance and expedite the development approval process. The policies in this amendment update the current Official Plan policies to clearly identify the information required when a planning application is submitted, define the process that will be completed by the applicants and the City and clarify the criteria that will be considered when making decisions on those applications.

2.0 LOCATION AND DESCRIPTION OF LANDS AFFECTED BY THE AMENDMENT

The amendment affects all lands in the City of Windsor.

3.0 BACKGROUND

This Amendment is the third and final phase of work undertaken by the City of Windsor in an effort to streamline development approvals to expedite the development approval process. The works have been undertaken to respond to legislative changes contained in Provincial Bills 108, 109 and 185.

Phase 1 of the project resulted in Official Plan and Zoning By-law amendments that designated lands and pre-zoned lands to remove the requirement for Official Plan Amendments and Zoning By-law Amendments in specified parts of the City to provide great opportunities for mixed-use development in higher intensity built forms. Phase 2 of the project provided recommendations regarding the development process for planning applications in the City in an effort to reduce timelines between an application being deemed complete and a decision of City Council.

Phase 3 of the streamlining project, and the subject of this OPA, focuses on changes that will provide greater clarity and guidance to applicants regarding the City's requirements in the development approval process. In addition, the Amendments will provide enabling policies that will provide City staff and Committees opportunities to expedite development approvals by providing greater flexibility in the approval process. Finally, the amendments are intended to reduce uncertainty for the development industry and residents and to encourage investment in the City. The proposed Amendments would revise the current Official Plan policies regarding:

- Committee of Adjustment;
- Consent;
- Part Lot Control
- Non-Conforming Uses;
- Minor Rezoning;
- Supporting Studies and Guidelines;
- Alternate Notice; and
- Site Plan Control.

PART B: DETAILS OF THE AMENDMENT

Volume 1 of the Official Plan for the City of Windsor is hereby amended as follows:

1. **Section 10.2, Supporting Studies and Information is hereby deleted and replaced with the following:**

10.2 Development Applications

The following policies describe how development applications will be submitted, reviewed and processed.

CONSULTATION	10.2.1	Formal consultation with the City and relevant commenting agencies shall be permitted prior to the submission of any development application required under the Planning Act. The objective of consultation shall be to inform an applicant of the approval process, including the City's requirements for supporting information and material to be submitted as part of a complete application.
PURPOSE	10.2.2	The purpose of the consultation will be to review a draft development proposal for the lands affected and identify the need for, and the scope of Supporting Technical Studies and other information and materials considered necessary by the City and other affected agencies to allow for a comprehensive assessment of the development application(s).
CONSULTATION STAGES	10.2.3	Consultation shall involve two stages: a) *Stage 1* - Identifying a preliminary list of required Supporting Technical Studies, plans, other information and material to be submitted with a complete application, including fees or approvals from other agencies as may be required. As part of this stage, the applicant will also be advised if a proposed development is identified as being "viable". The term "viable"

will be used to help the applicant to decide if they wish to proceed to Stage 2 of the application process or if they might also consider revising their proposal;

b) *Stage 2* - The applicant will submit an application with fees together with copies of all Supporting Technical Studies identified as being required in Stage 1. All studies will be reviewed by Administrative Departments and local agencies. If a peer review is required, it will be completed at the expense of the applicant.

REQUIRED INFORMATION 10.2.4 The applicant shall initiate the consultation process by completing and submitting a Planning Consultation Stage 1 application that includes:

a) Mapping that identifies the location of the Subject Site and surrounding context;

b) A description of the existing Official Plan designation and Zoning affecting the Subject Site; and

c) A preliminary description of the proposed development concept, including, where applicable, a description of the proposed Official Plan and/or Zoning amendments to be requested.

EXEMPTIONS 10.2.5 The City may forgo consultation, where the City has identified that due to the nature of the proposal, the need for and scope of required information and materials can be determined without formal Stage 1 and/or Stage 2 consultation.

INCOMPLETE APPLICATIONS	10.2.6	Development applications submitted to the City prior to completion of the Stage 1 and Stage 2 consultation without the necessary supporting information and materials may be deemed as incomplete and returned to the applicant.
COMPLETE APPLICATION REQUIREMENTS	10.2.7	The City shall determine if the information and materials necessary for submission with the application based on the nature of the proposal and generally in accordance with the list of Supporting Technical Studies identified in this Plan.
TECHNICAL STUDIES REQUIRED	10.2.8	Any or all of the Supporting Technical Studies identified in this Plan may be requested from applicants to ensure that all relevant and required information pertaining to a development application is available at the time of submission, or, if subsequently deemed necessary, prior to a prescribed public meeting.
STUDY PURPOSE	10.2.9	It is the intent of the Supporting Technical Studies to enable the City to make informed decisions within the time periods set out in the Planning Act. The City may require provision of Supporting Technical Studies at its sole discretion as part of a complete application, at any time during the processing of an application under the Planning Act: including but not limited to those Studies listed below:

a) *Planning Rationale Report* - The purpose of the Planning Rationale Report is to provide a framework for an applicant seeking development approval to explain salient details of the application and provide supporting land use planning reasons and opinions why the proposal should be considered and approved. This document is also intended to assist staff with their review and processing responsibilities;

b) *Urban Design Study* - The purpose of an Urban Design Study is to provide direction for the protection and enhancement of the character of a planning district, neighbourhood, corridor or any other identified area, and the thoughtful implementation of good urban design principles based on an assessment of the characteristics and opportunities of the surrounding community;

c) *Built Heritage Impact Study* - The purpose of a Heritage Impact Study is to identify and evaluate cultural heritage resources and determine if any heritage resources, including listed or designated heritage resources, are impacted by development proposals and the potential need for mitigation measures;

d) *Archaeological Assessment* - The purpose of an Archaeological Assessment is to ensure archaeological resources on site are evaluated, documented and mitigated prior to land disturbance/site development;

e) *Block Plan* - The purpose of a Block Plan is to provide comprehensive and specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures in order to optimize development potential and infrastructure;

f) *Environmental Impact Study* - The purpose of an Environmental Impact Study is to demonstrate that a proposed development or infrastructure undertaking may proceed with consideration to species at risk, lands designated or adjacent to Natural Heritage, Environmental Policy Area A or B and/or Candidate Natural Heritage Site without causing negative impact on the feature or its associated ecological functions;

g) *Watershed/Subwatershed Plan* - The purpose of a Watershed/Subwatershed Plan is to inventory,

assess and present information about water resources and related features and how they should be protected and enhanced to ensure the long-term health of the ecosystem as land uses changes on the basis of an entire watershed, or subwatershed;

h) *Stormwater Management Report* - The purpose of a Stormwater Management Report is to identify measures required to control the quantity, quality and runoff flowrate associated with the development of a specific area;

i) *Functional Servicing Study* - The purpose of a Functional Servicing Study is to determine how an area proposed for development will be serviced taking into consideration the future sanitary, water and storm sewer servicing needs.;

j) *Transportation Impact Study and/or Transportation Impact Statement* - The purpose of these studies is to identify the transportation network improvements and on-site design elements necessary to accommodate additional vehicle, cyclist, pedestrian and transit traffic and parking the proposed development will generate and ensure its impact on adjacent land uses is safe and acceptable;

k) *Noise and/or Vibration Study* - The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that the sensitive land uses are protected from unacceptable levels of noise and vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports;

l) *Tree Inventory and Preservation Study* - The purpose of a Tree Inventory and Preservation Study is to investigate and inventory existing

trees and vegetation within and adjacent to development and determine how protection and enhancement can coincide with proposed development;

m) *Lighting Study* - The purpose of a Lighting Study is to evaluate the intensity and impact of light pollution generated by development, the potential impacts on residential property and wildlife, and to ensure visibility, safety and mitigation;

n) *Climate Change and Energy Studies* - The purpose of a study regarding Climate Change or Energy is to evaluate how the proposed development could alter the climate by impacting: wind; shadow and sunlight penetration; urban heat island effects (extreme heat); flooding and to determine the appropriate design measures to reduce the impacts of climate change and mitigate the contribution of greenhouse gas emission;

o) *Financial Impact Study* – The purpose of a Financial Impact Study is to evaluate the growth-related financial impact of proposed development, including impacts to the City's capital and operating budgets triggered by the proposed development. It is also used to estimate the cost and timing of local municipal capital infrastructure required to service the new development; and

p) *Other Studies of Relevance* – recognizing that many applications are unique, the City reserves the ability to ask for any other special studies, reports or plans that may be required to effectively evaluate any development proposal.

TERMS OF REFERENCE

10.2.10 The City has prepared terms of reference for a number of the Supporting Technical Studies to provide information on the scope of work required in

order to assist in the preparation and review of these studies.

STUDY SCOPE	10.2.11	Supporting Technical Studies may vary in scope, depending on the size, nature and intent of the proposal and the level of impact on the adjacent land use. Proponents of all development applications shall be advised by the City of the required study contents during the Stage 1 consultation process.
APPLICATION DEEMED TO BE COMPLETE	10.2.12	Where the need for one or more Supporting Technical Studies has been identified, the application shall only be deemed to be complete when the required Supporting Technical Studies are prepared and submitted subject to the following requirements:

a) Shall be prepared to the satisfaction of the City and, where appropriate, in consultation with relevant public agencies and affected parties;

b) Shall be prepared in accordance with the policies of this Plan and any relevant federal and provincial legislation, policies and appropriate guidelines;

c) Shall be prepared by an appropriately accredited qualified professional retained by, and at the sole expense of the applicant;

d) May be subject to a peer review where the City:

i. Lacks the appropriate expertise and/or internal resources to review such Supporting Technical Studies; and/or

ii. Is not satisfied with the extent and quality of the work submitted by the applicant.

e) Such peer review shall be completed by an appropriate agency or professional consultant retained by the City, at the applicant's expense;

f) Where a peer review is requested by the City, the application may not be deemed complete until:

i. The peer review study has been submitted to the City, and the City is fully satisfied with the extent and quality of the work, including any requirements for additional or supplementary work identified through the peer review process; and

ii. The City has been fully reimbursed by the applicant for the cost of the peer review study.

ASSESSING MERITS	10.2.13	To augment the policies in this Plan, the City may develop performance checklists or indices to assist with evaluating the merits of development applications in the context of the policies in this Plan addressing such matters as, but not limited to; healthy development, sustainability, climate change resiliency, green development and urban design.
CONDITIONS OF APPROVAL	10.2.14	All relevant mitigation recommendations included in a Supporting Technical Study shall be included as conditions of approval to be implemented by the proponent of a development.

PUBLIC INFORMATION	10.2.15	Council shall ensure that information and material provided by a person or public body that has submitted a complete application for development approval shall be available to the public for review once the application has been deemed complete.
COMPLETE APPLICATION	10.2.16	For any planning applications to be deemed complete, the following mandatory items shall be submitted to the City:

a) Application Form;

b) Explanatory Letter;

c) Proof of Ownership or Completed Offer of Purchase;

d) Plan of Survey;

e) Materials required by the Planning Act or any other relevant legislation/regulation;

f) Supporting Technical Studies as required by the City and applicable agencies;

g) Required Fees and deposits, including a signed contingency deposit agreement where applicable;

h) Lands for parkland dedication, if applicable, have been identified;

i) All confirmations, clearances, permits, peer reviews, materials and information required during the Stage 1 and Stage 2 planning consultation have been submitted and considered to be satisfactory by the City;

j) The required Development Application sign has been posted on the subject property; and

k) If an Open House is required as part of the Stage 1 planning consultation, a record of the Open House is provided to the City.

INCOMPLETE APPLICATIONS	10.2.17	Incomplete applications submitted to the City will not be accepted and shall be returned to the applicant. The City may deem an application to be incomplete and refuse all information, supporting documents and materials, submitted as part of the application(s) if it considers the quality of the submission unsatisfactory.
NOTICE OF COMPLETE APPLICATION	10.2.18	Notification of an application deemed to be complete shall be given to the applicant, the public and all other parties by the Municipality in accordance with the Planning Act.

2. **Chapter 10, Tools is hereby amended by deleting section 10.6, Public Participation and replacing it with the following:**

10.6 Public Participation

Individuals and organizations must be made aware of various development and related infrastructure proposals and be given the opportunity to express their views on such matters. The following public participation policies are intended to ensure

public access to relevant information, provide opportunities for public involvement well in advance of decision formulation.

PUBLIC ENGAGEMENT	10.6.1	The opinions and advice of the public will be sought as a part of the decision-making process. The community engagement process will be transparent, accessible and inclusive.
PUBLIC NOTIFICATION	10.6.2	The City will ensure the public is notified on development applications in accordance with relevant provincial legislation and municipal policies. Where persons, groups or corporations regularly communicate with the City through email, the City may use email rather than postal mail. The City will adopt standards for posting of development application signs to be placed on properties where development applications have been proposed.
PUBLIC INFORMATION	10.6.3	The City will provide interested parties affected by a development proposal with the information necessary to understand the nature of the proposal. In addition to providing hard copies of documents in the Planning Department, the City will ensure that digital copies of documents area available on the City's website.
TIMING OF NOTICES	10.6.4	Within 15 days after an affirmative notice of acceptance of a complete application is provided for applications made under the Planning Act requiring public notice, the City will provide a Notice of Application to the persons and public bodies prescribed under the Planning Act, and make the required information and material available to the public.
LARGE SCALE APPLICATIONS	10.6.5	Council may consider using a variety of public participation techniques for development proposals issues having a broad scope such as Secondary Plans, Official Plan Amendments and large subdivisions including, but not limited to, open houses, public displays, area meetings, newspaper notices, signage, internet-based tools, city website and social media.

OPEN HOUSE 10.6.6 The applicant may be required to host an open house as part of the Stage 2 planning consultation process and produce an Open House Report summarizing the results of the open house. The purpose of the open house is to provide opportunity for consultation by the applicant with the area residents/property owners who may be impacted by the proposal before the application is deemed to be complete. The required open house:

a) Will be hosted by the applicant and will be provided at the applicant's expense. The City will provide mailing labels;

b) Should be held at a location that is accessible to the public and may be accessed by walking, bicycling and public transit and should be located within 1km of the Subject Site, when practical. The location should be in a structure that meets or exceeds the requirements of the Accessibility for Ontarians with Disabilities Act. In addition, virtual attendance shall be enabled;

c) Should be comprised of the following components:

i. Notice to the area residents/property owners and Ward Councillor which contains sufficient information as determined by the City Planner;

ii. Attendance of assigned municipal staff as determined by the City Planner. The assigned Planner will be responsible for notifying staff;

iii. Display boards which provide the primary details of the application together with sufficient information as determined by the City Planner;

iv. Copies of any reports or studies that have been prepared as part of the application; and

v. The availability of the applicant or the applicant's agent to answer any questions that the public may have about the application.

d) The required Open House Report shall be comprised of:

i. A summary of the results of the open house including issues raised and responses provided;

ii. A copy of the Notice provided;

iii. A copy of any presentation(s) and graphics;

iv. A copy of written questions from the public and written responses to these questions by the applicant; and

v. A copy of the attendee sign-in sheet and list of persons who attended virtually.

ENGAGEMENT WITH FIRST NATIONS	10.6.7	Engagement with First Nations will take place as part of a development application or detailed planning study. Engagement will be the responsibility of the proponent in consultation with the City and at the cost of the applicant.
NO NOTICE REQUIRED	10.6.8	City Council may delegate authority to the City Planner to forego public notification as prescribed under the Planning Act to allow for changes of a minor nature to correct a technical error or omission contained in an Official Plan Amendment or Zoning By-law Amendment to change punctuation or format, or correct clerical, grammatical, mapping, or typographical errors; and to insert footnotes or similar annotations to indicate the origin and approval of each provision.

3. Subsection 11.4.3, Consents, is hereby deleted and replaced with the following:

11.4.3		**Consent Policies**
COMMITTEE OF ADJUSTMENT	11.4.3.1	Council has delegated by by-law the authority to grant consents to the Committee of Adjustment.

APPROPRIATE REASONS FOR CONSENTS	11.4.3.2	Without limiting the relevant provisions of the Planning Act, Consents may only be granted where completing a subdivision process is deemed not to be necessary to ensure the proper and orderly development of the subject lands. The consent process will be used for matters such as granting easements and rights of way, leases or other interests in land lasting in excess of 21 years or lot line adjustments. Consents may be used for lot creation in the following circumstances; a) Small scale Infilling or intensification for development that is compatible with the neighbourhood; b) Lot line adjustments; c) An entire parcel is being developed and there are no remaining lands; d) There is no need to extend or improve municipal services outside of the subject lands; e) Where there is no phasing of the development; and f) Where parkland dedication may be cash-in-lieu.
CONFORM WITH PERMITTED USES	11.4.3.3	Consents shall only be granted for the creation of lots which comply with the Official Plan and Zoning By-law.
ACCESS TO A PUBLIC HIGHWAY	11.4.3.4	Consents shall only be granted for lots that will have access to a public road that meets municipal standards for construction. Where the abutting road requires improvement, the City may require the land owner to contribute to the improvement costs.
MUNICIPAL SERVICES	11.4.3.5	All new lots created by consent shall be serviced by municipal sanitary sewer and water services and provide for stormwater management.

EVALUATION CRITERIA	11.4.3.6	Without limiting the relevant provisions of the Planning Act, the approval authority shall evaluate applications for consent in the same manner as an application for plan of subdivision, including; a) Provincial legislation, provincial policies and applicable provincial guidelines; b) Conformity with the policies of this Plan, Volume II: Secondary Plans and Special Policy Areas and other relevant municipal standards and guidelines; c) Conformity with the recommendations of any support studies prepared as part of the application; d) The continuation of an orderly development pattern and the lot pattern in the neighbourhood; e) Impact of the development on adjacent properties and the lot pattern and density in the community; and f) The requirements or comments of Municipal departments and public agencies or authorities.
CONDITIONS OF APPROVAL	11.4.3.8	The approval authority may attach such conditions as it deems appropriate to the approval of a consent. Such conditions may include, but are not limited to, the following: a) The fulfillment of any financial requirement to the City; b) The conveyance of lands for public open space purposes or payments-in-lieu thereof in accordance with the Open Space policies of this Plan; c) The conveyance of lands for public highways or widenings as may be required; d) The conveyance of appropriate easements;

e) The provision of municipal infrastructure or other services;

f) The completion of a development or servicing agreement with the City if required; and

g) Other such matters as the approval authority considers necessary and/or appropriate.

4. **Subsection 11.4.4, Part Lot Control, is hereby deleted and replaced with the following:**

	11.4.4	**Part Lot Control Policies**
PART LOT CONTROL BY-LAWS	11.4.4.1	Council may pass by-laws to exempt all or parts of registered plans of subdivision from part lot control to permit further subdivision in accordance with the *Planning Act*, and in conformity with the Zoning By-law.
AMENDING BY-LAW	11.4.4.2	Part lot control by-laws may be subsequently repealed, amended or limited to a period of not more than 5 years by Council.
AREAS FOR PART LOT CONTROL	11.4.4.3	Council will generally limit the use of part lot control by-laws to the following: a) The splitting of lots upon which semi-detached dwellings or street row housing is intended to be built; b) The resubdivision of older registered plans of subdivision where no new rights-of-ways are to be created. and c) The division of blocks within an approved plan of subdivision where the subdivision agreement anticipates that the final lot pattern will be established through the part lot control process.

5. **Subsection 11.6.3, Zoning By-law Amendment Policies, is hereby amended by adding the following:**

DELEGATION OF AUTHORITY	11.6.3.4	Council may pass a By-law under Section 39.2 of the Planning Act to delegate the authority to make zoning amendments to: a) Remove an ‘H’ Holding Symbol; or b) Extend a Temporary Use; or

c) Allow for amendments to the Zoning By-law that are minor in nature under the following conditions:

i. making technical amendments or to correct errors in text or mapping;

6. Subsection 11.6.6, Minor Variance Policies, is hereby deleted and replaced with the following:

COMMITTEE OF ADJUSTMENT 11.6.6.1 Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law(s) and/or any other By-laws that implements the Official Plan.

EVALUATION CRITERIA 11.6.6.2 When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:

a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the property is located, is maintained;

b) The general intent and purpose of the By-law being varied is maintained;

c) The variance or the number of variances to the By-law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface;

d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage;

front, rear, and side yard depth; building height; and maximum gross floor area; and

e) The variance is desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.

EXISTING UNDERSIZED LOTS 11.6.6.3 Notwithstanding the provisions of sub-section (d) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed.

TERMS & CONDITIONS 11.6.6.4 The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact of altering the zoning regulations on the resulting built form or property development, including but not limited to:

a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location;

b) Requiring additional landscaping including low impact design elements;

c) Providing additional bicycle facilities in lieu of motor vehicle parking; and

d) Improvement to grading and stormwater management.

AGREEMENTS	11.6.6.5	The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

7. **Section 11.7, Site Plan Control, is hereby amended by deleting the section and replacing it with the following:**

11.7 Site Plan Control

Site Plan Control may be used to regulate the design of a development in accordance with the provisions of the *Planning Act*.

OBJECTIVE	11.7.1.1	Site Plan Control will be used by the City as a means of achieving well-designed, functional, accessible, safe, sustainable built form and public space. Site Plan Control, including reference to Section 41 of the Planning Act, is one of the key tools for implementing the City's policies on urban design in accordance with this Plan, policies and guidelines within Council adopted Secondary Plans, Community Improvement Plans and the Urban Design Guidelines.
SITE PLAN CONTROL BY-LAW	11.7.1.2	The City will establish by By-law, a Site Plan Approval Area which encompasses all of the lands within the boundaries of the City and is applicable to all forms of development, with the specific exemption of new residential development that includes 10 dwelling units or less. The By-law shall also reference any provincial regulations concerning the timeline for the lapsing of approved site plans. Notwithstanding that specific exemption, the City may apply Site Plan Control to all forms of development,

including residential developments that contain 10 dwelling units or less, where the development site is within 120 metres of a shoreline or 300 metres of a railway line.

EXEMPTIONS 11.7.1.3 Within the Site Plan Control By-law, the City may exempt some forms of development which would otherwise be subject to Site Plan Control where it considers such approval to be unnecessary due to the type or scale of development proposed.

SITE PLAN REQUIREMENTS 11.7.1.4 The City may require Site Plan Control:

a) As a condition of a subdivision/condominium approval or any other type of development approval;

b) As a condition of a decision of the Committee of Adjustment; and

c) Prior to the issuance of a demolition permit(s) for properties designated under the Ontario Heritage Act, and for those properties that the City has identified as having significant heritage attributes.

PART C: IMPLEMENTATION

Official Plan Amendment 179 will be implemented by making the referenced changes to the text of the City of Windsor Official Plan and Council passing of the required delegation of authority by-laws. No amendments to the schedules of the Official Plan are necessary.

Appendix A (Results of Public Consultation)

(Minutes of the statutory public meeting required under the Planning Act will be included here following the meetings of the Development & Heritage Standing Committee and Windsor City Council).

APPENDIX 2:

Terms of Reference – Planning Application Technical Studies

Where the City requires technical studies to be submitted in conjunction with a planning application, the Terms of Reference for the required studies shall be based on the following guidelines. The City may scope the scale of the study in terms of the study area, the duration of the study and the reporting requirements in a manner that reflects the scale and/or complexity of the development. These guidelines are not part of the Official Plan and may be amended from time to time to reflect changing conditions and circumstances.

Planning Rationale Report

Purpose:

The purpose of the Planning Rationale Report is to provide a framework for an applicant seeking development approval to explain salient details of the application and provide supporting reasons why the proposal should be considered and approved. This document is also intended to assist staff with their review and processing responsibilities.

Where a Planning Rationale Report is required, such a study should:

1. Provide a clear description of the proposal together with any appendices, maps or plans that help to provide the context of the location and approvals required;

2. Include a conceptual plan for the development including items such as building design and orientation, landscaping, streetscaping, access locations, pedestrian and vehicular circulation, and development statistics including height, density, proposed setbacks, parking (existing, required, and proposed), and any potential phasing plans;

3. Describe the site's previous development approval history;

4. Describe major physical features or attributes of the site including current land uses(s) and surrounding land uses, built form and contextual considerations together with maps and appendices which assist with context;

5. Provide a professional opinion on:

    i. How the proposal addresses the relevant requirements of the Planning Act, and how the proposal is consistent with the Provincial Policy Statement;

    ii. Compliance with relevant Official Plan policies, including both general policies and site-specific land use designations and policies;

    iii. How the proposal addresses the Community Strategic Plan and/or any applicable City adopted Design Guidelines;

iv. The suitability of the site and indicate reasons why the proposal is appropriate for this site and will function well to meet the needs of the intended future users;

v. Compliance and/or non-compliance with the Zoning By-law.

6. Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations on properties in the vicinity;

7. Provide a summary of the questions, concerns and/or comments raised at any Open House, together with a response that sufficiently addresses each item raised;

7. Provide an analysis and professional opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential undue, adverse impacts;

12. Provide a summary on the policy and planning analysis, including a summary of recommendations from other supporting studies required as part of the complete application, and how they have informed the Planning Justification Report;

14. Provide a comprehensive professional planning conclusion demonstrating how a proposal conforms to applicable planning policy documents and good planning principles; and

15. Where modifications to the Official Plan and/or zoning by-law provisions are proposed, a draft Amendment and detailed concept plan shall be provided applying all applicable policy and zoning regulations;

Qualifications:

A Planning Rationale Report must be completed by a Registered Professional Planner (RPP), registered with the Ontario Professional Planners Institute (OPPI), to the satisfaction of the City Planner.

Urban Design Study

Purpose:

The purpose of an Urban Design Study is to provide direction for the protection and enhancement of the character of a planning district, neighbourhood, corridor or any other identified area, and the thoughtful implementation of good urban design principles based on an assessment of the characteristics and opportunities of the surrounding community.

Where an Urban Design Study is required, such a study should:

- Define the surrounding community, or the area of impact of the proposed development (study area), based on the scale of the proposed development;

- Document the character of the surrounding community on a street and block pattern (both sides) basis showing the size, orientation and lotting of each block;

- Identify the existing urban design elements, such as built form, massing, setbacks, rooflines, street cross sections, landscape quality and architectural styles/details, which contribute to the character of the surrounding community and to its physical form and development pattern;

- Provide an analysis of the design rationale for the building, landscape, and site design elements of the proposed development and explain why the proposed development represents the optimum design solution and is compatible with the surrounding community. The analysis should consider the following:

    i. How the design of the proposed development is consistent with the City's applicable Design Guidelines and is in conformity with any relevant design policies;

    ii. How the design addresses existing site conditions and constraints such as lot size, grading, and/or natural heritage features;

    iii. How the design of the proposed development integrates with the existing surrounding community and enhances its character and function without causing any undue, adverse impacts on adjacent properties;

    iv. How the design of the proposed development will influence and integrate with future development in the surrounding community;

- The Urban Design Study should include a written description, three dimensional plans, elevations, diagrams, and/or photographs to illustrate the design choices of the proposed development. Depending on the scale and complexity of the development proposal, explain how the following design considerations have been addressed:

    i. Street and block pattern (e.g., connectivity, pedestrian access);

    ii. Lot sizes;

    iii. Building orientation and site layout;

    iv. Built form, height scale, and massing;

v. Building articulation and detailing;

vi. Building materials;

vii. Setbacks from adjacent properties and the street;

viii. Building step back (if applicable);

ix. Building transition to adjacent communities;

x. Heritage considerations (if applicable);

xi. Location of parking (surface or underground), driveways, ramps, drop-off areas;

xii. Access to transit;

xiii. Bicycle parking/storage;

xiv. Location of servicing, garbage, organics, and recycling storage and collection, and loading areas;

xv. Streetscape elements (e.g, boulevard design, landscaping, street furniture, public art, signage, lighting, etc.);

xvi. On-site landscaping and buffering; and

xvii. The mitigation of undue, adverse impacts on adjacent properties.

Qualifications:

An Urban Design Study or Brief must be completed by a Registered Professional Planner in the Province of Ontario, and/or an Architect who is a full member of the Ontario Association of Architects, and/or Landscape Architect who is a full member of the Ontario Association of Landscape Architects. All of the identified professionals shall have a demonstrated expertise in urban design, to the satisfaction of the City.

Heritage Impact Study

Purpose:

The purpose of a Heritage Impact Study is to identify and evaluate cultural heritage resources and determine if any heritage resources, including listed or designated heritage resources, are impacted by development proposals and the potential need for mitigation measures.

This Guideline details components of a Built Heritage Impact Study/Heritage Impact Assessment that is required to the satisfaction of the City of Windsor.

The Built Heritage Impact Study or Heritage Impact Assessment (HIA) is a study used to identify and evaluate the impacts of proposed development on the cultural heritage resources, and to determine the appropriate conservation strategy for it. The HIA shall be based on accepted conservation principles and guidelines, including the following:

- The Parks Canada *Standards and Guidelines for the Conservation of Historic Places in Canada*;
- Ontario Ministry of Tourism, Culture & Sport's *Eight Guiding Principles in the Conservation of Historic Properties*;
- Ontario Ministry of Tourism, Culture & Sport's *Ontario Heritage Tool Kit*, in particular,
- Ontario's *Heritage Conservation Principles for Landuse Planning*; and
- *Well Preserved: the Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation*
- City of Windsor Official Plan Policies
- Windsor Intensification Guidelines (June 2022) resulting from the Multi-Residential Interim Control By-law Study

Details of Contents to Identify the Cultural Heritage Resource:

1. *Site Documentation and Analysis/Site Information*

   i. Document the context in which the site is located (may include Aerial Photo, Location Map and context with the area), including adjacent properties and land uses. This includes identifying all nearby impacted heritage properties and land uses. Identify the Heritage Register properties through mapping and photographs, in relation to the subject property.
   ii. Describe the site and all structures on property and its heritage status under the *Ontario Heritage Act* and identification of any heritage easements or restrictions
   iii. Document the existing condition or concerns surrounding the property, including quality photo documentation

2. *Research on Design/Physical and Historical/Associative and Contextual Values*

   i. Describe all heritage resources and values within the subject property (include exterior and interior, landscaping etc.)
   ii. Include a chronological history of the property from land and development history, building history (document any additions or alterations etc. to property), with confirmation to construction dates

iii. Include ownership and user history
iv. Research material should include relevant historical maps, drawings, photographs, land records, assessment rolls, city directories, news articles etc.
v. Provide summary on significance and heritage attributes for each structure existing on the property
vi. Provide a draft statement of cultural heritage or interest of the property in accordance with Ontario Regulation 9/06 and 385/21.

3. Description of proposed Site Changes/Development and Impact to the Cultural Heritage Resource

i. Describe site changes to heritage resource
ii. Describe positive and adverse impacts of site changes to the heritage resource and surrounding lands. Refer to adverse impacts identified in the *Ontario Heritage Toolkit* which may include but not limited to:
   a. Removal/destruction of heritage features and loss to cultural heritage values
   b. Changes to the historic fabric and impact on the appearance
   c. Shadowing impact that may alter the appearance of the heritage attribute and heritage resources through a Shadow Impact Study (particularly during the autumnal equinox and winter solstice)
   d. Isolation of heritage attribute from its surrounding environment, context or a significant relationship
   e. Obstruction of significant views or vistas within, from, or of built and natural features
   f. Change in use and impact on heritage resource
   g. Land disturbance and impact on soils, drainage patterns affecting built heritage or archaeological resources
iii. Provide full set of construction drawings. Proposal construction drawing must be in context with surrounding heritage resources.
iv. Provide visual depiction of subject proposal and streetscapes with neighbouring properties (eg. composite photograph of the subject property streetscape with and without the proposed development, cross-section diagrams, for heritage areas/districts a visual contextual analysis with surrounding properties to demonstrate compatibility with common datum regulating lines and floor to height ratios of surrounding heritage buildings)
v. Assess and describe the structural concern of the impact of proposed changes to the heritage resource.
vi. Construction Vibration Assessment may be required at a later date, and is to include consideration of the surrounding heritage resources. The assessment may include:
   (a) Analysis of all construction activities potentially causing vibration impacts on the heritage resources
   (b) Establishment of more stringent vibration criterion for heritage resource based on the potential for architectural and structural damage
   (c) Background vibration measurements of the site and surrounding areas
   (d) Predict extent of vibration impacts and identify all heritage structures within the vibration zone of influence
   (e) Conduct pre-condition survey to establish condition of existing heritage structures
   (f) Recommend vibration mitigation and monitoring program with establishment of "do-not-exceed" threshold levels, and a construction vibration control plan.

The Construction Vibration Assessment is to be completed by a qualified vibration engineer, as a condition of development approvals, and to the satisfaction of City Administration prior to any building permit issuance.

4. *Analysis of Development Impact*

i. Demonstrate that policies from the City of Windsor Official Plan and the Provincial Policy Statement have been addressed. Address Windsor Intensification Guidelines (June 2022) resulting from the Multi-Residential Interim Control By-law Study where relevant.
ii. Provide description and rationalization of conservation treatment, detailing analysis of each alteration and intervention according to the *Standards & Guidelines*

5. *Options for Mitigation and Alternatives*

i. Consider and describe alternative conservation/mitigation and development options that reduce and avoid negative impacts to the heritage resource
ii. Assess and clarify the benefits and negatives of each options proposed and conservation principles used
iii. Demonstrate effort to mitigate impact, maximizing integrity and compatibility with heritage resources impacted by provision of description of work and analysis of visual impact of proposal with heritage resources

6. *Recommended Conservation Strategy*

i. Rationale and Justification for chosen option, specifying how the option ensures protection and enhancement of the heritage resource
ii. Conservation Scope of Work
iii. Implementation and Monitoring Plan when development is undertaken
iv. Provide References/Samples/Precedents to Conservation work

7. *Other Requirements*

i. Provide bibliographical sourcing of all research material
ii. HIA is to be prepared by a qualified cultural heritage conservation professional who is a member of the Canadian Association of Heritage Professionals.
iii. City Staff will determine completeness or acceptance of the HIA
iv. For review of the HIA, City staff may require to conduct site visit(s) on the property
v. City Staff reserves the ability to require an alternative option for mitigation for consideration

8. *Other Recommended Resources:*

- National Park Service, U.S. Department of the Interior's *Preservation Briefs*.
- National Park Service, U.S. Department of the Interior's *Preservation Tech Notes*.
- Region of Waterloo's *Practical Conservation Guides for Heritage Properties*

Qualifications:

A Heritage Impact Study must be completed by a professional who is a member of the Canadian Association of Heritage Professionals, to the satisfaction of the City.

Archaeological Assessment

Purpose:

The purpose of an Archaeological Assessment is to ensure archaeological resources on site are evaluated, documented, and mitigated prior to land disturbance/site development.

Where an Archaeological Assessment is required, the Assessment shall be undertaken in accordance with criteria established by the Province. There are four stages of Archaeological Studies. The requirement to proceed to a higher stage of study shall be determined by Provincial Guidelines and in consultation with the City. The following describes the study requirements by stage;

Stage 1: Background Study and Property Inspection

The archaeologist determines whether there is potential for archaeological sites on the property. They review geographic, land use and historical information for the property and the relevant surrounding area, visit the property to inspect its current condition and contact the ministry to find out if there are any known archaeological sites on or near the property. A Stage 2 assessment is required when the consultant archaeologist identifies areas of archaeological potential. Stage 1 may only be used to recommend exempting a property from Stage 2 assessment where it has been confirmed through a property inspection that potential for the entire project has been removed by extensive and deep ground disturbance. (ie. In accordance with 2011 S&G s. 1.4.2, recommending no further concern must be verified in person and cannot be a desktop study only).

Stage 2: Property Assessment

The archaeologist surveys the land to identify any archaeological resources on the property. For a ploughed field, they will walk back and forth over it looking for artifacts on the surface. In forests, overgrown pasture areas or any other places that cannot be ploughed, they will dig parallel rows of small holes, called test pits, down to sterile subsoil at regular intervals and sift the soil to look for artifacts. They may use other strategies if properties are paved, covered in fill or have deeply buried former topsoils (such as floodplains or former sand dunes). The archaeologist will determine whether any archaeological resources found are of sufficient cultural heritage value or interest to require Stage 3 assessment.

Stage 3: Site-specific Assessment

The consultant archaeologist determines the dimensions of the archaeological site, evaluates its cultural heritage value or interest and, where necessary, makes recommendations for Stage 4 mitigation strategies. To this end, they conduct further background research and fieldwork that expands the information gathered in Stage 2. They map the spatial limits of a site and acquire further information about the site's characteristics by excavating one-metre by one-metre square test units across the site. Based on circumstances, some sites (for example, ones that have been paved or are deeply buried) may require specialized methods of assessment. The archaeologist will determine whether any archaeological sites have sufficient cultural heritage value or interest to require Stage 4 mitigation of development impacts.

Stage 4: Mitigation of Development Impacts

This stage involves implementing conservation strategies for archaeological sites. Determining the best approach for conserving the site may include reviewing possible strategies with the development proponent, the municipality or other approval authority, Indigenous communities, and other heritage stakeholders. Conserving archaeological sites does not mean stopping development. Conservation can involve putting long-term protection measures in place around an archaeological site to protect it intact. The site is then avoided while development proceeds around it. This is called protection in situ and is always the preferred option for mitigation of development impacts to a site. If protection is not viable, mitigation can involve documenting and completely excavating an archaeological site before development takes place.

Where an Archaeological assessment predates the 2011 Standards and Guidelines for Consultant Archaeologist, the applicant can choose to conduct a new assessment or submit the study to the City of Windsor Planning Department, who will then forward the assessment to the Ministry for acceptability or not. The Ministry shall hold the final decision on the acceptability of the Report.

No land disturbance shall be permitted until notification has been received from the Ministry of Citizenship and Multiculturalism that the property has been cleared of archaeological concerns.

Qualifications:

An Archaeological Assessment must be completed by a professional Archaeologist, licensed in the Province of Ontario, to the satisfaction of the City.

Block Plan

Purpose:

The purpose of a Block Plan is to provide comprehensive and specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures in order to optimize development potential and ensure proper coordination.

A Block Plan is a Council adopted, non-statutory document which will inform and guide the content of subsequent development approvals required under the Planning Act. The Study Area, scope and level of detail included in the Block Plan will be determined through Terms of Reference approved by the City, and shall be supported by a number of detailed technical studies to be completed. The Study Area, scope and level of detail as well as the list of technical studies to be completed will be confirmed at the pre-consultation stage. All components of a required Block Plan shall be completed at the cost of the Proponent to the satisfaction of the City and/or any other agency having jurisdiction.

1. Where a Block Plan is required, the background information shall:

    i. Describe the basis or rationale for the preparation of the Block Plan;

    ii. Describe the Study Area in detail, including a reference map, and a description of the role and relationship of the area to the City as a whole.

    iii. Identify the existing land uses, Official Plan designation(s) and zoning of the Study Area;

    iv. Identify previous and current development applications in the Study Area;

    v. Identify and assess the Study Area and surrounding land uses in terms of existing cultural, physical and environmental features, urban design attributes and other characteristics particular to the area;

    vi. Identify any potential development constraints in the Study Area;

2. The required Block Plan shall serve as a development framework and shall outline the structural elements of the proposed development, including, at a minimum the following:

    i. A description of the desired development concept for the Study Area including a conceptual master plan to demonstrate how the plan is designed to meet community needs and Provincial and City policies;

    ii. The articulation of the proposed land use designations/boundaries and how proposed land uses integrate with existing and planned uses;

    iii. Details with respect to street type and lot patterns, development yields by land use, density and placement of housing type, dwelling unit type and built form type;

    iv. The location and means of protection of all significant natural heritage features and their associated ecological functions;

    v. The location and means of conservation of all designated and listed cultural heritage resources;

vi. The location, function and scale of all public service facilities;

vii. The articulation of a robust public parks system and Active Transportation Network;

viii. All servicing and infrastructure requirements, including the identification of public roads and stormwater management facilities; and

3. Block Plans shall include a Phasing Plan that identifies the potential sequencing of phases based on the logical extension of public service facilities and municipal infrastructure, including roads, sewer, water and stormwater management facilities.

Qualifications:

A Block Plan is a comprehensive undertaking that will require the involvement of a number of professional disciplines. However, it is expected that the Block Plan will be supported, at a minimum by a Registered Professional Planner in the Province of Ontario in consultation with professional civil engineers and professional biologists/ecologists, certified to practice in Ontario, to the satisfaction of the City.

Environmental Impact Study

Purpose:

The purpose of an Environmental Impact Study is to demonstrate that a proposed development or infrastructure undertaking may proceed in or adjacent to lands designated as Natural Heritage, Environmental Policy Area A or B and/or Candidate Natural Heritage Site without causing negative impact on the feature or its associated ecological functions.

Environmental Impact Studies under this Terms of Reference will be considered fulfilling the requirements of an Environmental Impact Statement as described in Provincial policy and/or guidelines. When an Environmental Assessment of a proposal is carried out under the Environmental Assessment Act, or other relevant Federal or Provincial legislation, that assessment may be considered by Council as fulfilling the Environmental Impact Study required by this Plan. Where an Environmental Impact Study is required, it shall:

1. Identify current land uses;
2. Describe the historical and present uses of the property;
3. Description of site context/study area and the subject property's relationship to the surrounding landscape
4. Include maps of the development location and extent of the area to be studied; orthographic maps with known natural heritage features/ areas overlaid;
5. Describe designation and zoning for the subject property and for the adjacent lands;
6. Type of required development applications;
7. Include map(s) of the development location and extent of the area to be studies, including current zone and land use;
8. Identify environmental legislative, regulatory, and policy requirements that may affect the development proposal;
9. Identify relevant information including existing studies, plans, databases, and other sources to be analyzed. (E.g., such as current and historical air photos, watershed or subwatershed studies, secondary plans, master plans, and supporting studies, EIS or EIR information from adjacent lands, natural heritage databases (NHIC), data on file with the City of Windsor and/or Essex Region Conservation Authority);
10. Scan for endangered species and species at risk and their associated habitats within the Study Area using the NHIC database, preliminary site visits and pre-consultations with relevant agencies and the City
    NOTE: Natural heritage records are generally considered in need of field verification after a period of 5 yrs;

11. Characterize the natural environment in the study area(s):
    - I. Identify whether there are potential natural heritage features and areas that do not need to be assessed and provide a rationale for their exclusion;
    - II. Using the background information, determine whether or not field verification studies are required and describe the approach and methods chosen;
    - III. Conduct field studies using protocols that are:
        - a. Suitable for the type of natural heritage features and areas on site
        - b. Are designed to provide the information needed to determine whether a feature is significant (or not).
        - c. Appropriate timing or work (season, time of day, weather, etc.), level of efforts (number of site visits, field hours, number of searchers, etc.), maps showing locations for species-specific surveys, technology being used, spatial extent and level of effort for supporting field studies
    - IV. Identify and describe the approach and methods to be used to assess the natural environment and ecological function of the subject property and the adjacent lands for:
        - a. Geology and soils
        - b. Hydrology and hydrogeology

c. Aquatic and fish habitat
d Terrestrial vegetation (including wetlands)
e Vegetation communities
f Plants
g Wildlife
h Natural Hazards
i Connectivity and ecological linkages
j Species at Risk and Species at Risk Habitats

12. Assess the various natural heritage features against the appropriate policies, guidelines, and plans to determine significance;
13. Assess the various natural heritage features and areas against the appropriate policies and guidelines related to natural hazards;
14. Carry out an analysis of the individual and cumulative environmental effects that are expected to occur as a result of the proposed development and future uses;
15. Provide recommendations for appropriate environmental buffers and/or setbacks for each natural heritage feature and area, and natural hazard lands;
16. Identify, explain and recommend specific actions to be undertaken to eliminate, reduce or compensate for the expected impacts consistent with accepted ecological, planning, engineering, and resource management techniques and practices;
17. Provide a mitigation strategy, including measures for compliance and long term monitoring, and the ongoing management of measures for the protection, maintenance, and enhancement of natural features, functions and linkages to achieve long term ecosystem health;
18. Include a monitoring plan for performance and effectiveness of mitigation measures. Consider whether adequate baseline information have been collected and provide recommended timeframe for monitoring program;
19. Indicate the nature and extent of public and agency consultation and/or input;
20. Recommend appropriate planning designations and policies for the Study Area;
21. Include a concluding statement with appropriate: appendices and attachments; mapping and figures; species lists; and additional technical studies, as applicable

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Qualifications:

An Environmental Impact Study must be completed by a professional biologist or ecologist, certified to practice in the Province of Ontario, to the satisfaction of the City.

Watershed/Subwatershed Plan

Purpose:

The purpose of a Watershed/Subwatershed Plan is to inventory, assess and present information about water resources and related features and how they should be protected and enhanced to ensure the long-term health of the ecosystem as land uses changes on the basis of an entire watershed, or subwatershed.

Council will seek the participation in, and joint funding and implementation of, Watershed and Subwatershed Plans from the Province, Essex Region Conservation Authority, adjacent municipalities and other interested or affected parties. The following policies should be read in conjunction with subsections 5.3.8 and 7.3.4 of this Plan. Where a *Watershed Plan* is required, such a study should:

1. Take a broad ecosystem approach to water, water related natural features, terrestrial resources, fisheries, and water dependencies/linkages;

2. Provide watershed policy and direction for:

    i. Ecological integrity and carrying capacity;

    ii. The protection of water systems;

    iii. Greenway System planning;

    iv. The management of water quantity and quality;

    v. Aquifer and ground water management;

    vi. Fisheries management;

    vii. The implementation of watershed policies and programes;

    viii. Regional opportunities and constraints; and

    ix. Servicing needs and/or availability of water and sewage treatment facilities.

Where a *Subwatershed Plan* is required, such a study should:

1. Identify key issues facing the subwatershed and improve the detail of information required to address local ecological issues;

2. Establish detail and implementation specific subwatershed targets, goals and objectives to establish:

    i. Natural system linkages and functions;

    ii. Measures to protect and enhance surface and groundwater quantity and quality;

    iii. Measures to enhance and/or rehabilitate natural features;

    iv. Development constraints due to flooding and erosion and areas best suited for development;

v. Best management practices for incorporation into infrastructure and subdivision design;

vi. An implementation strategy including responsibilities for all recommendations;

vii. Best management practices for open space areas and Greenway System components;

3. Delineate subwatershed planning areas and limits of Regional and 100 year storm events;

4. Present targets, goals and objectives for subwatersheds and outline directives for stormwater management plans and other studies or designs for specific areas within the subwatershed; and

5. Outline future monitoring requirements.

Qualifications:

A Watershed or Sub-Watershed Plan must be completed by a project team comprised of civil engineers, biologists/ecologists, planners, hydrologists and hydrogeologists, as well as other experts to the satisfaction of the City.

Stormwater Management Plan

Purpose:

The purpose of a Stormwater Management Plan is to identify measures required to control the quantity, quality and velocity of runoff associated with the development of a specific area.

Where a Stormwater Management Plan is required, such a study should:

1. Be consistent with approved watershed/subwatershed plan recommendations;
2. Provide all of the technical information on which the recommendations have been made, including but not limited to:
    i. All water resources and functions;
    ii. Existing overland flow routes;
    iii. The proposed development;
    iv. Existing and proposed surface features and associated pre and post development infiltration rates;
    v. Topographic features including top of bank and flood elevations;
    vi. Underground utilities and services;
3. Assess the impacts of development on receiving waters, both before and after construction, with respect to quantity control, and the potential for flooding, erosion and sedimentation;
4. Identify the effect of development on water quality and describe and recommend measures to limit any negative impact and, if possible improve water quality;
5. Describe mitigation measures which would, if necessary, prevent adverse impacts on-site, on the receiving water, flora and fauna and recreational uses;
6. Identify the effects of development on aquatic habitats and describe and recommend water management practices to ensure the remain sustainable;
7. Identify long-term costs on managing and maintaining the function of the stormwater management system;
8. Identify how the stormwater management system can integrate with the Greenway System and over-all urban design; and
9. Identify the Federal, Provincial and Conservation Authority approvals required for the project and be consistent with the requirements of the appropriate agencies.

The Stormwater Management Plan shall be coordinated with the Environmental Impact Study to ensure a consistent approach to maintaining or improving the ecological conditions of the Study Area. For large scale development proposals the Stormwater Management Plan may be done in two stages to avoid significant revisions to technical reports as detailed design evolves. The stages include:

1. *Stage 1* - The Stage 1 Report outlines the design assumptions and conceptual engineering schemes to manage both quantity and quality of run-off and determine the areas that need to be set aside for stormwater management purposes. The Stage 1 Report is to be submitted when the application is initiated and must be accepted prior to draft plan approval of a Plan of Subdivision or a prior to the acceptance of a Rezoning application if it is being submitted in conjunction with a site plan application; and

2. *Stage 2* - The Stage 2 Report provides the detailed calculations and design of the stormwater management facilities and drainage systems, including associated landscaping, based on the accepted principles in the Preliminary Report, and must be accepted prior to, or in conjunction with, the final acceptance of the engineering drawings.

Qualifications:

A Stormwater Management Plan must be completed by a professional civil engineer certified to practice in Ontario, to the satisfaction of the City.

Functional Servicing Report

Purpose:

The purpose of a Functional Servicing Report is to determine how an area proposed for development will be serviced taking into consideration the future sanitary, water and storm sewer servicing needs.

Where a Functional Servicing Report is required, such a report should:

1. Identify the routing of services;
2. Identify the sizing of services including over-sizing as may be required;
3. Identify the requirements for fire-fighting capacity;
4. Identify the cost sharing responsibilities of developing the services;
5. Identify the timing of services;
6. Describe any interim servicing measures and how those services shall be decommissioned or modified; and
7. Detail any implementation requirements, including how the disturbed areas will be rehabilitated.

Qualifications:

A Functional Servicing Report must be completed by a professional civil engineer certified to practice in Ontario, to the satisfaction of the City.

Transportation Impact Study and/or Transportation Impact Statement

Purpose:

The purpose of these studies is to identify the transportation network improvements and on-site design elements necessary to accommodate additional vehicle, cyclist, pedestrian and transit traffic and parking the proposed development will generate and ensure its impact on adjacent land uses is safe and acceptable;

Where a Transportation Impact Study is required, such study should:

1. Include the collection and projection of traffic related data from the nearby and adjacent road network based on existing and future conditions;

2. Assess trip generation, assignment and distribution from the proposed development as well as existing, permitted and proposed developments within the Study Area to a horizon year directed by the City during the pre-application process;

3. Assess street and intersection capacity and queuing including current and projected operational deficiencies that may arise as a result of growth from background traffic, future conditions and traffic generated by the proposed development;

4. Describe and recommend measures required to achieve the transportation goals, objectives and policies set out in the Transportation Chapter of this Plan and the City's capital projections included in the Development Charges By-law;

5. Describe and recommend specific site design practices, including Transportation Demand Management measures, to ensure priority is given to sustainable modes of transportation over vehicle use;

6. Employ Transportation Association of Canada and other applicable guidelines regarding driveway access design, location, throat length and function;

7. Describe the final outcome that will be achieved by the transportation network with the proposed development and associated improvements to the network to the defined planning horizon;

8. Describe how the proposal will promote development patterns that will generate positive impacts on transportation;

9. Ensure that driveway, loading and vehicular and bicycle parking requirements are provided and suitably located in the development;

10. Ensure that facilities are provided for ease and safety of pedestrian movement through the development including, but not limited to, walkways, pedestrian crossings, and overpasses/underpasses; and

11. Evaluate the proportion of development that is in proximity to existing or planned transit stops along transit routes.

12. Names and sections of technical guidelines used and assumptions made, should be attached to the study.

Qualifications:

A Transportation Impact Study must be completed by a professional transportation engineer certified to practice in Ontario, to the satisfaction of the City.

Noise and/or Vibration Study

Purpose:

The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that sensitive land uses are protected from unacceptable levels of noise and/or vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports;

The following policies should be read in conjunction with subsection 5.4.5 of this Plan. Where a Noise and/or Vibration Study is required, such a study should:

1. Identify sources of noise and/or vibration that may impact identified sensitive land uses and assess the existing and projected noise and/or vibration levels on the identified sensitive land uses based on existing and approved future conditions and relevant standards and criteria;

2. Identify and recommend various mitigation measures, warning clauses, and/or other appropriate measures, which can be implemented and secured by way of zoning (including 'H' Holding Symbol), site plan approval and/or development agreement that can mitigate the impact of noise and/or vibration on the identified sensitive land uses;

3. Identify how any lawfully existing stationary noise sources and/or existing transportation corridors may benefit from a Class 4 Area designation as it relates to any proposed sensitive land uses as referenced in Provincial guidelines (including NPC-300);

4. Have regard to relevant Federal and Provincial legislation, policies and appropriate guidelines and conduct the Noise and/or Vibration Studies in a manner that will satisfy all levels of authority; and

5. In circumstances where statutory Provincial approvals for noise and/or vibration are required, the City will require that a Certificate of Approval is sought and obtained from the relevant authorities before development proceeds.

Qualifications:

A Noise and/or Vibration Study must be completed by a registered professional engineer or registered professional planner with appropriate acoustic/vibration expertise in the Province of Ontario, to the satisfaction of the City.

Tree Inventory and Preservation Study

Purpose:

The purpose of a Tree Inventory and Preservation Study is to investigate existing trees/woodlots, within and adjacent to a development proposal and to determine how protection and enhancement can coincide with proposed development.

A Tree Inventory and Preservation Study may be required where a full Environmental Impact Study is not required. The following policies should be read in conjunction with subsection 5.3.6 and 10.2 of this Plan, Site Control Plan guidelines and the City's Development manual, 2015 Section 1.17 . Where a Tree Inventory and Preservation Study is required, such a study should include:

1. Consultation with the City's Planning Department before undertaking a Tree Inventory and Preservation Study to ensure appropriate methodology;

2. A Tree Inventory and Preservation Study must include an inventory of trees by species and diameter at breast height (DBH – 1.4 m) and the condition of each tree that may be impacted by the development, including trees on adjacent lands and including all trees in excess of 100mm (4 inches) DBH, as well as major shrub groupings, including the details of the trees and significant associated vegetation worthy of protection; Tree condition assessments should follow city and ISA Guidelines for assessment and should include pre and post construction assessments in order to track potential changes or unknown impacts;

3. All trees and significant vegetation that meet the required threshold are to mapped with GPS sub-meter accuracy as a means of identification in the field and be accurately located and assessed to determine; potential impacts that the proposed development layout, storm water management systems, grading and servicing will have on the remaining vegetation, the need for suitable protection measures, possible preservation techniques to enhance the condition of residual trees;

4. An evaluation of the potential impacts of the proposed development upon the existing trees, with associated recommendations for trees and vegetation to be preserved and recommended tree protection zones; Tree protection zones will follow recommended forestry division protection policies and procedures outlined in the Site Plan Control;

5. Possible infrastructure modifications and construction staging procedures to mitigate impacts;

6. Mitigation measures must align with the City's Site Plan Control and include provisions for replacement of trees and vegetation designated for preservation that are not successfully preserved;

7. Replacement tree details must follow Forestry Division's policy on suitable tree species and stock types. Details of long-term impact monitoring during and after construction to ensure protection measures are adequate and fully functional;

8. Where impacted trees are located on adjacent lands, written confirmation from the owner of those lands acknowledging the impacts and confirming agreement with the mitigation measures proposed;

9. The forestry division requires that tree replacement be calculated on a diameter-for-diameter replacement calculation for any trees to be removed. If it is not possible to plant new trees on site (i.e. no

space), Cash-in-lieu will be provided to the City to plant trees elsewhere. Cash-in-lieu rates are determined annual by council approved fee rates

10. If construction is being undertaken next to the edge of a woodlot suitable barrier fencing, at a minimum, along the drip line of the woodlot to be preserved prior to the start of construction on site;

11. The grades around woodlots shall not be disturbed. If it is necessary to change grades around treed areas to be preserved, the proponent may be required to take precautions such as dry welling and root feeding. Filling and grading within the drip line of trees shall be done by hand;

12. If trees are to be planted or transplanted on site, a Landscape Plan must be submitted to the City Forester or designate for review and approval. In addition a detailed maintenance program to be followed after development is complete. Tree transplanting should only be considered for rare, unique or otherwise 'special' individual tree or plant specimens;

13. Impact and Mitigation planning should include assessments for opportunities to support and enhance objectives described within the City's Climate Change Adaptation plans or the City's Urban Forest Management Plan (2024); and

14. The City Forester may request a security deposit in the form cash or a Letter of Acceptance of Responsibility. Financial Securities held by the City shall be released by the City provided that the trees are healthy and in a state of vigorous growth 2 years after the completion of all construction activity, guarantee the protection of trees, or the satisfaction of all the conditions of permit issuance will be required for the Detailed Vegetation Management Plan on lots or blocks that are to come into public ownership.

Qualifications:

A Tree Inventory and Preservation Study must be completed by a, Certified Professional Arborist, Professional Forester, Ecologist or Landscape architect or equivalent to the satisfaction of the City.

Lighting Study

Purpose:

The purpose of a Lighting Study is to evaluate the intensity and impact of light pollution generated by development, the potential impacts on residential property and wildlife, and to ensure visibility and safety.

The following should be read in conjunction with Section 8.13 of the Official Plan. Where a Lighting Study is required, such study should:

1. Identify the location and specifications of all lighting fixtures proposed on the exterior of the buildings and site of the proposed development;

2. Include a photometric plan of projected illumination (lumens) in connection with the proposed development and demonstrate the illumination levels at all property lines and 6.0 metres beyond those property lines;

3. Identify the Light Pollution Index (LPI);

4. Analyze the LPI and cumulative effects of lighting in the context of existing and planned future conditions;

5. Recommend measures to mitigate the impact of light pollution in connection with the proposed development; and

6. Provide evidence that sufficient lighting is provided to ensure lighting improves visibility and safety.

Qualifications:

A Lighting Study must be completed by a registered professional engineer or certified engineering technologist in the Province of Ontario, to the satisfaction of the City.

Climate Change and Energy Studies

Purpose:

The purpose of Climate Change and Energy Studies are to evaluate how the proposed development could alter the climate by impacting: wind; shadow and sunlight penetration; urban heat island effects (extreme heat); flooding and to determine the appropriate design measures to reduce the impacts of climate change and mitigate the contribution of greenhouse gas emission.

The following should be read in conjunction with Sub-section 8.6.2.3 of the Official Plan. During the pre-application process the City will determine the components of the Climate Change Study required.

Energy, Greenhouse Gas (GHG) Emissions and Mitigation Study

The intent of this study is to understand the GHG emissions and energy impact of the development, along with the opportunities to support the community's efforts to mitigate climate change.

1. Does the proposed development promote:
    i. A compact urban form that encourages and facilitates walking, cycling and the use of public transit;
    ii. A development pattern where public parks, small-scale convenience retail and other appropriate neighbourhood serving uses are provided within an approximate 5 minute walk from all residents;
    iii. The electrification of various transportation modes, including the installation of electric charging for electric vehicles and bicycles;
    iv. The use of low carbon construction, including but not limited to concrete and steel; and
    v. Green building certifications of any kind.

Energy Strategy

The intent of this study is to further encourage energy efficient building design.

1. The Energy Strategy is designed to facilitate the following key outcomes:
    i. Energy and GHG emissions reductions above base case;
    ii. Explore alternative energy systems, renewable energy systems, district energy systems and distribution and demand management plans to accommodate current and projects needs of the community;
    iii. Energy resiliency; and
    iv. Innovative residential and public building designs that contribute to the low carbon design, energy reduction and natural resource conservation.

Climate Resiliency Study

The intent of this study is to examine the risk and resilience of the development to a climate change related disruption or impact. The primary climate change risks in the City of Windsor are attributed to Extreme Heat (Urban Heat Island), Flooding and Biodiversity loss. However, additional climate hazards may be identified due to location of the development or updated climate data.

1. *Heat Island Reduction Brief*

Within the Climate Resiliency Study, the heat island reduction brief should include factors influencing and opportunities to address the urban heat island. This may include but not be limited to:

i. Changes to permeable surfaces resulting from the development and associated impacts on heat retention and reflection;
ii. Changes to vegetation cover and canopy and impact on heat island affects;
iii. Changes to retention of storm water on the site and the associated impacts on-site and downstream; and
iv. Measures taken to reduce the heat island effect including but not limited to:
    a) Maintaining or restoring tree canopy;
    b) Provisions for shading;
    c) Maintaining vegetative surfaces such as green or cool roofs; and
    d) Use of retained stormwater for water vegetation or water features.
v. This brief shall be supported by any required landscape plan.

2. *Flood Reduction Brief*

Within the Climate Resiliency Study the flood reduction brief shall include:

i. A short summary of the findings from any required Stormwater Study, focused on Climate Change analysis, findings and solutions;
ii. Measures taken to reduce risks in the event of flooding, including but not limited to:
    a) Location and protection of essential building components;
    b) Green infrastructure to complement existing infrastructure, including the requirement for innovative low impact development opportunities and best practices that minimize the risks associated with natural hazards.
iii. This Study shall also review if the development occurs in a location that is at risk or vulnerable to other climate influenced natural hazards and measures that may be taken to reduce risk.

3. *Sustainability Brief*

It is the intent of the Sustainability Brief to understand any development's contribution to the over-arching sustainability objectives of the City beyond those encapsulated by the climate change studies. Where a Sustainability Brief is required, it shall include measures taken to promote:

i. Waste diversion, including recycling and organics;
ii. Bird Friendly Architecture (ex. Windows and lighting);
iii. Potential for local food production or pollinator habitat;
iv. Electric Vehicle Infrastructure;
v. Use of Environmentally preferable materials and products;
vi. Water Conservation energy conservation, air quality protection and integrated waste management opportunities;
vii. Compact urban form that encourages walking, cycling and the use of public transit

viii. A development pattern where public parks, small-scale convenience retail and other appropriate neighbourhood serving uses are provided within an approximate 5 minute walk from all residents; and

ix. Alternative energy systems, renewable energy systems, district energy systems and distribution and demand management plans to accommodate current and projected needs of the community;

x. Innovative residential and public building designs that contribute to low carbon design, energy use reduction and natural resource conservation; and

xi. Green infrastructure to complement existing infrastructure, including the requirement for innovative low impact development opportunities and best practices that minimize the risks associated with natural hazards.

4. *Shadow Study*

Where a Shadow Study is required, such study should include:

i. Include diagrams showing extent of shadows at different intervals over different months;

ii. Include diagrams showing surrounding topographic context;

iii. Include a digital copy of the 3-D model used by the consultant to generate the shadow diagrams;

iv. Include architectural elevation indicating building height at rooftop, mechanical equipment and average grade around building foundation; and

v. Include diagrams showing the vertical extent of shadows upon adjacent lands.

5. *Wind Study*

Where a Wind Study is required, such Study shall include:

i. The height of the proposed development in relation to the height of surrounding structures;

ii. The orientation and general massing of the development with respect to the primary wind directions;

iii. The location and shape of specific design features that induce wind activity;

iv. The orientation of the development with respect to sun angles;

v. The potential impact of wind speed increases created by the development on the surroundings, pedestrians and birds in all four seasons; and

vi. An outline of mitigation features to be included in development design including base and podium conditions, canopies, tower orientation and landscaping.

Qualifications:

A Climate Change Study, and its various individual components may require a host of professionals with a variety of areas of expertise. All elements of a Climate Change Study shall be carried out by qualified professionals with expertise in the appropriate area of study, to the satisfaction of the City.

Financial Impact Study

Purpose:

The purpose of a Financial Impact Study is to evaluate the growth-related financial impact of proposed development, including impacts to the City's capital and operating budgets triggered by the proposed development. It is also used to estimate the cost and timing of local municipal capital infrastructure required to service the new development.

A Financial Impact Study ensures that the proposed new development is consistent with and supported by, the necessary local municipal infrastructure, and that it is not premature. Where required, a Financial Impact Study should include:

1. The projected incremental assessment, together with the estimated tax and non-tax revenues that would be generated;

2. The projected incremental local municipal operating costs;

3. The expected marginal net revenue or deficit; and

4. A projection of each of the planned phases of development, if applicable, for both operating and capital components to show that the approvals being requested are in the public interest and not premature pursuant to the Planning Act.

Qualifications:

The Financial Impact Study should be prepared by a qualified municipal financial consultant, to the satisfaction of the City.

APPENDIX 3: City of Windsor Official Plan – Streamlining OPA Comparison of Proposed and Current Policy Changes

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
10.2	Development Applications	~~10.2 Support Studies and Information~~
Preamble	The following policies describe how development applications will be submitted, reviewed and processed:	~~Council may require as part of the development and infrastructure approval process or, as part of a more detailed planning analysis, supporting studies and information. The following policies provide guidance for some of the supporting documents and information that may be required.~~
10.2.1	*CONSULTATION:* Formal consultation with the City and relevant commenting agencies shall be permitted prior to the submission of any development application required under the Planning Act. The objective of consultation shall be to inform an applicant of the approval process, including the City's requirements for supporting information and material to be submitted as part of a complete application	~~10.2.1 *GENERAL POLICIES*~~ ~~10.2.1.2 *PROVINCIAL & FEDERAL REQUIREMENTS:*~~ ~~Where a support study is required, such a study shall be prepared having regard to relevant federal and provincial legislation, policies and appropriate guidelines.~~ ~~10.2.1.4 *PUBLIC PARTICIPATION*~~ ~~A public participation programme may be established as part of the preparation of a support study to allow interested or affected parties to participate in the process.~~ ~~10.2.1.12 *CONSULTATION WITH FIRST NATIONS:*~~ ~~Consultation with First Nations will take place as part of a development application or detailed planning study.~~ Moved to Section 10.6
10.2.2	*PURPOSE:* The purpose of the consultation will be to review a draft development proposal for the lands affected and identify the need for, and the scope of Supporting Technical Studies and other information and materials considered necessary by the City and other affected agencies to allow for a comprehensive assessment of the development application(s).	~~10.2.1.1 *DETERMINING NEED*~~ ~~Support studies, information and materials may be required as a part of the development and infrastructure approval process or as a part of a more detailed planning study. The need and timing will be determined by the Municipality on a site or area specific basis having regard to the other provisions of this Plan and provincial legislation, policies and~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
		~~appropriate guidelines. Applicants seeking development approval shall be advised of the need for one or more support studies as part of the pre-application consultation process or, if subsequently deemed necessary, prior to a prescribed public meeting.~~
10.2.3	*CONSULTATION STAGES:* Consultation shall involve two stages: a) *Stage 1* - Identifying a preliminary list of required Supporting Technical Studies, plans, other information and material to be submitted with a complete application, including fees or approvals from other agencies as may be required. As part of this stage, the applicant will also be advised if a proposed development is identified as being "viable". The term "viable" will be used to help the applicant to decide if they wish to proceed to Stage 2 of the application process or if they might also consider revising their proposal; b) *Stage 2* - The applicant will submit an consultation application with consultation fees together with copies of all Supporting Technical Studies identified as being required in Stage 1. All studies will be reviewed by Administrative Departments and local agencies. If a peer review is required, it will be completed at the expense of the applicant.	~~10.2.1.8 *PRE-APPLICATION CONSULTATION*:~~ ~~Council shall provide the opportunity for a person or public body proposing an application for development approval to consult with administrative staff. The objective of pre-application consultation shall be to inform an applicant of the approval process, including the Municipality's requirements for supporting information and material to be submitted as part of a complete application.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
10.2.4	*REQUIRED INFORMATION:* The applicant shall initiate the consultation process by completing and submitting a Planning Consultation Stage 1 application that includes: a) Mapping that identifies the location of the Subject Site and surrounding context; b) A description of the existing Official Plan designation and Zoning affecting the Subject Site; and c) A preliminary description of the proposed development concept, including, where applicable, a description of the proposed Official Plan and/or Zoning amendments to be requested.	~~10.2.1.3 *PREPARATION*~~ ~~Support studies, information and materials may be required as a part of the development and infrastructure approval process or as a part of a more detailed planning study. The need and timing will be determined by the Municipality on a site or area specific basis having regard to the other provisions of this Plan and provincial legislation, policies and appropriate guidelines. Applicants seeking development approval shall be advised of the need for one or more support studies as part of the pre-application consultation process or, if subsequently deemed necessary, prior to a prescribed public meeting.~~
10.2.5	*EXEMPTIONS:* The City may forgo consultation, where the City has identified that due to the nature of the proposal, the need for and scope of required information and materials can be determined without formal Stage 1 and/or Stage 2 consultation.	N/A (Did not exist previously)
10.2.6	*INCOMPLETE APPLICATIONS:* Development applications submitted to the City prior to completion of the Stage 1 and Stage 2 consultation without the necessary supporting information and materials may be deemed as incomplete and returned to the applicant.	N/A (Did not exist previously)

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
10.2.7	*COMPLETE APPLICATION REQUIREMENTS:* The City shall determine the information and materials necessary for submission with the application based on the nature of the proposal and generally in accordance with the list of Supporting Technical Studies identified in this Plan.	N/A (Did not exist previously)
10.2.8	*TECHNICAL STUDIES REQUIRED:* Any or all of the Supporting Technical Studies identified in this Plan may be requested from applicants to ensure that all relevant and required information pertaining to a development application is available at the time of submission, or, if subsequently deemed necessary, prior to a prescribed public meeting.	N/A (Did not exist previously)
10.2.9	*STUDY PURPOSE:* It is the intent of the Supporting Technical Studies to enable the City to make informed decisions within the time periods set out in the Planning Act. The City may require provision of Supporting Technical Studies at its sole discretion as part of a complete application, at any time during the processing of an application under the Planning Act: including but not limited to those Studies listed below: a) *Planning Rationale Report* - The purpose of the Planning Rationale Report is to provide a framework for an applicant seeking development approval to explain salient details of the application and provide supporting land use planning reasons and opinions why the proposal should be considered and approved. This document is also intended to assist staff with their review and processing responsibilities;	~~10.2.1.7 *SUPPORT INFORMATION AND MATERIALS FOR PLANNING ACT APPLICATIONS:*~~ ~~The municipality may require the applicant to submit any of the following information at any time during an application under the *Planning Act*:~~ ~~(a) Deed and/or Offer of Purchase;~~ ~~(b) Topographic Plan of Survey;~~ ~~(c) Conceptual Development Plan;~~ ~~(d) Floor Plans and/or Elevations;~~ ~~(e) Record of Site Condition (RSC);~~ ~~(f) Stormwater Management Plan;~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	b) *Urban Design Study* - The purpose of an Urban Design Study is to provide direction for the protection and enhancement of the character of a planning district, neighbourhood, corridor or any other identified area, and the thoughtful implementation of good urban design principles based on an assessment of the characteristics and opportunities of the surrounding community; c) *Built Heritage Impact Study* - The purpose of a Heritage Impact Study is to identify and evaluate cultural heritage resources and determine if any heritage resources, including listed or designated heritage resources, are impacted by development proposals and the potential need for mitigation measures; d) *Archaeological Assessment* - The purpose of an Archaeological Assessment is to ensure archaeological resources on site are evaluated, documented and mitigated prior to land disturbance/site development; e) *Block Plan* - The purpose of a Block Plan is to provide comprehensive and specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures in order to optimize development potential and infrastructure; f) *Environmental Impact Study* - The purpose of an Environmental Impact Study is to demonstrate that a proposed development or infrastructure undertaking	~~(g) Approved Class Environmental Assessment;~~ ~~(h) Geotechnical Study;~~ ~~(i) Draft Plan of Subdivision;~~ ~~(j) Condominium Description;~~ ~~(k) Transportation Impact Study and/or Statement;~~ ~~(l) Environmental Evaluation Report;~~ ~~(m)Guideline Plan;~~ ~~(n) Sanitary and/or Storm Sewer Study;~~ ~~(o) Market Impact Assessment;~~ ~~(p) Noise and/or Vibration Study;~~ ~~(q) Planning Rationale Study;~~ ~~(r) Tree Inventory and Preservation Study;~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	may proceed in or adjacent to lands designated as Natural Heritage, Environmental Policy Area A or B and/or Candidate Natural Heritage Site without causing negative impact on the feature or its associated ecological functions; g) *Watershed/Subwatershed Plan* - The purpose of a Watershed/Subwatershed Plan is to inventory, assess and present information about water resources and related features and how they should be protected and enhanced to ensure the long-term health of the ecosystem as land uses changes on the basis of an entire watershed, or subwatershed; h) *Stormwater Management Report* - The purpose of a Stormwater Management Report is to identify measures required to control the quantity, quality and runoff flowrate associated with the development of a specific area; i) *Functional Servicing Study* - The purpose of a Functional Servicing Study is to determine how an area proposed for development will be serviced taking into consideration the future sanitary, water and storm sewer servicing needs.; j) *Transportation Impact Study and/or Transportation Impact Statement* - The purpose of these studies is to identify the transportation network improvements and on-site design elements necessary to accommodate additional vehicle, cyclist, pedestrian and transit traffic and parking the proposed development will generate	~~(s) Built Heritage Impact Study;~~ ~~(t) Archaeological Assessment;~~ ~~(u) Lighting Study;~~ ~~(v) Environmental Site Assessment;~~ ~~(w) Design Study;~~ ~~(x) Studies related to atmospheric gases that can be generated in soil and/or leachate;~~ ~~(y) Micro-Climate Study; and~~ ~~(z) Other Material or Studies relevant to the development and lands affected by the application.~~ Note: Study components of the above as contained in subsections 10.2.2 thru 10.2.20 inclusive have been deleted and are now part of a guideline that is no longer part of the Official Plan.

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	and ensure its impact on adjacent land uses is safe and acceptable; k) *Noise and/or Vibration Study* - The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that the sensitive land uses are protected from unacceptable levels of noise and vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports; l) *Tree Inventory and Preservation Study* - The purpose of a Tree Inventory and Preservation Study is to investigate and inventory existing trees and vegetation within and adjacent to development and determine how protection and enhancement can coincide with proposed development; m) *Lighting Study* - The purpose of a Lighting Study is to evaluate the intensity and impact of light pollution generated by development, the potential impacts on residential property and wildlife, and to ensure visibility, safety and mitigation; n) *Climate Change Study* - The purpose The purpose of a Climate Change Study is to evaluate how the proposed development could alter the climate by impacting: wind; shadow and sunlight penetration; urban heat island effects (extreme heat); flooding and to determine the appropriate design measures to reduce the impacts of climate change and mitigate the contribution of greenhouse gas emission;	

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	o) *Financial Impact Study* – The purpose of a Financial Impact Study is to evaluate the growth-related financial impact of proposed development, including impacts to the City's capital and operating budgets triggered by the proposed development; and p) *Other Studies of Relevance* – recognizing that many applications are unique, the City reserves the ability to ask for any other special studies, reports or plans that may be required to effectively evaluate any development proposal.	
10.2.10	*TERMS OF REFERENCE:* The City has prepared terms of reference for a number of the Supporting Technical Studies to provide information on the scope of work required in order to assist in the preparation and review of these studies.	~~10.2.1.5 *IMPLEMENTATION*~~ ~~All relevant mitigation recommendations included in a support study shall be considered as condition of approval to be implemented by the proponent of development.~~
10.2.11	*STUDY SCOPE:* Supporting Technical Studies may vary in scope, depending on the size, nature and intent of the proposal and the level of impact on the adjacent land use. Proponents of all development applications shall be advised by the City of the required study contents during the Stage 1 consultation process.	~~10.2.1.9 *SCOPE*~~ ~~Support studies may vary in scope, depending on the size, nature and intent of the proposal and the adjacent pattern of land use. Proponents of development approval shall be advised by administrative staff of the required study contents during the pre-application consultation process.~~
10.2.12	*APPLICATIONS DEEMED TO BE COMPLETE:* Where the need for one or more Supporting Technical Studies has been identified, the application shall only be deemed to be complete when the required Supporting Technical Studies are prepared and submitted subject to the following requirements:	~~*10.2.1.3 PREPARATION:*~~ ~~All support studies shall be prepared by qualified professionals to the satisfaction of the Municipality and, where appropriate, in consultation with relevant public agencies and affected parties.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	a) Shall be prepared to the satisfaction of the City and, where appropriate, in consultation with relevant public agencies and affected parties.; b) Shall be prepared in accordance with the policies of this Plan and any relevant federal and provincial legislation, policies and appropriate guidelines. c) Shall be prepared by an appropriately accredited qualified professional retained by, and at the sole expense of the applicant; d) May be subject to a peer review where the City: i. Lacks the appropriate expertise and/or internal resources to review such Supporting Technical Studies; and/or ii. Is not satisfied with the extent and quality of the work submitted by the applicant. e) Such peer review shall be completed by an appropriate agency or professional consultant retained by the City, at the applicant's expense. f) Where a peer review is requested by the City, the technical study will not be identified as being satisfactory until: i. The peer review study has been submitted to the City, and the City is fully satisfied with the extent and quality of the work, including any requirements for additional or supplementary work identified through the peer review process; and ii. The City has been fully reimbursed by the applicant for the cost of the peer review study.	~~10.2.1.6 *ADOPTION*~~ ~~Council may adopt a support study by resolution.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
10.2.13	*ASSESSING MERITS:* To augment the policies in this Plan, the City may develop performance checklists or indices to assist with evaluating the merits of development applications in the context of the policies in this Plan addressing such matters as, but not limited to; healthy development, sustainability, climate change resiliency, green development and urban design.	N/A (Did not exist previously)
10.2.14	*CONDITIONS OF APPROVAL:* All relevant mitigation recommendations included in a Supporting Technical Study shall be included as conditions of approval to be implemented by the proponent of a development.	N/A (Did not exist previously)
10.2.15	*PUBLIC INFORMATION:* Council shall ensure that all information and material provided by a person or public body that has been submitted as part of a development application, will be available to the public for review once the application has been deemed complete.	~~10.2.1.11 *PUBLIC INFORMATION:*~~ ~~Council shall ensure that information and material provided by a person or public body that has submitted a complete application for development approval shall be available to the public for review.~~
10.2.16	*COMPLETE APPLICATION:* For any planning applications to be deemed complete, the following mandatory items shall be submitted to the City: a) Application Form; b) Explanatory Letter; c) Proof of Ownership or Completed Offer of Purchase; d) Plan of Survey; e) Materials required by the Planning Act or any other relevant legislation/regulation; f) Supporting Technical Studies as required by the City and applicable agencies;	~~10.2.1.10 *COMPLETE APPLICATION:*~~ ~~When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies, the application shall not be considered complete for processing purposes until the required study or studies is prepared and submitted to the satisfaction of the Municipality. Notification of a complete application shall be given to the applicant and all other parties by the Municipality in accordance with the Planning Act.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	g) Required Fees and deposits, including a signed contingency deposit agreement where applicable; h) Lands for parkland dedication, if applicable, have been identified; i) All confirmations, clearances, permits, peer reviews, materials and information required during the Stage 1 and Stage 2 planning consultation have been submitted and considered to be satisfactory by the City; j) The required Development Application sign has been posted on the subject property; and k) If an Open House is required as part of the Stage 1 planning consultation, a record of the Open House is provided to the City.	
10.2.17	*INCOMPLETE APPLICATIONS:* Incomplete applications submitted to the City will not be accepted and shall be returned to the applicant. The City may deem an application to be incomplete and refuse all information, supporting documents and materials, submitted as part of the application(s) if it considers the quality of the submission unsatisfactory.	N/A (Did not exist previously)
10.2.18	*NOTICE OF COMPLETE APPLICATION:* Notification of an application deemed to be complete shall be given to the applicant, the public and all other parties by the Municipality in accordance with the Planning Act	N/A (Did not exist previously)

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
10.6	Development Applications	~~10.6 Public Participation~~
10.6.1	*PUBLIC ENGAGEMENT:* The opinions and advice of the public will be sought as a part of the decision-making process. The community engagement process will be transparent, accessible and inclusive.	~~10.6.1 *PARTICIPATION*:~~ ~~The opinions, attitudes and advice of individuals and groups will be sought as a part of the decision-making process.~~ ~~10.6.2 *PRECONSULTATION*:~~ ~~Preconsultation with affected or interested individuals, group and public bodies shall be encouraged prior to the finalization of a development application or a detailed planning study.~~ ~~10.6.6 *CONCENSUS BUILDING*:~~ ~~Council will provide opportunities for consensus building and conflict resolution prior to making a decision on a development or infrastructure proposal.~~
10.6.2	*PUBLIC NOTIFICATION:* The City will ensure the public is notified on development applications in accordance with relevant provincial legislation and municipal policies. Where persons, groups or corporations regularly communicate with the City through email, the City may use email rather than postal mail. The City will adopt standards for posting of development application signs to be placed on properties where development applications have been proposed.	~~10.6.3 *PUBLIC NOTIFICATION*:~~ ~~Council will ensure that the public is notified on development and infrastructure proposals in accordance with relevant provincial legislation.~~
10.6.3	*PUBLIC INFORMATION:* The City will provide interested parties affected by a development proposal with the information necessary to understand the nature of the proposal. In addition to providing hard copies of documents in the Planning Department, the City will ensure that digital copies of documents area available on the City's website.	~~10.6.4 *PROVIDE INFORMATION*:~~ ~~Council will provide interested and affected parties affected by a development or infrastructure proposal with the information necessary to understand the nature of the proposal.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
10.6.4	*TIMING OF NOTICES:* Within 15 days after an affirmative notice of acceptance of a complete application is provided for applications made under the Planning Act requiring public notice, the City will provide a Notice of Application to the persons and public bodies prescribed under the Planning Act, and make the required information and material available to the public.	~~10.6.5 *ADEQUATE TIME*:~~ ~~Council will provide adequate time for the public to contribute in the decision making process.~~
10.6.5	*LARGE SCALE APPLICATIONS:* Council may consider using a variety of public participation techniques for development proposals issues having a broad scope such as Secondary Plans, Official Plan Amendments and large subdivisions including, but not limited to, open houses, public displays, area meetings, newspaper notices, signage, internet-based tools, city website and social media.	~~10.6.7 *CITY-WIDE ISSUES*:~~ ~~Council may consider using a variety of public participation techniques for special issues having a city-wide scope including, but not limited to, open houses, public displays, area meetings, newspaper notices, and cable television programming.~~
10.6.6	*OPEN HOUSE:* The applicant may be required to host an open house as part of the Stage 2 planning consultation process and produce an Open House Report summarizing the results of the open house. The purpose of the open house is to provide opportunity for consultation by the applicant with the area residents/property owners who may be impacted by the proposal before the application is deemed to be complete. The required open house: a) Will be hosted by the applicant and will be provided at the applicant's expense; b) Should be held at a location that is accessible to the public and may be accessed by walking, bicycling and public transit and should be located within 1km of the Subject Site, when practical. The location should be in a structure that meets	N/A (Did not exist previously)

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	or exceeds the requirements of the Accessibility for Ontarians with Disabilities Act. In addition, virtual attendance shall be enabled; c) Should be comprised of the following components: i. Notice to the area residents/property owners, which contains sufficient information as determined by the City Planner; ii. Attendance of assigned municipal staff; iii. Display boards which provide the primary details of the application together with sufficient information as determined by the City Planner; iv. Copies of any reports or studies that have been prepared as part of the application; and v. The availability of the applicant or the applicant's agent to answer any questions that the public may have about the application. d) The required Open House Report shall be comprised of:	

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	i. A summary of the results of the open house including issues raised and responses provided; ii. A copy of the Notice provided; iii. A copy of any presentation(s) and graphics; iv. A copy of written questions from the public and written responses to these questions by the applicant; and v. A copy of the attendee sign-in sheet and list of persons who attended virtually.	
10.6.7	*ENGAGEMENT WITH FIRST NATIONS:* Engagement with First Nations will take place as part of a development application or detailed planning study. Engagement will be the responsibility of the proponent in consultation with the City and at the cost of the applicant.	~~10.6.8 *CONSULTATION WITH FIRST NATIONS:*~~ ~~Consultation with First Nations will take place as part of a development application or detailed planning study.~~
10.6.8	*NO NOTICE REQUIRED:* City Council may delegate authority to the City Planner to forego public notification as prescribed under the Planning Act to allow for changes of a minor nature to correct a technical error or omission contained in an Official Plan Amendment or Zoning By-law Amendment to change punctuation or format, or correct clerical, grammatical, mapping, or typographical errors; and to insert footnotes or similar annotations to indicate the origin and approval of each provision.	N/A (Did not exist previously)

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
11.4.3	Consent Policies	~~11.4.3 Consent Policies~~
11.4.3.1	*COMMITTEE OF ADJUSTMENT:* Council has delegated by by-law the authority to grant consents to the Committee of Adjustment.	~~11.4.3.1 *COMMITTEE OF ADJUSTMENT:*~~ ~~Council has delegated to the City of Windsor Committee of Adjustment Council's consent granting authority.~~
11.4.3.2	*APPROPRIATE REASONS FOR CONSENTS:* Without limiting the relevant provisions of the Planning Act, Consents may only be granted where completing a subdivision process is deemed not to be necessary to ensure the proper and orderly development of the subject lands. The consent process will be used for matters such as *granting* easements and rights of way, leases or other interests in land lasting in excess of 21 years or lot line adjustments. Consents may be used for lot creation in the following circumstances; a) Small scale Infilling or intensification for development that is compatible with the neighbourhood; b) Lot line adjustments; c) An entire parcel is being developed and there are no remaining lands; d) There is no need to extend or improve municipal services outside of the subject lands; e) Where there is no phasing of the development; and f) Where parkland dedication may be cash-in-lieu.	~~11.4.3.2 *APPROPRIATE CIRCUMSTANCES FOR CONSENTS:*~~ ~~Consents may only be granted when it is not necessary for the proper and orderly development of the city. Accordingly, consents will generally be limited to:~~ ~~(a) Creation of lots for minor infilling; and~~ ~~(b) The mortgaging or leasing of land beyond 21 years;~~ ~~(c) Lot boundary adjustments; and~~ ~~(d) Easements and rights-of-ways~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
11.4.3.3	*CONFORM WITH PERMITTED USES:* Consents shall only be granted for the creation of lots which comply with the Official Plan and Zoning By-law.	~~11.4.3.3 *CONFORM WITH PERMITTED USES:*~~ ~~Consents shall only be granted for the creation of lots which comply with the Zoning By-law and/or unless appropriate minor variances are also granted concurrently.~~
11.4.3.4	*ACCESS TO A PUBLIC HIGHWAY:* Consents shall only be granted for lots that will have access to a public road that meets municipal standards for construction. Where the abutting road requires improvement, the City may require the land owner to contribute to the improvement costs.	~~11.4.3.4 *ACCESS TO A PUBLIC HIGHWAY:*~~ ~~Consents shall only be granted for lots which have access to a public highway which is paved with a hard surface and is of a reasonable standard of construction~~
11.4.3.5	*MUNICIPAL SERVICES:* All new lots created by consent shall be serviced by municipal sanitary sewer and water services and provide for stormwater management.	~~11.4.3.5 *SEWER & WATER SERVICES:*~~ ~~All lots created by consent shall be serviced by municipal sanitary sewer and water services.~~
11.4.3.6	*EVALUATION CRITERIA:* Without limiting the relevant provisions of the Planning Act, the approval authority shall evaluate applications for consent in the same manner as an application for plan of subdivision, including; a) Provincial legislation, provincial policies and applicable provincial guidelines; b) Conformity with the policies of this Plan, Volume II: Secondary Plans and Special Policy Areas and other relevant municipal standards and guidelines; c) Conformity with the recommendations of any support studies prepared as part of the application; d) The continuation of an orderly development pattern and the lot pattern in the neighbourhood;	~~11.4.3.6 *EVALUATION CRITERIA:*~~ ~~The Committee of Adjustment will evaluate consent applications according to the following criteria:~~ ~~(a) Provincial legislation, policies and applicable guidelines;~~ ~~(b) The physical layout of the proposed lots having regard to the Urban Design policies of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;~~ ~~(c) The continuation of an orderly development pattern;~~ ~~(d) Impact upon the comprehensive development of adjacent properties;~~ ~~(e) The requirements or comments of Municipal departments and public agencies or authorities; and~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	e) Impact of the development on adjacent properties and the lot pattern and density in the community; and f) The requirements or comments of Municipal departments and public agencies or authorities.	~~(f) Previous consents granted on the land holdings on or in the area.~~
11.4.3.7	*CONDITIONS OF APPROVAL:* The approval authority may attach such conditions as it deems appropriate to the approval of a consent. Such conditions may include, but are not limited to, the following: a) The fulfillment of any financial requirement to the City; b) The conveyance of lands for public open space purposes or payments-in-lieu thereof in accordance with the Open Space policies of this Plan; c) The conveyance of lands for public highways or widenings as may be required; d) The conveyance of appropriate easements; e) The provision of municipal infrastructure or other services; f) The completion of a development or servicing agreement with the City if required; and g) Other such matters as the approval authority considers necessary and/or appropriate.	~~11.4.3.7 *CONDITIONS OF APPROVAL:*~~ ~~The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of a consent. Such conditions may include, but are not limited to, the following:~~ ~~(a) The fulfillment of any financial requirement to the Municipality;~~ ~~(b) The conveyance of lands for public open space purposes or payments-in-lieu thereof in accordance with the Open Space policies of this Plan;~~ ~~(c) The conveyance of lands for public highways or widenings as may be required;~~ ~~(d) The conveyance of appropriate easements;~~ ~~(e) The application of the site plan control process;~~ ~~(f) The provision of municipal infrastructure or other services; and~~ ~~(g) Other such matters as the Committee of Adjustment considers necessary appropriate.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
11.4.4	Part Lot Control Policies	~~11.4.4 Part Lot Control Policies~~
11.4.4.1	*PART LOT CONTROL BY-LAWS:* Council may pass by-laws to exempt all or parts of registered plans of subdivision from part lot control to permit further subdivision in accordance with the *Planning Act*, and in conformity with the Zoning By-law.	~~11.4.4.1 *PART LOT CONTROL BY-LAWS:*~~ ~~Council may pass by-laws to exempt all or parts of registered plans of subdivision from part lot control to permit resubdivision in accordance with the Planning Act, and in conformity with the Zoning By-law~~
11.4.4.2	*AMENDING BY-LAW:* Part lot control by-laws may be subsequently repealed, amended or limited to a period of not more than 5 years by Council.	~~11.4.4.2 *AMENDING BY-LAW:*~~ ~~Part lot control by-laws may be subsequently repealed, amended or limited to a period of not more than 5 years by Council.~~
11.4.4.3	*AREAS FOR PART LOT CONTROL:* Council will generally limit the use of part lot control by-laws to the following: a) The splitting of lots upon which semi-detached dwellings or street row housing is intended to be built; b) The resubdivision of older registered plans of subdivision where no new rights-of-ways are to be created. and c) The division of blocks within an approved plan of subdivision where the subdivision agreement anticipates that the final lot pattern will be established through the part lot control process.	~~11.4.4.3 *AREAS FOR PART LOT CONTROL:*~~ ~~Council will generally limit the use of part lot control by-laws to the following:~~ ~~(a) The splitting of lots upon which semi-detached dwellings or street rowhousing is intended to be built; and~~ ~~(b) The resubdivision of older registered plans of subdivision where no new rights-of-ways are to be created.~~
11.6.3	Zoning By-Law Amendment Policies	11.6.3 Zoning By-Law Amendment Policies
11.6.3.4	*DELEGATION OF AUTHORITY:* Council may pass a By-law under Section 39.2 of the Planning Act to delegate the authority to make zoning amendments to: a) Remove an ‘H’ Holding Symbol; or	N/A (Did not exist previously)

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	b) Extend a Temporary Use; or c) Allow for amendments to the Zoning By-law that are minor in nature under the following conditions: i. making technical amendments or to correct errors in text or mapping;	
11.6.6	Minor Variance Policies	~~11.6.6 Minor Variance Policies~~
11.6.6.1	*COMMITTEE OF ADJUSTMENT:* Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law(s) and/or any other By-laws that implements the Official Plan.	Unchanged
11.6.6.2	*EVALUATION CRITERIA:* When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that: a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the property is located, is maintained; b) The general intent and purpose of the By-law being varied is maintained; c) The variances or the number of variances to the By-law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface;	~~11.6.6.2 *EVALUATION CRITERIA:*~~ ~~When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:~~ ~~(a) The general intent and purpose of the Official Plan is maintained;~~ ~~(b) The general intent and purpose of the By-law being varied is maintained;~~ ~~(c) The variance is minor in nature; and~~ ~~(d) The variance is desirable for the appropriate use of the land, building or structure.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage; front, rear, and side yard depth; building height; and maximum gross floor area; and e) The variance(s) are desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.	
11.6.6.3	*EXISTING UNDERSIZED LOTS:* Notwithstanding the provisions of sub-section (c) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed	N/A (Did not exist previously)
11.6.6.4	*TERMS & CONDITIONS:* The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact	~~11.6.6.3 *TERMS & CONDITIONS:*~~ ~~The Committee of Adjustment may attach such terms and conditions as it deems appropriate to the approval of the application for a minor variance.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	of altering the zoning regulations on the resulting built form or property development, including but not limited to: a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location; b) Requiring additional landscaping including low impact design elements; c) Providing additional bicycle facilities in lieu of motor vehicle parking; and d) Improvement to grading and stormwater management.	
11.6.6.5	*AGREEMENTS:* The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.	~~11.6.6.4 *AGREEMENTS WITH MUNICIPALITY:*~~ ~~The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.~~
11.7	Site Plan Control	~~11.7 Site Plan Control~~
11.7.1.1	*OBJECTIVE:* Site Plan Control will be used by the City as a means of achieving well-designed, functional, accessible, safe, sustainable built form and public space. Site Plan Control, including reference to Section 41 of the Planning Act, is one of the key tools for implementing the City's policies on urban design in accordance with this Plan, policies and guidelines	~~11.7.1.1 *URBAN DESIGN:*~~ ~~To implement the urban design policies of this Plan.~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
	within Council adopted Secondary Plans, Community Improvement Plans and the Urban Design Guidelines.	
11.7.1.2	*SITE PLAN CONTROL BY-LAW:* The City will establish by By-law, a Site Plan Approval Area which encompasses all of the lands within the boundaries of the City and is applicable to all forms of development, with the specific exemption of new residential development that includes 10 dwelling units or less. The By-law shall also reference any provincial regulations concerning the timeline for the lapsing of approved site plans. Notwithstanding that specific exemption, the City may apply Site Plan Control to all forms of development, including residential developments that contain 10 dwelling units or less, where the development site is within 120 metres of a shoreline or 300 metres of a railway line.	~~11.7.1.2 *SITE PLAN CONTROL AREA:*~~ ~~The entire area within the City of Windsor is designated as a Site Plan Control Area.~~
11.7.1.3	*EXEMPTIONS:* Within the Site Plan Control By-law, the City may exempt some forms of development which would otherwise be subject to Site Plan Control where it considers such approval to be unnecessary due to the type or scale of development proposed.	~~11.7.2.2 *EXEMPTIONS:*~~ ~~Council may exempt the following developments from site plan control:~~ ~~(a) An addition to an accessory building as defined in the Zoning Bylaw where such addition is for the purpose of replacing a temporary building or buildings, structure or structures, provided that the lot coverage of such addition does not exceed the lot coverage of the temporary building(s) or structures(s) it is intended to replace.~~ ~~(b) Small scale low profile residential development unless the property is: (i) situated within an area that has been Designated a Heritage Conservation District under Part V of the Ontario Heritage Act; (ii) situated within the following Community Improvement Plan (CIP) Areas: • City Centre West Urban Village CIP; • Glengarry-Marentette Waterfront Village CIP; • Olde Sandwich Towne CIP. (iii) situated within an area where Urban Design Guidelines have been adopted~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
		~~by Council; (iv) located in a Mature Neighbourhood shown on Schedule A-1~~ ~~(c) A commercial or combined commercial and residential building provided that the total floor area, at grade, measured from the exterior walls does not exceed fifty (50) square metres;~~ ~~(d) An addition to an existing commercial or combined commercial and residential building provided that the floor area measured, at grade, from the exterior walls of the addition does not exceed: i) fifty (50) square metres or ii) ten per cent (10%) of the total floor area, at grade, of the existing building, provided, that the ten City of Windsor Official Plan1 Volume I 1 Tools 11 - 25 percent (10%) does not exceed one hundred and fifty (150) square metres;~~ ~~(e) An industrial or institutional building provided that the total floor area, at grade, measured from the exterior walls does not exceed on hundred (100) square metres;~~ ~~(f) An addition to an existing industrial or institutional building provided that the total floor area, at grade, measured from the exterior walls does not exceed i) one hundred square metres, or ii) ten per cent (10%) of the total floor area, at grade, of the existing building provided that the ten percent (10%) does not exceed two hundred and fifty (250) square metres;~~ ~~(g) A temporary building or structure that is designed, constructed and placed on land in a manner which permits its removal after a period of time not to exceed one hundred and twenty (120) consecutive days;~~ ~~(h) A sign including any alternation to an existing sign;~~ ~~(i) Building features or mechanical elements more particularly described as: a church spire, belfry, skylight, cupola, scenery loft chimney, smokestack, water tank, air-~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
		~~conditioning and/or heating equipment, ventilator, mechanical penthouse, protective and screening fences, communications equipment, pedestrian bridge, fire escape, building entrance/exit and canopy or awning, provided further that the said building feature or mechanical element is to be constructed separate and apart from any other development which requires approval;~~ ~~(j) A parking area containing less than 5 parking spaces including all parking spaces, collector aisles and manoeuvring aisles, provided further that the said parking area is to be constructed separate and apart from any other developments as defined in this by-law which requires approval; and~~ ~~(k) The placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.~~
11.7.1.4	*SITE PLAN REQUIREMENTS:* The City may require Site Plan Control: a) As a condition of a subdivision/condominium approval or any other type of development approval; and b) As a condition of a decision of the Committee of Adjustment;	~~11.7.2.3 *REVIEW PROCEDURES:*~~ ~~Site plan control applications shall consult with municipal staff prior to the submission of plans and drawings for approval under the provisions of the Planning Act~~ ~~11.7.2.4 *PLANS & DRAWINGS:*~~ ~~An application for site plan control approval shall include the plans required by s.41 of the Planning Act.~~ ~~11.7.2.5 *ADDITIONAL INFORMATION:*~~ ~~In addition to the provisions of Section 11.7.2.4, an application for site plan control approval shall include drawings showing plan and elevation views for each building to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display matters relating to exterior design, including without limitation the character, scale, appearance and design~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
		~~features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design.~~ ~~11.7.2.6 *LOCATIONAL CRITERIA:*~~ ~~The provisions of Section 11.7.2.5 apply to the following: (a) Development situated within an area that has been designated a Heritage Conservation District under Part V of the Ontario Heritage Act; (b) Development situated within the following Community Improvement Plan (CIP) Areas; • City Centre West Urban Village CIP; • Glengarry-Marentette Waterfront Village CIP; • Olde Sandwich Towne CIP; (c) Development situated within an area where Urban Design Guidelines have been adopted by Council; (d) Development situated with and/or adjacent to a Civic Way, Main Street, or Gateway area; and (e) Development situated in a Business Improvement Area.~~ ~~11.7.2.7 *EVALUATION CRITERIA:*~~ ~~Where an application for site plan control approval is made, Council or its designate shall review the submission based on the provisions of the Planning Act and the Site Plan Control By-law, including such criteria as: (a) The relevant design guidelines and policies provided in Land use, Urban Design and Heritage Conservation chapters of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines; (b) Other municipal guidelines as may be appropriate; (c) Function and efficiency; (d) Safety and access; (e) Adequacy of servicing; City of Windsor Official Plan1 Volume I 1 Tools 11 - 28 (f) Grading and drainage; (g) Landscaping and lighting; (h) Sustainable design elements for the site and any adjacent boulevard; (Added by OPA #66–11/05/07-B/L209-2007) (i) Matters related to exterior design; (Added by OPA #66–11/05/07-B/L209-2007) (j) Accessibility for persons with disabilities; and (Added by~~

SECTION	Proposed OPA 179 Policy	Current OP Policy
		~~OPA #66– 11/05/07-B/L209-2007) (k) The design guidelines in the Sandwich Heritage Conservation District Plan dated July 2008, adopted by By-law No. 22-2009. (OPA 68, effective October 19, 2012, OMB Case Order No. PL090206) (l) Olde Sandwich Towne – Community Improvement Plan Supplemental Development and Urban Design Guidelines dated October 2008, adopted by By-Law 28-2009. (OPA 69, effective October 19, 2012, OMB Case Order No. PL090206) (m) Applicable Community Improvement Plans.~~ ~~(n) Design Guidelines adopted by Council.~~ ~~11.7.2.8 *AGREEMENTS:*~~ ~~All applicants will normally enter into one or more agreements which the City may register on title in accordance with the Planning Act. All applicants shall be required to post security to the Municipality to ensure the conditions of the site plan control agreement(s) are fulfilled~~ ~~11.7.2.9 *CONDITIONS OF APPROVAL:*~~ ~~The approval authority may attach such conditions as it deems appropriate to the approval of an application in accordance with the Planning Act. Such conditions may include, but are not limited to the following: (Added by OPA #66–11/05/07-B/L209-2007) (a) A gratuitous land dedication at no expense to the municipality for highway widening and intersection improvements in accordance with section 7.2.6 of this Plan; (b) The conveyance of property for daylighting triangles and corner roundings in accordance with the City of Windsor Development Standards;~~ ~~(c) Street furniture, curb ramps, waste and recycling containers, bicycle parking facilities and the sustainable design elements on any adjoining highway under the Municipality's jurisdiction including trees, other vegetation and permeable paving materials; and, (Added by OPA #66–~~

SECTION	**Proposed OPA 179 Policy**	**Current OP Policy**
		~~11/05/07-B/L209-2007) (d) Facilities designed to have regard for accessibility for persons with disabilities.~~

THE CITY OF WINDSOR
ONTARIO, CANADA

APPENDIX 4

STREAMLINING THE DEVELOPMENT APPROVAL PROCESS

Phase 1 – Multiple Residential Interim Control By-law Study (OP & Zoning Amendments)
Phase 2 – Bill 109:Adapting the Development Process (Administrative Process Changes)
Phase 3 – Implementation (OP Amendment 179)

THE CITY OF WINDSOR
ONTARIO, CANADA

PHASE I
Multiple Residential Interim Control By-law Study

Multiple Residential Interim Control By-law Study

KEY FINDINGS

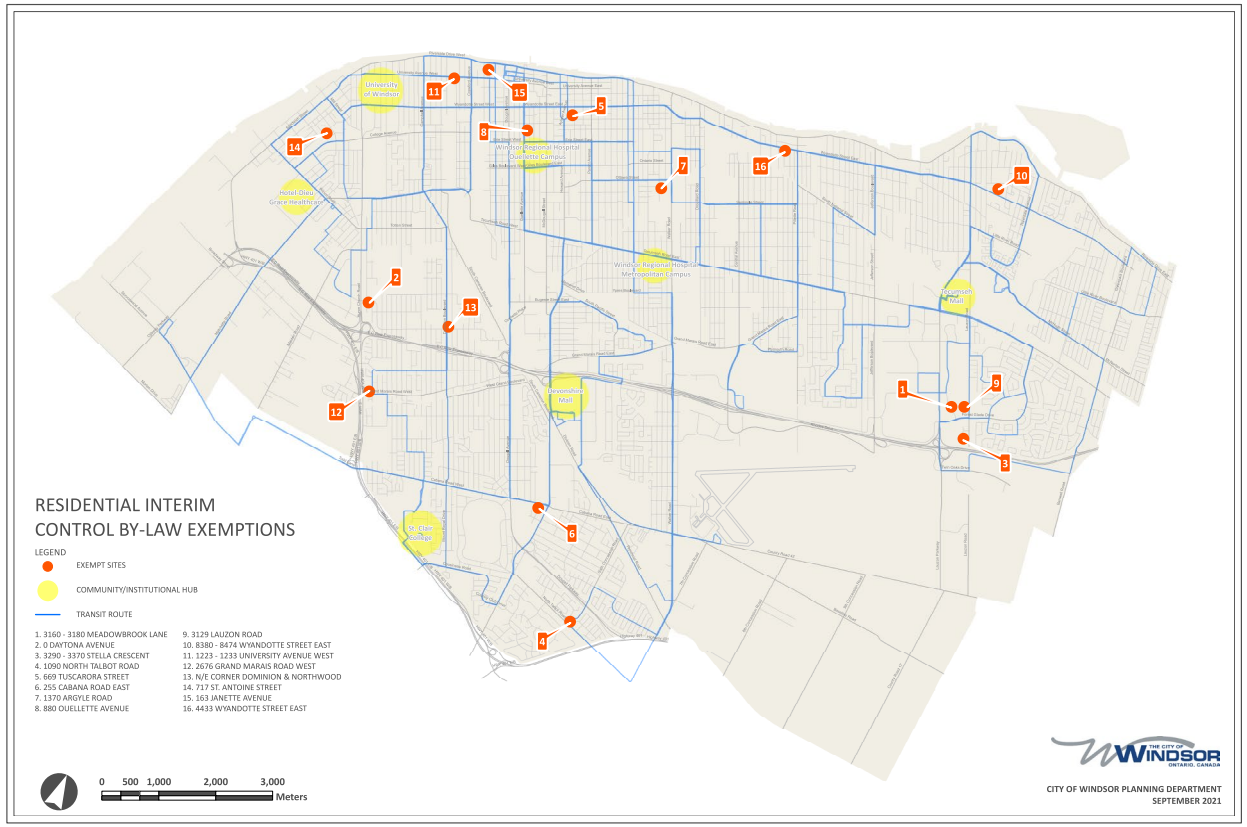
Multiple-residential growth needs to be directed to parts of the City that have:

- Transit and Transportation networks
- Goods and Services within walking distance
- Municipal Services
- Limited Development Constraints
- Existing density

The best way to direct development to these places is to make it easier for applicants by:

- Reducing uncertainty including planning approvals, provide Guidelines
- Invest in change, improve services, Community Improvement Grants, re-zone lands

Promoting change in designated areas will reduce pressure for change in other areas .



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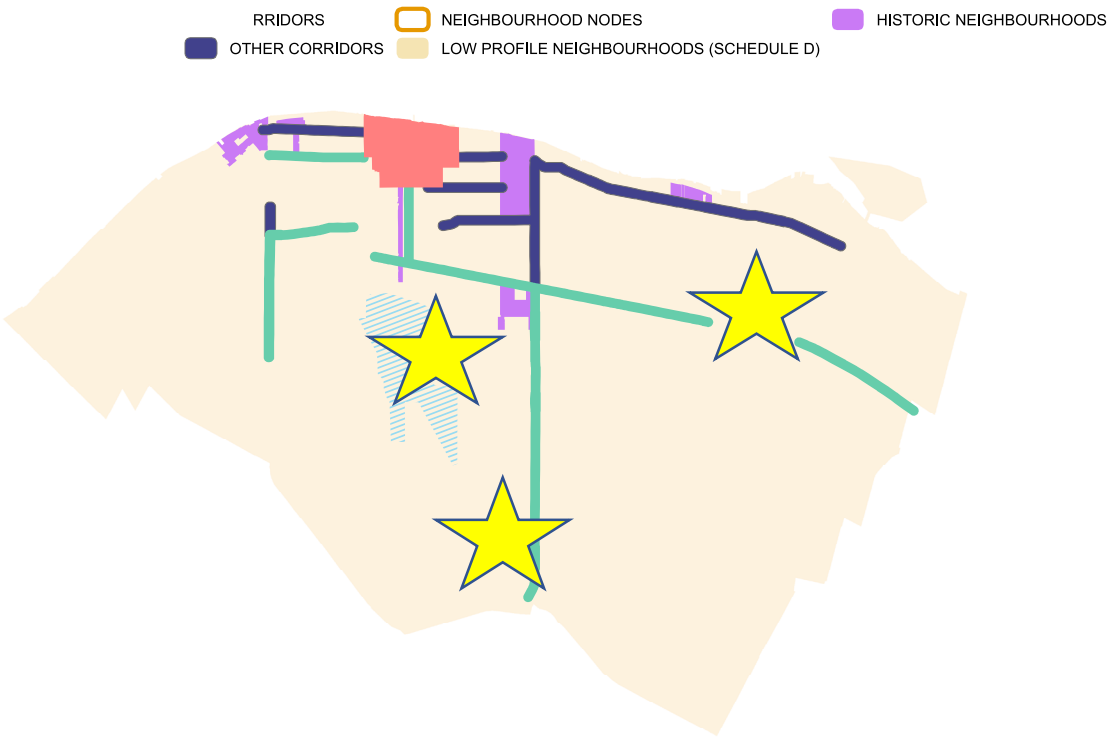
Multiple Residential Interim Control By-law Study

OFFICIAL PLAN POLICY CHANGES
ADOPTED BY CITY COUNCIL (2022)

Regional Centres become Mixed Use Centres

- Permit Medium and High profile residential and mixed-use buildings.
- The Zoning By-law would utilize separate zones to regulate the height of buildings adjacent to low profile residential uses, ensuring an appropriate transition
- Design Guidelines will provide additional development details/examples



Many municipalities are now doing the same thing

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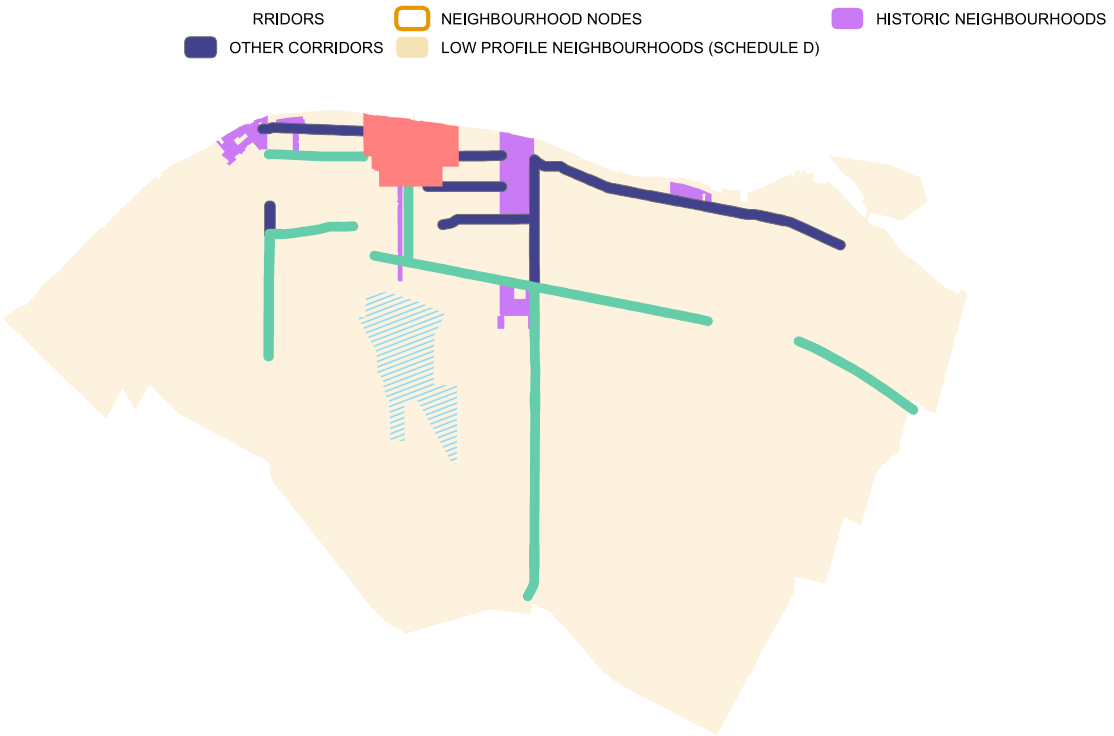
Multiple Residential Interim Control By-law Study

OFFICIAL PLAN POLICY CHANGES

ADOPTED BY CITY COUNCIL (2022)

Mixed Use Corridors

- Permit Medium and High profile residential buildings
- Parkland dedication and Parking requirements revised to encourage intensification
- The Zoning By-law to regulate height adjacent to low profile residential areas, ensuring an appropriate transition
- Direction regarding permitting non-residential uses on ground floor or requiring non-residential uses on the ground floor would be included in policy
- The Zoning By-law to regulate areas where ground floor non-residential uses are required.
- Design Guidelines will provide additional development details/examples



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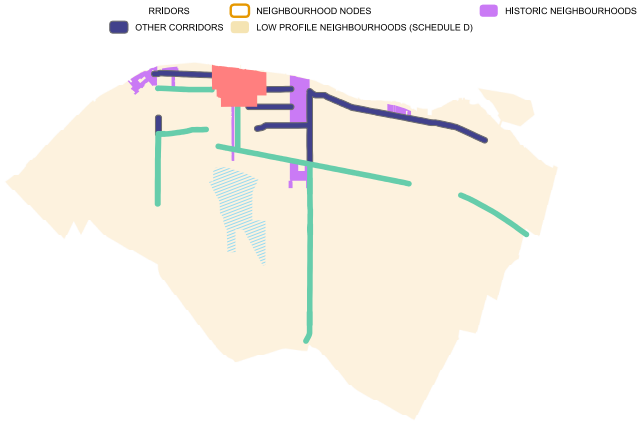
Multiple Residential Interim Control By-law Study

OFFICIAL PLAN POLICY CHANGES
ADOPTED BY CITY COUNCIL (2022)

Mixed Use Nodes

- Permit medium profile buildings up to 20 m
- The Zoning By-law to regulate height adjacent to low profile residential areas, ensuring an appropriate transition
- Require 50 per cent of ground floor facing arterial or collector roads to be non-residential uses.
- Parkland dedication and Parking requirements revised to encourage intensification
- Zone Nodes to permit residential and mixed use areas
- Design Guidelines will provide additional development details/examples



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Multiple Residential Interim Control By-law Study

OFFICIAL PLAN POLICY CHANGES

ADOPTED BY CITY COUNCIL (2022)

Low Profile Residential Areas – Stable Neighbourhoods

- Policies to protect character through limits of gross floor area and height
- Zoning By-law revised to include maximum height (9.0 m) and
- Maximum gross floor area (400 sq m)
- Require design brief as part of application process to define character and demonstrate **compatibility**
- Design Guidelines will provide additional development details/examples

*"**Compatible development** means development that may not necessarily be the same as, or even similar to the existing buildings in the vicinity, but, nonetheless, enhances an established community and coexists with existing development without causing any undue, adverse impact on surrounding properties."*

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Multiple Residential Interim Control By-law Study

OFFICIAL PLAN POLICY CHANGES
ADOPTED BY CITY COUNCIL (2022)

Mature Neighbourhoods

- In addition to policies and zoning for Low Profile Neighbourhoods:
  - Design brief to describe historic and current architectural style, materials and site characteristics.
  - Development or redevelopment to be **consistent** with historic neighbourhood character

Consistent *means " marked by harmony, regularity, or steady continuity : free from variation or contradiction"*

Multiple Residential Interim Control By-law Study

ZONING BY-LAW AMENDMENTS ADOPTED BY CITY COUNCIL (2022)

Stable Residential Neighbourhoods

- Add maximum gross floor area in RD1 and RD2 Zones – recommend 400 sq m (4,300 sq ft)
- Reduce height permissions from 10 m to 9 m

Mature Neighbourhoods

- Add provision limiting height to not more than 0.5 m higher than the abutting dwellings
- Similar provisions for front yards and side yards

Mixed Use Corridors

- Add permission for free standing residential buildings
- Require building step- back after 3 storeys and adjacent to low profile residential uses
- Require ground floor retail for 50% of streetfront at key intersections

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Multiple Residential Interim Control By-law Study

ZONING BY-LAW AMENDMENTS ADOPTED BY CITY COUNCIL (2022)

Mixed Use Nodes

- Add permission for for combined use buildings up to 4 storeys

General

- Pre-zone key redevelopment areas including Nodes and Corridors
- Eliminate min. dwelling unit size (prev. 40sq m)
- Define Special Needs housing and permit in all Residential Zones
- Eliminate definitions of :
  - Fraternity or Sorority House
  - Shelter

These changes will significantly increase new housing units while protecting stable and mature neighbourhoods

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THE CITY OF WINDSOR
ONTARIO, CANADA

PHASE II
ADAPTING THE DEVELOPMENT PROCESS

Adapting the Development Process

COMPARING ONTARIO & WINDSOR APPLICATION TIMELINES

- 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).

The City of Windsor is already doing a very good job of expediting planning approvals

Adapting the Development Process

CHALLENGES IN THE DEVELOPMENT APPROVAL PROCESS

CONSTRAINT	DESCRIPTION
Staff Resources	• The Municipality is currently down a number of positions which puts pressure on the remaining position as well as other planners to deal with the initial contact. At the same time the municipality is dealing with record volumes of applications. • Unexpected counter inquiries pull planning staff from application review. • Utilizing temporary positions does not build corporate knowledge
Staff Turnover	• Staff turnover is a reality faced by all employers, public or private. • Younger workers seek a different work-life balance than historic trends. • Loss of institutional knowledge due to people leaving to reduce the work stress and increase the remuneration for the work that is done.
Development Coordination	• Typically, in municipalities first contact with an applicant and taking in an application is a more junior position. • It is critical that a person in this position has both the experience and knowledge • A position that has the responsibility to coordinate and monitor the status of all development applications is necessary
Quality of Applications	• Many applications are woefully incomplete or have misinformation. • A substantially different application is submitted when the application is finally submitted.
Allocation of Files	• The allocation of files currently occurs once a week. That means if an application is submitted it could be 7 days or longer before it is allocated to a planner. • Allocating this role to the Development Supervisor has eliminated this delay.
Consistency in Approach	• There is a need to clearly define what studies are required at what time in the planning process. • Providing applicants/agents with the scope of work required for technical studies has proven to be helpful and has greatly improved the consultation process. • The objective of the Planning Department needs to be clear to all staff. The intent of the review should be to facilitate development and find solutions to problems rather than to simply find problems.
Integration of Review	• Historically there were inter-departmental staff meeting to review development applications (Triage Meetings). The process has been found to be very beneficial and would expedite the development approval of more complicated matters.

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Adapting the Development Process

SEEKING SOLUTIONS

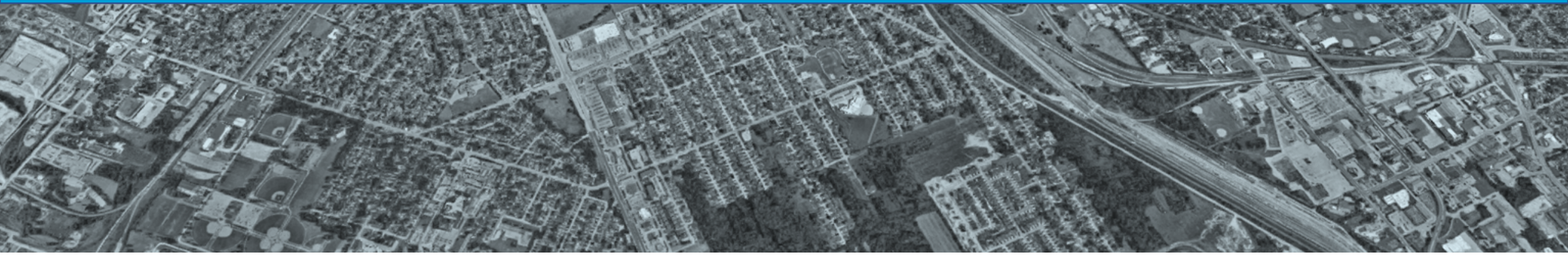
- REDUCE THE NEED FOR PLANNING APPROVAL
- GOOD APPLICATIONS
- CONSIDER OPTIONS TO DELEGATE AUTHORITY OF PLANNING APPROVAL
- CHANGES TO THE APPLICATION PROCESS
- INFORMATION TECHNOLOGY
- STAFF RESOURCES
- CONSISTENT OBJECTIVES AND DECISIONS

NEXT STEPS: Phase 3

- OFFICIAL PLAN AMENDMENT
- ZONING BY-LAW AMENDMENT
- REVIEW STAFF RESOURCES AND ROLES
- EDUCATION AND TEAM BUILDING
- SYSTEM IMPROVEMENTS

THE CITY OF WINDSOR
ONTARIO, CANADA

PHASE III
STREAMLINING THE DEVELOPMENT APPLICATION PROCESS: IMPLEMENTATION AND OPA 179



Streamlining the Development Process; Implementation

OFFICIAL PLAN AMENDMENT 179

COMMITTEE OF ADJUSTMENT POLICIES

- Minor Variance
- Consents
- Non-Conforming Uses

MINOR REZONING

ALTERNATE NOTICE PROVISIONS

SITE PLAN CONTROL

GUIDELINES CREATED

- Planning Rationale Report
- Urban Design Study
- Heritage Impact Study
- Archaeological Assessment
- Block Plan
- Environmental Impact Study
- Watershed/Subwatershed Plan
- Stormwater Management Plan
- Functional Servicing Report
- Sanitary and/or Storm Sewer Study
- Transportation Impact Study/Impact Statement
- Noise and/or Vibration Study
- Tree Inventory & Preservation Study
- Natural Features Inventory and Preservation
- Lighting Study
- Climate Change Study & Briefs
- Environmental Site Assessment
- Financial Impact Study

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Suite 311, Essex, ON N8M 1Y6

June 26, 2024

Mr. Michael Cooke
Planning Policy Manager
Building & Planning Development Services
350 City Hall Square West, Suite 210
Windsor, ON N9A 6S1

Dear Mr. Michael Cooke:

RE: Application for Official Plan Amendment OPA 179 Entire City of Windsor
Applicant: City of Windsor

The City of Windsor is proposing Official Plan Amendment OPA 179 to streamline the City of Windsor planning process. The following is provided as a result of our review of OPA 179.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

Please be advised that the City of Windsor encompasses many regulated watercourses and drains. Stormwater management to ensure flood control and avoidance of downstream impacts in the City of Windsor is generally subject to approval by the Essex Region Conservation Authority. Our office also regulates erosion hazards, unstable slopes, and dynamic beach hazards. Any proposed works within the Limits of Regulated Area (LORA), or that may have an impact on the receivers subject to ERCA regulation, generally require the issuance of a permit from ERCA in accordance with the applicable Section 28 Regulation under the Conservation Authorities Act, or an approval based on approved Conditions under the *Planning Act*.

Our office has reviewed OPA 179 as proposed, and we understand that the purpose of Official Plan Amendment No. 179 is to streamline the City of Windsor planning process. We wish to thank the City of Windsor for the opportunity to provide input into OPA 179 during the pre-consultation stage.

Essex Region Conservation Authority
sustaining the place for life

Mr. Michael Cooke
June 26, 2024

FINAL RECOMMENDATION

Our office has **no objection** to OPA 179.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,

Alicia Good
Watershed Planner
/ag

Essex Region Conservation Authority
sustaining the place for life

From: Lingard, Norman <norman.lingard@bell.ca>
Sent: Wednesday, June 26, 2024 1:23 PM
To: clerks <clerks@citywindsor.ca>
Subject: STREAMLINING OFFICIAL PLAN AMENDMENT --- Z/14733

Good afternoon,

Bell Canada thanks you for the opportunity to participate in the City of Windsor's review process to streamline the OPA.

About Bell Canada

Bell Canada is Ontario's principal telecommunications infrastructure provider, developing and maintaining an essential public service. The Bell Canada Act, a federal statute, requires that Bell supply, manage and operate most of the trunk telecommunications system in Ontario. Bell is therefore also responsible for the infrastructure that supports most 911 emergency services in the Province. The critical nature of Bell's services is declared in the Bell Canada Act to be "for the general advantage of Canada" and the Telecommunications Act affirms that the services of telecommunications providers are "essential in the maintenance of Canada's identity and sovereignty."

Provincial policy further indicates the economic and social functions of telecommunications systems and emphasizes the importance of delivering cost-effective and efficient services:

- The 2020 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).
- Section 1.7.1 l) of the 2020 PPS recognizes that "efficient and coordinated telecommunications infrastructure" is a component of supporting long-term economic prosperity.
- We note that the definition of infrastructure in the 2020 PPS is inclusive of communications / telecommunications, which is indicative of the importance in providing efficient telecommunications services to support current needs and future growth (Section 1.6.1).
- Furthermore, the 2020 PPS states that infrastructure should be "strategically located to support the effective and efficient delivery of emergency management services" (Section 1.6.4), which is relevant to telecommunications since it is an integral component of the 911 emergency service.

To support the intent of the Bell Canada Act and Telecommunications Act and ensure consistency with Provincial policy, Bell Canada has become increasingly involved in municipal policy and infrastructure initiatives. We strive to establish partnerships which allow for a solid understanding of the parameters of Bell's infrastructure and provisioning needs and the goals and objectives of the municipality related to utilities.

Comments on the Official Plan Amendment 179

To facilitate the provisioning of Bell's infrastructure, we appreciate the Municipality's continued support in ensuring that sufficient notice and time to comment on planning applications are provided, particularly for Draft Plan of Condominium, Draft Plan of Subdivision and Site Plan

Control/Approval. This ensures an understanding by applicants of Bell's conditions and provisioning requirements.

Bell would also emphasize that receiving engineering and servicing/utility plans/drawings, as soon as possible in the process, assists in the development and expedition of our provisioning plan. As a result, we would strongly recommend that this consideration be highlighted in any pre-circulation/consultation meetings with prospective applicants. This will assist Bell in providing comments and clearance letters in an efficient manner, assisting the Municipality in meeting approval times. Such drawings should be submitted to: planninganddevelopment@bell.ca by the applicant/their agents.

Future Involvement

We would like to thank you again for the opportunity to comment, and would request that Bell continue to be circulated on any future materials and/or decisions released by the City in relation to this initiative. Please forward all future documents to circulations@wsp.com and should you have any specific questions, please contact the undersigned.

Yours truly,

Norm Lingard
Senior Consultant – Municipal Liaison
Network Provisioning
norman.lingard@bell.ca | ☎ 365.440.7617

Please note that WSP operates Bell Canada's development, infrastructure and policy tracking systems, which includes the intake and processing of municipal circulations. However, all responses to circulations and requests for information will come directly from Bell Canada, and not from WSP. WSP is not responsible for the provision of comments or other responses.

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Committee Matters: SCM 210/2024

Subject: Zoning By-law Amendment Application for 0 Turner Road, Z-014/24 [ZNG-7202], Ward 9

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

Decision Number: **DHSC 631**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the southeast corner of Moxlay Avenue and Turner Road, described as Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872 [PIN No. 01350-0225 LT], from Residential District 1.1 (RD1.1), to Residential District 3.2 (RD3.2), subject to additional regulations:

508. SOUTHEAST CORNER OF MOXLAY AVENUE AND TURNER ROAD

(1) For the lands comprising of Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872, PIN No. 01350-0225 LT, the following shall apply:

1. Section 5.15.5 shall not apply.

2. The provisions of Section 12.2.5 shall apply, save and except Subsections 12.2.5.3, 12.2.5.4 and 12.2.5.8.

3. Lot Coverage - maximum 41.6%

   For this provision *lot coverage* shall exclude any portion of an *accessory building* covered by a *green roof*.

4. Main Building Height - maximum 10.0 m

5. Front Yard Depth - maximum 0.0 m

6. Landscaped Open Space Yard - minimum 41.6% of lot area

   For this provision a *landscaped open space yard* shall include a *green roof* and *soft landscaping* defined as follows:

   *"**GREEN ROOF** means an area open to the sky, located on the roof of a building and maintained with flowers, grass, shrubs, and/or trees."*

*"**SOFT LANDSCAPING** means an area open to the sky, maintained with flowers, grass, shrubs, and/or trees."*

7. A minimum of 390.0 m^2 of *green roof* shall be provided.

8. Notwithstanding Section 25.5.20.1.2 of Table 25.5.20.1, the minimum separation from a *parking area* and Turner Road shall be 1.20 metres, and such separation shall include a 1.20-metre-high ornamental fence spanning the length of the separation, save and except that portion of the separation within 0.30 metres of an *access area*.

9. Notwithstanding Section 25.5.20.1.3 of Table 25.5.20.1, the minimum separation from a *parking area* to the south interior lot line shall be 1.20 metres.

10. Notwithstanding Section 25.5.20.1.6 of Table 25.5.20.1, the minimum separation from a *parking area* to a building wall containing a *habitable room window* shall be 3.50 metres, and such separation shall include a soft landscaping buffer with a minimum depth of 2.00 metres along any building wall containing a *habitable room window*.

    [ZDM 12; ZNG/7202]

    and,

II. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** with an application for Site Plan Approval:

    a. Micro-Climate Study, prepared by Haddad Morgan & Associates Ltd., dated December 30, 2023.
    b. Planning Rationale Report, prepared by Pillon Abbs Inc., dated April 25, 2024.
    c. Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study, prepared by Acoustic Engineering Ltd., dated November 9, 2023.
    d. Sanitary Study, prepared by Haddad Morgan & Associates Ltd., dated August 14, 2023.
    e. Stormwater Management Study, prepared by Haddad Morgan & Associates Ltd., stamped on March 27, 2024.
    f. Stormwater Management Study Approval Letter, from the Office of the Commissioner of Engineering Services., dated March 27, 2024.
    g. Tree Inventory & Preservation Study, prepared by a licensed landscape architect, in accordance with Section 10.2.14 of the City of Windsor Official Plan.

h. Urban Design Study, prepared by a qualified consultant, in accordance with Section 10.2.12 of the City of Windsor Official Plan; and,

III. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:

a. 1.83-metre-high screening fence shall be erected and maintained on the north limit of Lot 1011, Plan 1126, PIN No. 01350-0183 LT.
b. 1.83-metre-high screening fence shall be erected and maintained the west limit of the east half of the Closed Alley, Plan 1126, PIN No. 01350-0226 LT.
c. Mitigation measures identified in the aforesaid Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study, subject to the approval of the Chief Building Official.
d. Servicing and right-of-way requirements of the City of Windsor - Engineering Department - Right-of-Way Division contained in Appendix E of this report and measures identified in the aforesaid Sanitary Study and Stormwater Management Study; and,

IV. THAT the Site Plan Approval Officer **CONSIDER** the following matter in an approved site plan and/or executed and registered site plan agreement:

e. Energy Strategy prepared by a qualified consultant, in accordance with the Energy Strategy Terms of Reference.

Carried.
Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 79/2024
Clerk's File: Z/14808

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 Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Subject: Zoning By-law Amendment Application for 0 Turner Road, Z-014/24 [ZNG-7202], Ward 9

Reference:

Date to Council: July 2, 2024
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: June 13, 2024
Clerk's File #: Z/14808

To: Mayor and Members of City Council

Recommendation:

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the southeast corner of Moxlay Avenue and Turner Road, described as Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872 [PIN No. 01350-0225 LT], from Residential District 1.1 (RD1.1), to Residential District 3.2 (RD3.2), subject to additional regulations:

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2. The provisions of Section 12.2.5 shall apply, save and except Subsections 12.2.5.3, 12.2.5.4 and 12.2.5.8.

3. Lot Coverage - maximum — 41.6%

   For this provision *lot coverage* shall exclude any portion of an *accessory building* covered by a *green roof*.

4. Main Building Height - maximum — 10.0 m

5. Front Yard Depth - maximum — 0.0 m

6. Landscaped Open Space Yard - minimum — 41.6% of lot area

For this provision a *landscaped open space yard* shall include a *green roof* and *soft landscaping* defined as follows:

> *"**GREEN ROOF** means an area open to the sky, located on the roof of a building and maintained with flowers, grass, shrubs, and/or trees."*
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> *"**SOFT LANDSCAPING** means an area open to the sky, maintained with flowers, grass, shrubs, and/or trees."*

7. A minimum of 390.0 m^2 of *green roof* shall be provided.

8. Notwithstanding Section 25.5.20.1.2 of Table 25.5.20.1, the minimum separation from a *parking area* and Turner Road shall be 1.20 metres, and such separation shall include a 1.20-metre-high ornamental fence spanning the length of the separation, save and except that portion of the separation within 0.30 metres of an *access area*.

9. Notwithstanding Section 25.5.20.1.3 of Table 25.5.20.1, the minimum separation from a *parking area* to the south interior lot line shall be 1.20 metres.

10. Notwithstanding Section 25.5.20.1.6 of Table 25.5.20.1, the minimum separation from a *parking area* to a building wall containing a *habitable room window* shall be 3.50 metres, and such separation shall include a soft landscaping buffer with a minimum depth of 2.00 metres along any building wall containing a *habitable room window*.

    [ZDM 12; ZNG/7202]

II. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** with an application for Site Plan Approval:

a. Micro-Climate Study, prepared by Haddad Morgan & Associates Ltd., dated December 30, 2023.
b. Planning Rationale Report, prepared by Pillon Abbs Inc., dated April 25, 2024.
c. Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study, prepared by Acoustic Engineering Ltd., dated November 9, 2023.
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f. Stormwater Management Study Approval Letter, from the Office of the Commissioner of Engineering Services., dated March 27, 2024.
g. Tree Inventory & Preservation Study, prepared by a licensed landscape architect, in accordance with Section 10.2.14 of the City of Windsor Official Plan.

h. Urban Design Study, prepared by a qualified consultant, in accordance with Section 10.2.12 of the City of Windsor Official Plan.

III. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:

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b. 1.83-metre-high screening fence shall be erected and maintained the west limit of the east half of the Closed Alley, Plan 1126, PIN No. 01350-0226 LT.
a. Mitigation measures identified in the aforesaid Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study, subject to the approval of the Chief Building Official.
b. Servicing and right-of-way requirements of the City of Windsor - Engineering Department - Right-of-Way Division contained in Appendix E of this report and measures identified in the aforesaid Sanitary Study and Stormwater Management Study.

IV. THAT the Site Plan Approval Officer **CONSIDER** the following matter in an approved site plan and/or executed and registered site plan agreement:

i. Energy Strategy prepared by a qualified consultant, in accordance with the Energy Strategy Terms of Reference.

Executive Summary:

N/A

Background:

Application Information:

Location: 0 Turner Road

(Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872; Roll No. 070-260-03700; PIN No. 01350-0225 LT)

Ward: 9

Planning District: Devonshire

Zoning District Map: 12

Owner: Olivia Construction Homes Inc. (Ashraf Botros)

Applicant: Same as Owner

Authorized Agent: Pillon Abbs Inc. (Tracey Pillon-Abbs)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the southeast corner of Moxlay Avenue and Turner Road, known municipally as 0 Turner Road (the subject property), from a Residential District 1.1 (RD1.1) zone to a site-specific Residential District 3.2 (RD3.2) zone to allow for the construction of a three (3) storey, 17-unit multiple dwelling with a 21-space rear parking area.

The applicant is requesting a site-specific zoning provision to increase the maximum lot coverage from 35.0% to 42.0% and reduce the minimum landscaped open space yard from 35.0% to 11.2% of the lot area.

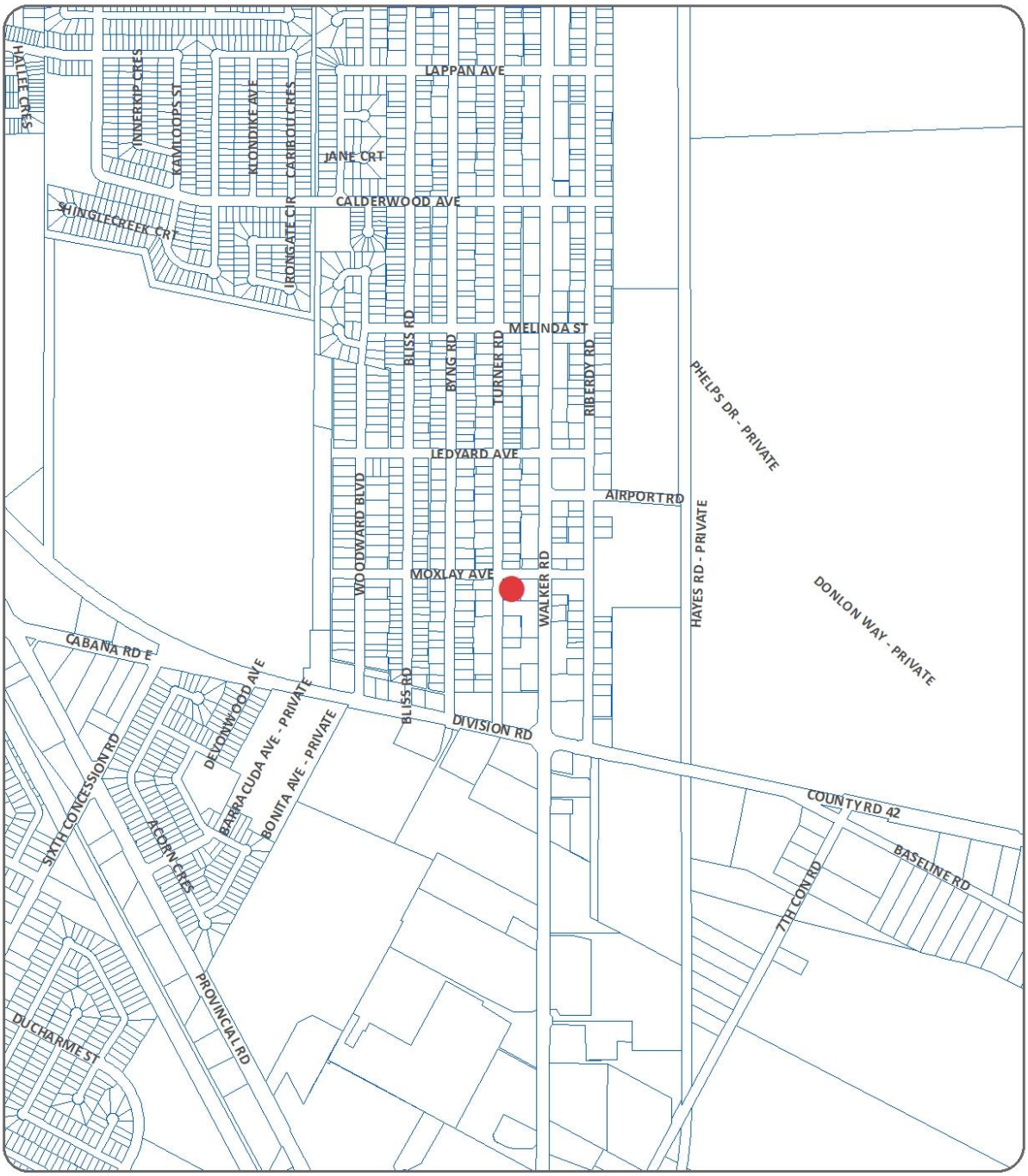
Submitted Information: Conceptual Plans (See Appendix A), Deed, Micro-Climate Study (See Appendix G), Plan of Survey, Planning Rationale Report (See Appendix H), Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study (See Appendix I), Sanitary Study (See Appendix J), Stormwater Management Study Approval Letter (Appendix K), Stormwater Management Study (See Appendix L), and Zoning By-law Amendment Application Form.

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential	Residential District 1.1 (RD1.1)	Vacant Land	Residential (Single Unit Dwelling - demolished in 1990)
Lot Width	**Lot Depth**	**Lot Area**	**Lot Shape**
36.4 m	42.7 m	1,551.6 m^2	Rectangular
All measurements are based on the Plan of Survey completed by Verhaegen Land Surveyors, dated January 8, 2021			

The subject property is vacant and maintained as landscaped open space, save and except a small portion making up part of a shared gravel driveway with the abutting property to the east known municipally as 3911 Walker Road.

The subject property is bound by a roadside ditch to the north and west and is subject to a 2.13-metre-wide utility easement along the east lot line (Instrument No. R1102972E).



KEY MAP - Z-014/24, ZNG-7202

SUBJECT LANDS

PART OF ZONING DISTRICT MAP 12

N.T.S.

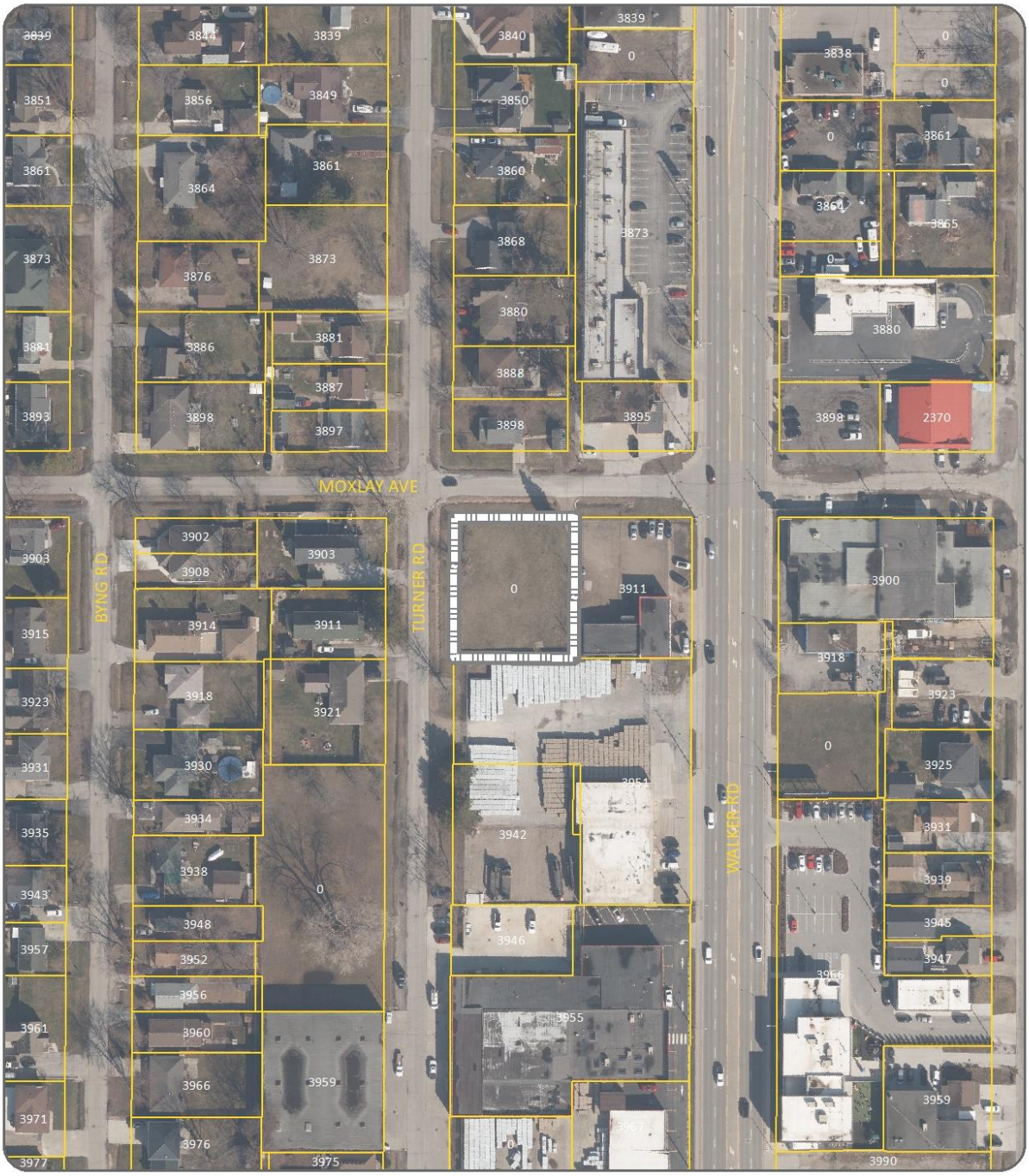
REZONING

Applicant: Olivia Construction Homes Inc.

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : MAY, 2024
FILE NO. : Z-014/24, ZNG-7202



NEIGHBOURHOOD MAP - Z-014/24, ZNG-7202

SUBJECT LANDS

Neighbourhood Characteristics:

The subject property is located on the eastern side of the Devonshire neighbourhood. The Devonshire neighbourhood constitutes the area north of Division Road, east of the Canadian Pacific Railway rail corridor, south of E. C. Row Expressway and west of the Canadian National Railway rail corridor.

Surrounding Land Uses:

North:

- Commercial (business office, financial office, personal service shops, restaurants, retail stores, retail stores - equipment & supplies)
- Low density residential

East:

- Automobile repair garage

South:

- Retail store - equipment & supplies

West:

- Low density residential

Municipal Infrastructure:

- Moxlay Avenue is classified as a local road, which has a two-lane cross section with no curbs and gutters, sidewalks or streetlights.
- Turner Road is classified as a local road, which has a two-lane cross section with no curbs and gutters, sidewalks or streetlights.
- Roadside ditches are located within the Moxlay Avenue right-of-way.
- Roadside ditches, sanitary sewer, and watermains are located within the Turner Road right-of-way.
- There is a transit stop for the South Windsor 7: Westbound transit route within approximately 285.0 metres of the subject property.
- There is a transit stop for the Walkerville 8: Northbound transit route within approximately 275.0 metres of the subject property.
- There is a transit stop for the Walkerville 8: Southbound transit route within approximately 90.0 metres of the subject property.

Discussion:

The Provincial Policy Statement 2020 (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 the PPS are considered relevant in discussing provincial interests related to this amendment:

1.0 Building Strong Healthy Communities

Policy 1.1.1 states:

- *Healthy, liveable and safe communities are sustained by:*
    - *a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
        - This amendment will allow for a multiple dwelling infill development that optimizes existing municipal services.
    - *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;*
        - This amendment will allow for the construction of a multiple dwelling, further diversifying the range and mix of residential types available in the Devonshire neighbourhood.
    - *c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.*
        - The Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study (Noise Study) found the road traffic noise impacts from Walker Road to exceed the limits set forth in the Ministry of the Environment and Climate Change's *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)*.
        - The Noise Study recommends mitigation measures to ensure that the inhabitants of the multiple dwelling will not be subjected to unacceptable levels of noise.
        - The Planning Department is recommending that the Site Plan Approval Officer be directed to incorporate these mitigation measures into an approved site plan and executed and registered site plan agreement, subject to the approval of the Chief Building Official.
        - This amendment will not cause any environmental or public health and safety concerns if the mitigation measures are implemented.

- *e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

    - This amendment will allow for the redevelopment of the subject property through residential intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
    - The development of the subject property at a higher density, in conjunction with it being within walking distance of transit stops and a Mixed-Use Corridor (Walker Road), also represents a transit-supportive development.

        - 400.0 metres is typically used as an acceptable walking distance to a transit stop.
        - This is reflected within Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan.

- *f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.*

    - The interior layout for a multiple dwelling must comply with the Barrier-Free Design requirements of the *Ontario Building Code.*
    - The exterior site design for a multiple dwelling must comply with the accessibility requirements under *Ontario Regulation 191/11 Integrated Accessibility Standards to the Accessibility for Ontarians with Disabilities Act, 2005* and the Barrier-Free Design requirements of the *Ontario Building Code.*

        - Zoning By-law 8600 also includes provisions that cover many of the aforesaid accessibility requirements.

    - Compliance with the aforesaid requirements will be addressed through the Site Plan Control and Building Permit application processes.
    - The Engineering Department is requesting that the Site Plan Approval Officer incorporate a payment of $9,142.00, being the Owner's contribution towards the future construction of a concrete sidewalk on the Turner Road and Moxlay Avenue frontage of the subject lands into an executed and registered site plan agreement.

- *g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*

    - The subject property is serviced by a 150-millimetre cast iron thick walled watermain, 250-millimetre PVC sanitary sewer, and roadside ditch within the Turner Road right-of-way.
    - The subject property is serviced by a roadside ditch within the Moxlay Avenue right-of-way.
    - The subject property is serviced by overhead hydro lines running parallel to the east property line.
    - The subject property has direct access to a public highway in the form of Moxlay Avenue and Turner Road.
    - John A. McWilliam Public School and Vincent Massey Secondary School are located within 2.4 kilometres and 5.8 kilometres of the subject property, respectively.
    - St. Christopher Catholic Elementary School and Holy Names Catholic High School are located within 3.0 kilometres and 6.5 kilometres of the subject property, respectively.
    - Optimist Community Centre and W.F. Chisholm Branch Public Library are located within 5.3 kilometres of the subject property.

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 1.2.6 states:

- *1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*

    - The Noise Study found the stationary noise impacts from neighboring commercial properties to be below the limits set forth in *NPC-300*.

Policy 1.4.3 states:

- *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

    - *b) permitting and facilitating:*

        - *2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

        - Refer to the responses provided to PPS Policies 1.1.1 b) and 1.1.1 e) herein.

    - *c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

        - Refer to the response provided to PPS Policy 1.1.1 g) herein.

    - *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;*

        - Refer to the response provided to PPS Policies 1.1.1 a), 1.1.1 b), 1.1.1 e) and 1.1.1 g) herein.

Policy 1.6.9.2 states:

- 1.6.9.2 Airports shall be protected from incompatible land uses and development by:

    - a) prohibiting new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP;

        - Refer to the response provided to PPS Policy 1.1.1 c) herein.

    - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the airport; and

        - Refer to the response provided to PPS Policy 1.1.1 c) herein.

    - c) discouraging land uses which may cause a potential aviation safety hazard.

        - Refer to the response to Official Plan Policy 7.2.10.2(c) herein.

One or more of the aforesaid responses to PPS Policy 1.1.1 also speak to the following relevant PPS Policy:

- *Policy 1.1.3.2* states:

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

        - *a) efficiently use land and resources;*

        - *b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
        - *f) are transit-supportive, where transit is planned, exists or may be developed; and*

- Policy 1.6.6.2 states:

    - *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.*

- Policy 1.6.7.4 states:

    - *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.*

- Policy 1.7.1 states:

    - *Long-term economic prosperity should be supported by:*

        - *b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
        - *c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*

- Policy 1.8.1 states:

    - *Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:*

        - *e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*

Official Plan

Relevant excerpts from Volume I of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

The subject property is located within the Devonshire Planning District on *Schedule A - Planning Districts & Policy Areas,* within an Airport Operating Area with a Noise Exposure Forecast over 30 on S*chedule C - Development Constraint Areas*, and within a Residential land use designation on *Schedule D - Land Use Plan,* to the *City of Windsor Official Plan*.

Volume I

Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

3.2 - Growth Concept

3.2.1 - Safe, Caring and Diverse Communities

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goals:

- *Safe, caring and diverse neighbourhoods* (Goal 6.1.1).
- *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*

- *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 three (3) storey multiple dwelling is classified as a Low-Profile dwelling unit.

Locational Criteria

Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where: (Policy 6.3.2.4)

- *(a) There is access to a collector or arterial road;*
    - The subject property is located within approximately 35.0 metres of Walker Road and approximately 250.0 metres of Division Road, both Class II Arterial Roads.
- *(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.*
    - Refer to the response provided to PPS Policy 1.1.1 e) and the Municipal Infrastructure section herein.

Evaluation Criteria for a Neighbourhood Development Pattern

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 located within an Airport Operating Area with a Noise Exposure Forecast above 30.
        - Refer to the response provided to Official Plan policy 7.2.10.2 herein.
- *(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;*
    - Refer to the responses provided to PPS Policies 1.1.1 c) and 1.2.6 herein.
- *(iv) where traffic generation and distribution is a provincial or municipal concern; and*
    - The Transportation Planning Department did not identify any concerns with traffic generation and distribution.

- *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
    - The Planning Department analyzed the properties within the 2100-2200 blocks of Moxlay Avenue and the 3800-3900 blocks of Turner Road (the block) to determine if a development permitted through this amendment will be compatible with the established built environment within the block.
    - The analysis included four (4) blocks due to the subject property being situated at the intersection of Moxlay Avenue and Turner Road.
    - The analysis found the block to have a diverse built environment consisting of a mix of commercial uses and Low-Profile residential uses,
    - The data collected through this analysis is summarized below and included in the table *attached* hereto as Appendix M.

Scale and Massing

- The lot coverage attributed to main buildings within the block ranges from approximately 0.0% to 100.0%.
    - Lot coverage of just the residential properties ranges from 11.5% to 40.5%.
    - Total lot coverage of just the residential properties ranges from 12.6% to 40.5%.
    - The applicant is proposing a lot coverage of 41.6% (644.7 m^2).
    - The RD1.1 zoning permits a maximum lot coverage of 45.0%, which equates to 698.2 m^2 for the subject property.
    - The RD3.2 zoning permits a maximum lot coverage of 35.0%, which equates to 543.1 m^2 for the subject property.

        - The Planning Department is recommending that a site-specific provision be added to establish a maximum lot coverage of 41.6%, subject to the requested additional lot coverage being compensated equally through an increase in minimum landscaped open space yard from 35.0% of the lot area to 41.6% of the lot area.

    - Lot widths of properties within the block range from approximately 10.7 metres to 185.7 metres.

        - Lots widths of just the residential properties range from 10.7 metres to 34.6 metres.

    - Lot areas of properties within the block range from approximately 370.7 m^2 to 13,378.4 m^2.

        - Lots areas of just the residential properties range from 370.1 m^2 to 1,278.0 m^2.

    - The block includes a hotel (Lexington Inn & Suites), a restaurant (Applebee's), a semi-detached dwelling, an automobile repair garage (E & A Auto Centre), two (2) retail stores - equipment & sales (Lunar Industrial Supply Limited and Tamar Building Products), and several single unit dwellings of various sizes and architectural styles, reflective of their time of construction ranging from 1935 to 2021.

Height

    - The maximum main - building height provision for a multiple dwelling on a corner lot under the RD3.2 zoning is 24.0 metres.

        - The applicant is proposing a building height of 9.9 metres.
        - Building heights within the block include a two (2) storey semi-detached dwelling, one (1) storey, one and a half (1 ½) storey and two (2) storey single unit dwellings and one (1) to two (2) storey commercial buildings.
        - The Planning Department is recommending that a site-specific provision be added to establish a maximum main building height of 10.0 metres.

            - This provision will ensure that a multiple dwelling will have a building height complimentary with the residential and commercial properties in the block.
            - This provision will ensure that unacceptable levels of shadows will not be cast on surrounding residential properties.
            - This provision will lastly ensure that adequate privacy is provided for surrounding residential properties.

Siting, Setbacks, Orientation and Parking

- The applicant is proposing to locate the multiple dwelling at the front lot line.
    - A multiple dwelling at this location will define and frame the street while screening the parking area from view.
    - This location also provides a complimentary transition from the Residential land use designation to the Mixed-Use Corridor land use designation on the lands immediately east.
        - Buildings in a Mixed-Use Corridor land use designation are encouraged to be located at the street frontage lot line with parking accommodated to the rear of the site.
    - The Planning Department is recommending that a site-specific provision be added to establish a maximum front yard depth of 0.0 metres.
        - This provision will ensure that a multiple dwelling is constructed at the front lot line.
- The applicant's request for a reduction in minimum landscaped open space yard is not supported by the Planning Department.
    - The applicant has subsequently agreed to provide a green roof to comply with the minimum landscaped open space yard provision being recommended herein.
    - The Planning Department is recommending that a site-specific provision be added to establish a definition for a green roof that includes it as landscaped open space yard.
    - The Planning Department is also recommending that a site-specific provision be added to establish a minimum green roof area of 390.0 m^2.
        - This provision accounts for the approximately 25.1% (390.0 m^2) deficiency in landscaped open space yard, which includes the 6.6% (102.4 m^2) increase in maximum lot coverage.
    - The Planning Department is further recommending that a site-specific provision be added that excludes any portion of an accessory building with a green roof from being included as lot coverage.
        - This provision will allow for a carport to be constructed over a portion of the parking area in the future, adding aesthetic value to the property.

- The applicant, after the submission of this application, has requested that the site-specific provision be expanded to include relief from the following provisions:
    - Reduction in minimum parking area separation from Turner Road from 3.00 metres to 1.20 metres to accommodate the required parking spaces.
        - The Planning Department is recommending that a site-specific provision be added to establish a minimum parking area separation from Turner Road of 1.20 metres, subject to the inclusion of a 1.20-metre-high ornamental fence spanning the length of the separation, save and except that portion of the separation within 0.30 metres of an access area.
    - Reduction in minimum parking area separation from a building wall containing a habitable room window from 4.50 metres to 3.50 metres to accommodate the minimum access area width of 7.00 metres.
        - The Planning Department is recommending that a site-specific provision be added to establish a minimum parking area separation from a wall containing a habitable room window of 3.50 metres, subject to the inclusion of a soft landscaping buffer with a minimum depth of 2.00 metres along any building wall containing a habitable room window and a minimum parking area separation from the south lot line of 1.20 metres.
            - This provision provides sufficient space for trees to be planted along the south lot line and ensures that the inhabitants of the dwellings with habitable room windows facing the parking area are buffered from vehicle headlights and provided with adequate privacy.
    - Exemption from the provision requiring any part of any building or structure from having a minimum separation of 6.0 metres from the point of intersection of any two streets to accommodate the proposed multiple dwelling building footprint.
        - The purpose of this provision is to maintain clear sightlines at intersections.
        - Transportation Planning has confirmed that a corner cut off is not required as both Moxlay Avenue and Turner Road are classified as local roads. Further, they have rural cross sections, translating to wider boulevards.
        - The Planning Department is not opposed to the requested exemption.

- *(d) provided with adequate off street parking;*
    - The proposed development will accommodate the required number of parking spaces onsite.
- *(e) capable of being provided with full municipal physical services and emergency services; and*
    - Refer to the response provided to PPS Policy 1.1.1 g) herein for details on the municipal physical services available to the subject property.
    - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 6) and Windsor Police Service.
- *(f) Facilitation a gradual transition from Low Profile residential development to Medium and/or High-Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.*
    - A three (3) storey multiple dwelling is classified as a Low-Profile dwelling.

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;*
        - *Refer to the response provided to PPS Policy 1.1.1 c) herein.*
    - *(ii) Identify and implement appropriate mitigation measures (refer to Procedures chapter);*
        - *Refer to the response provided to PPS Policy 1.1.1 c) herein.*
- *(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 confirmed that they have no issues with the proposed development.*

- *(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.

Council shall ensure that new development in the vicinity of the Windsor Airport includes appropriate noise and vibration abatement measures in accordance with established off-airport land use planning practices (Policy 7.2.10.3).

- *Refer to the response provided to PPS Policy 1.1.1 c) herein.*

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 a RD1.1 zone of Zoning By-law 8600, which does not permit a multiple dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning of the subject lands from Residential District 1.1 (RD1.1) zone to a site-specific Residential District 3.2 (RD3.2) zone to allow for the construction of a three (3) storey, 17-unit multiple dwelling with a 21-space rear parking area.

The applicant's request has been considered and is supported in this report in conjunction with the site specific provisions being recommended by the Planning Department herein.

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.

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. Situating development in areas with access to active transportation and transit increases the likelihood of residents utilizing various non-vehicular means of utilitarian transportation which collectively reduced the amount of greenhouse gas emissions within the City of Windsor.

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.

There are no objections to the proposed amendment.

The applicant hosted an electronic public open house on November 1, 2023, via Zoom. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by one (1) person.

Section 3.2 of the Planning Rationale Report summarizes the comments and questions raised at the open house, and includes corresponding responses. Comments received were taken into consideration when preparing this report.

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

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, conforms with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP	*Thom Hunt, MCIP, RPP*
Manager of Development	*City Planner*

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

JP *JM*

Approvals:

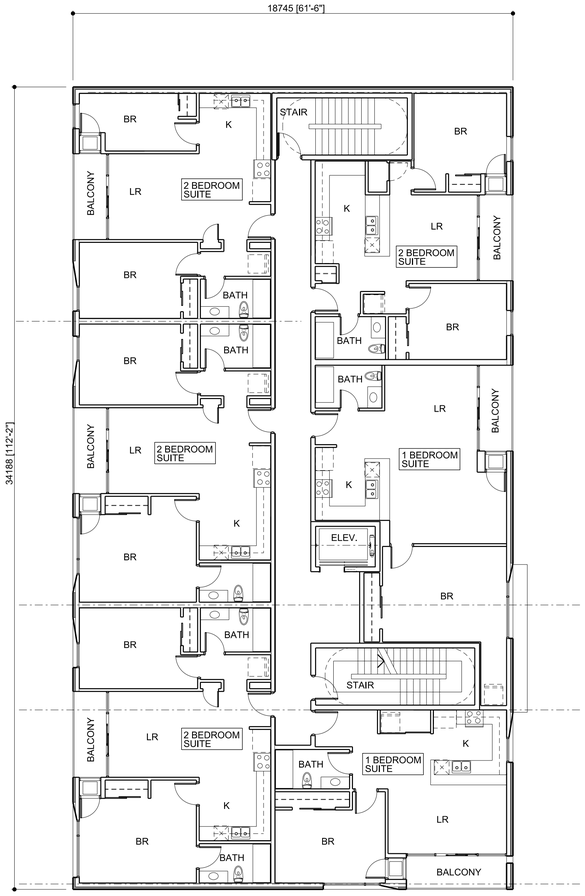
Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Abutting property owners, tenants/occupants within 120-meter (400 feet) radius of the subject property		

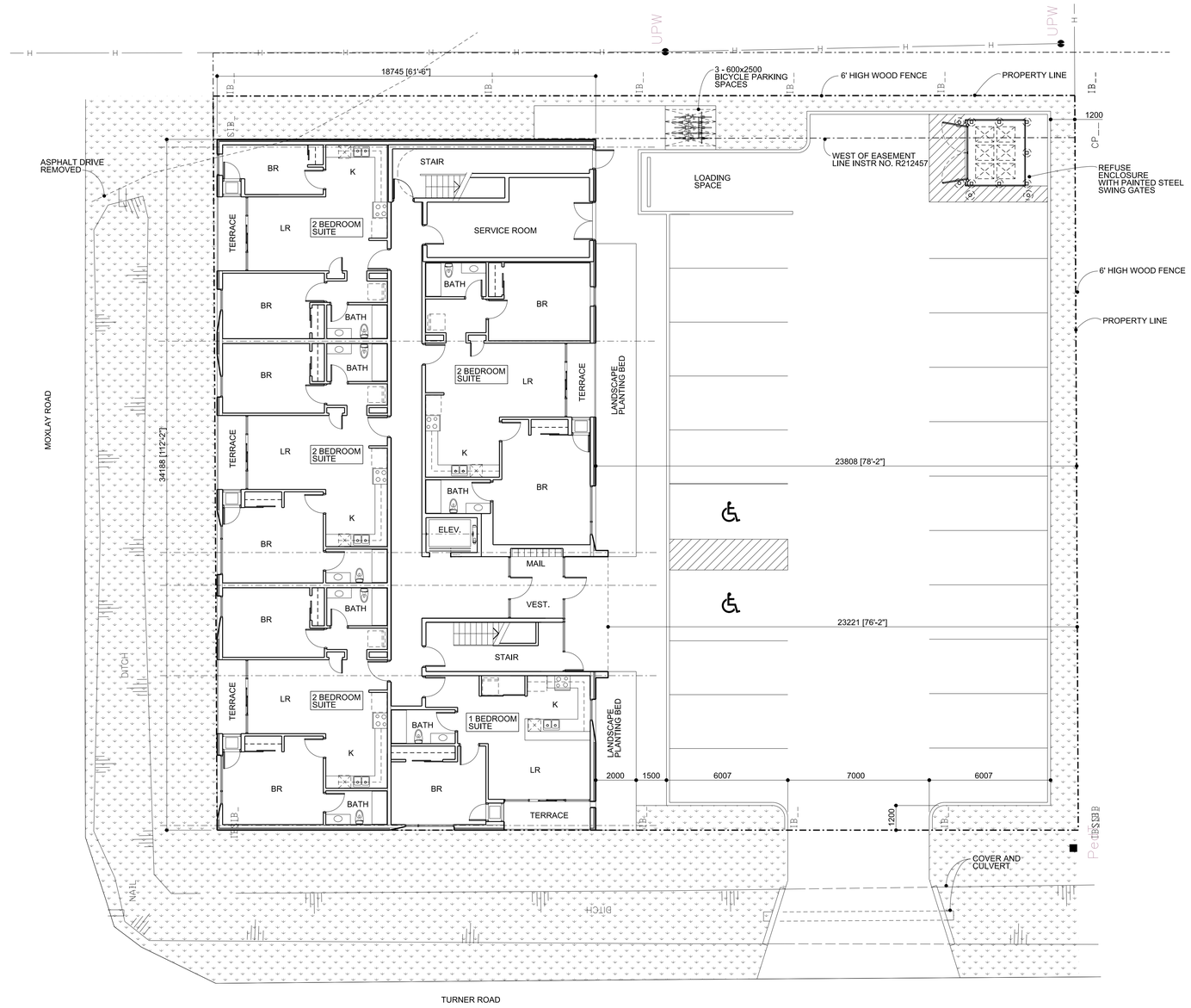
Appendices:

1 Appendix A - Conceptual Plans
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
7 Appendix G - Micro-Climate Study
8 Appendix H - Planning Rationale Report
9 Appendix I - Road Traffic and Stationary Noise Impact Study
10 Appendix J - Sanitary Study
11 Appendix K - Stormwater Management Report Approval Letter
12 Appendix L - Stormwater Management Study
13 Appendix M - Zoning Analysis



TYPICAL SECOND AND THIRD FLOOR PLANS

SITE LOCATION MAP
N.T.S.



SITE AND GROUND FLOOR PLAN

TABULATION DATA

PROPERTY AREA = 1550.12m²
BUILDING AREA = 610
GROSS BUILDING AREA = 1825m²
GROUND FLOOR = 605m²
SECOND FLOOR = 610m²
THIRD FLOOR = 610m²
PARKING SPACES = 21 SPACES
LOADING SPACES = 1 SPACE
BICYCLE SPACES = 3 SPACE

SCHEDULE OF SUITES		
FLOOR LEVEL	1 BR	2 BR
GROUND FLOOR	1	4
SECOND FLOOR	2	4
THIRD FLOOR	2	4
TOTAL	5	12

1" = 10'-0"

30 20 10 0 10 20 30

PC - 1

sheet number

Turner Road Development
windsor, ontario CANADA

Issue record

1.	PRE-CONSULT	8-14-23
2.	PC-STAGE 2	12-30-23

site plan and floor plans

scale: 1" = 10'-0"

drawing by:

checked by:

do not scale drawing - use figured dimensions only

all drawings and specification remain the property of the architect and must be returned after completion of the work

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developer

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architectural

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t: 519 254 8698

designstudio

PC - 2

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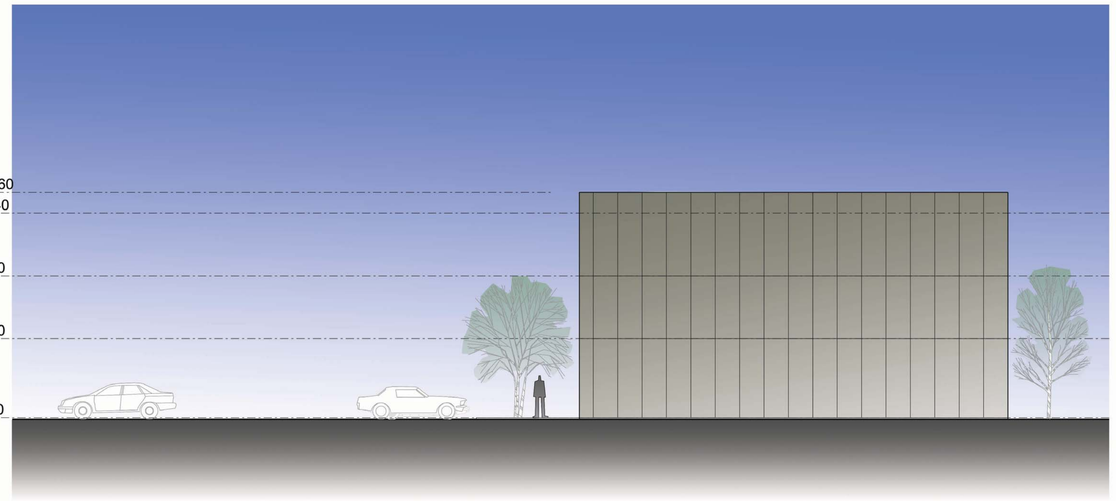
NORTH ELEVATION

WEST ELEVATION

SOUTH ELEVATION



EAST ELEVATION

EXTERIOR BUILDING MATERIALS

CLADDING: PREFINISHED INSULATED METAL PANELS WITH POLYISOCYANUATE CORE SUCH AS NOREX-S BY NORBEC - COLOUR AS SHOWN IN THESE ELEVATIONS

BALCONY RAILINGS: CLEAR TEMPERED GLASS ON STRUCTURAL FRAME SYSTEM BY CRL SYSTEMS

BALCONY GLAZING: CLEAR ANODIZED ALUMINUM CURTAIN WALL

STOREFRONT GLAZING: ANODIZED ALUMINUM CURTAIN WALL GLAZING SYSTEM

elevations

scale: 3/32" = 1'-0"

drawing by:

checked by:

do not scale drawing - use figured dimensions only

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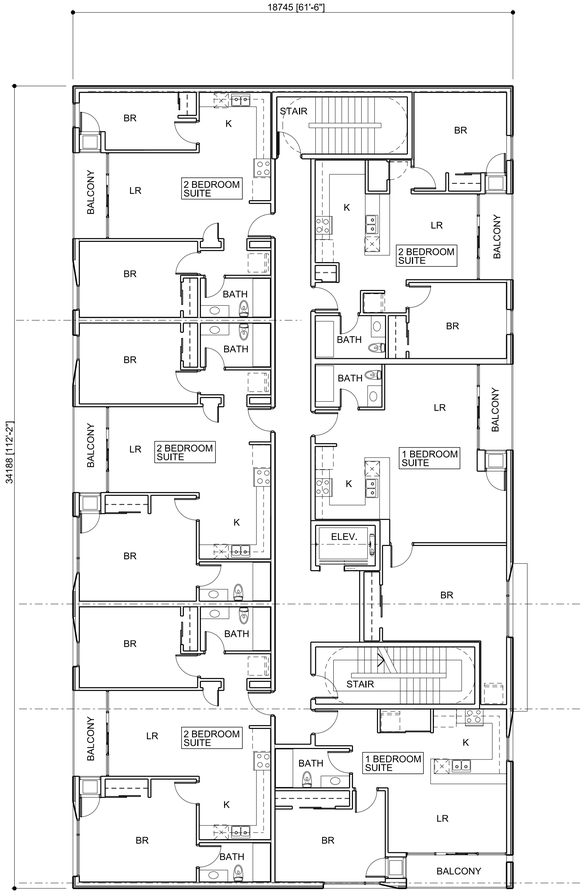

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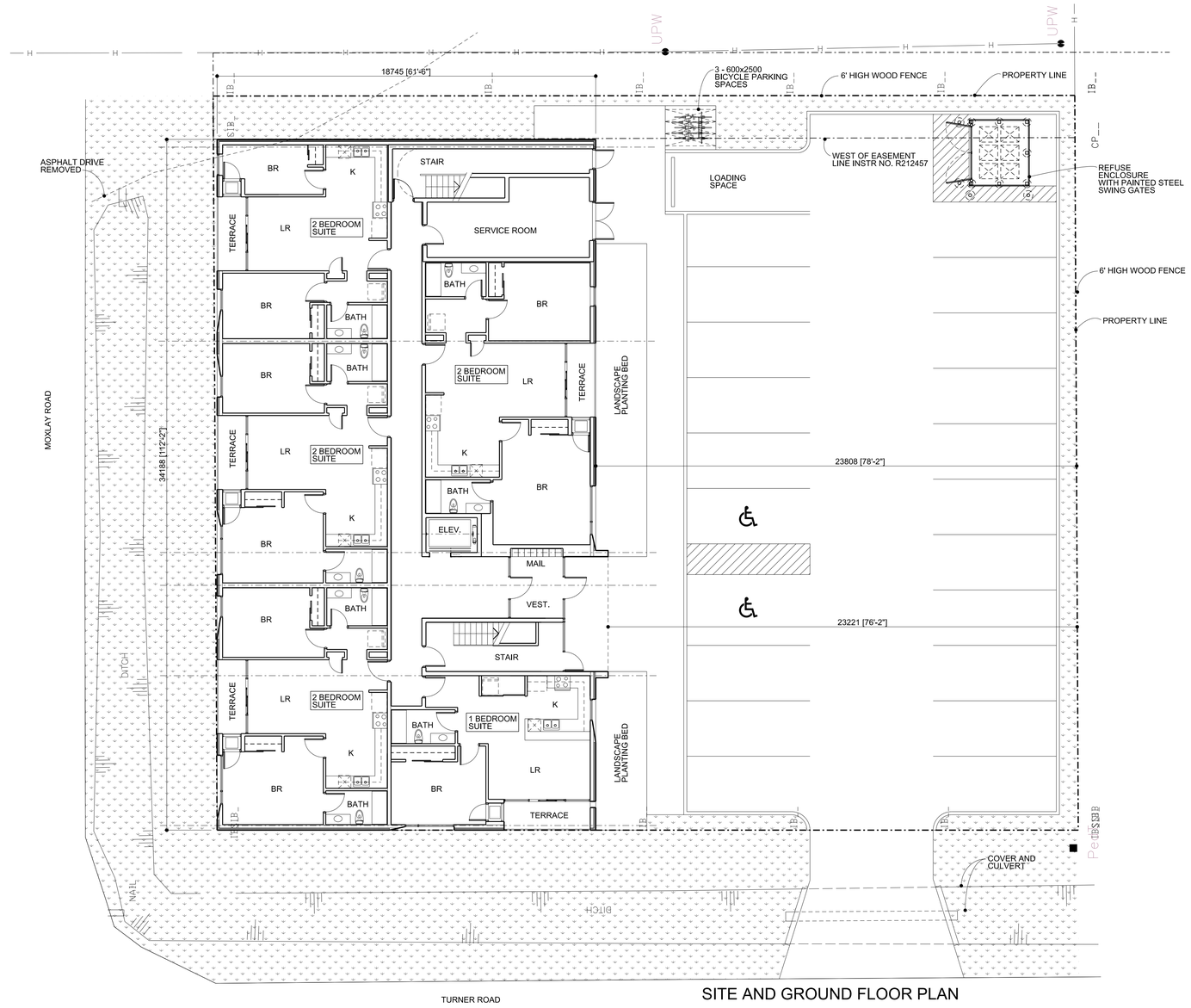
N.T.S.



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APPENDIX "B"
Site Photos

Figure 1 - Looking southeast towards subject property from intersection of Moxlay Avenue & Turner Road

Figure 2 - Looking south towards subject property from Moxlay Avenue

Figure 3 - Looking southwest towards subject property from Moxlay Avenue

Figure 4 - Moxlay Avenue looking east from Turner Road (subject property on right)

Figure 5 - Moxlay Avenue looking west towards Turner Road (subject property on left)

Figure 6 - Moxlay Avenue looking east from Turner Road (3898 Turner Road centre)

Figure 7 - Turner Road looking north from Moxlay Avenue (3898 Turner Road on right)

Figure 8 - Moxlay Avenue looking northwest from Turner Road (3897 Turner Road centre)

Figure 9 - Moxlay Avenue looking west from Turner Road (3903 Turner Road on left)

Figure 10 - Turner Road looking south from Moxlay Avenue (subject property on left)

Figure 11 - Looking southeast towards northeast corner of subject property from Moxlay Avenue

Figure 12 - Turner Road looking southwest from Moxlay Avenue (3911 Turner Road centre)

Figure 13 - Turner Road looking south from Moxlay Avenue (subject property on left)

Figure 14 - Looking east towards subject property from Turner Road

Figure 15 - Looking east towards subject property from Turner Road

Figure 16 - Looking east towards subject property from Turner Road

Figure 17 - Looking north towards subject property from Turner Road

Figure 18 - Looking north towards subject property from Turner Road

Figure 19 - Looking east towards subject property from Turner Road

APPENDIX "C"
Excerpts from Official Plan Volume I

3. Development Strategy

3.2 Growth Concept

3.2.1 Safe, Caring and Diverse Communities

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:

NEIGHBOURHOODS

6.1.1 Safe, caring and diverse neighbourhoods.

RESIDENTIAL

6.1.3 Housing suited to the needs of Windsor's residents.

RESIDENTIAL INTENSIFICATION

6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. **(added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)**

6.3 Residential

6.3.1 Objectives

RANGE OF FORMS & TENURES

6.3.1.1 To support a complementary range of housing forms and tenures

INTENSIFICATION, INFILL & REDEVELOPMENT

6.3.1.3 To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan. **(Added by OPA#159 - APPROVED July 11, 2022, B/L#100-2022)**

6.3.2 Policies

PERMITTED USES

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

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors. **(Added by OPA #159 – APPROVED July 11, 2022 , B/L# 100-2022)**

LOCATIONAL CRITERIA

6.3.2.4 Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where:

(a) There is access to a collector or arterial road;

(b) Full municipal physical services can be provided;

(c) Adequate community services and open spaces are available or are planned; and

(d) Public transportation service can be provided. **(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)**

EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN

6.3.2.5 At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

(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,

(iv) where traffic generation and distribution is a provincial or municipal concern; and

(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; **(Added by OPA #159 – APPROVED July 11 2022, B/L# 100-2022)**

(d) provided with adequate off street parking;

(e) capable of being provided with full municipal physical services and emergency services; and

(f) Facilitation a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.
(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

7. Infrastructure

6.1 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;

NOISE AND VIBRATION ABATEMENT

7.2.10.3 Council shall ensure that new development in the vicinity of the Windsor Airport includes appropriate noise and vibration abatement measures in accordance with established off-airport land use planning practices.

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:

(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 12 - RESIDENTIAL DISTRICTS 3. (RD3.)

(B/L 9057, Jul 7/1987; B/L 9100, Aug 17/1987; B/L 9545, OMB. Order R880673, Apr 20/1990 Amended Jan 8/1991; B/L 11093, Jul 20/1992; OMB Order R940355 Oct 3/1995; B/L 11876, OMB Order R940356 Sep 11/1995; B/L 13079, Oct 3/1997; B/L 162-1998, Jun 24/1998; B/L 211-1999, Aug 31/1999; B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233;B/L 443-2001, Jan 2/2002; B/L 363-2002, Dec 31/2002; B/L 23-2004, Feb 19/2004; B/L 401-2004, Jan 7/2005; B/L 90-2009, Jul 27/2009; B/L 113-2009, Aug 11/2009; B/L 129-2012, Oct 2/2012; B/L 31-2013, Mar 28/2013) [ZNG/2930; ZNG/5270] B/L 164-2017, Dec. 7/2017; B/L 95-2019, Sept. 27/2019

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 *corner* lot having a minimum frontage of 30.0 m on each of the *exterior lot lines*:	
	a) For the first 5 *dwelling units*	540.0 m^2
	b) For the next 19 *dwelling units*	67.0 m^2 per unit
	c) For each additional *dwelling unit*	44.0 m^2 per unit
	For any other lot:	
	a) For the first 4 *dwelling units*	540.0 m^2
	b) For the next 15 *dwelling units*	85.0 m^2 per unit
	c) For each additional *dwelling unit*	55.0 m^2 per unit
.3	Lot Coverage - maximum	35.0%
.4	Main Building Height - maximum	
	Corner Lot	24.0 m
	Interior Lot	18.0 m

.8	Landscaped Open Space Yard - minimum	35.0% of *lot area*
.13	Dwelling Unit Density - *dwelling units* per hectare - maximum	7.50 m
	For a corner *lot* having a minimum frontage of 30.0 m on each of the *exterior lot lines*	188 units per ha
	For any other *lot*	150 units per ha

.50 A *Lodging House* for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the *Single Unit Dwelling* provisions of Section 10.1.5 and further, the whole of the *building* shall be used for a *Lodging House*, including any *accessory use*. [ZNG/5630]

(AMENDED by B/L 95-2019, Sept. 27/2019)

.55 A addition to an *existing Double Duplex Dwelling*, *existing Duplex Dwelling*, *existing Semi-Detached Dwelling* or an *existing Single Unit Dwelling* and any use accessory to the preceding uses, shall comply with the provisions of Section 11.2.5.

APPENDIX "E"
Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

We have reviewed the subject Rezoning application and have the following comments:

The Sanitary Sewer Study has been deemed acceptable, and the proposed sanitary servicing strategy is supported by the Engineering Development department.

A Stormwater Management Report complete with Site Servicing Drawings has been received and approved.

In summary we have no objection to the proposed development, subject to the following requirements:

Site Plan Control Agreement - The applicant enter 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.

Sidewalks - The owner(s) agrees, to pay to the Corporation, prior to the issuance of a Building Permit, the sum of $9,142.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the Turner Road and Moxlay Avenue frontage of the subject lands.

Curbs and Gutters - The Owner further agrees, at the discretion of the City Engineer, to pay to the Corporation, prior to the issuance of a construction permit, the sum of $4,770.00 being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

If you have any further questions or concerns, please contact Shannon Mills, of this department at smills@citywindsor.ca.

[Juan Paramo - Development Engineer]

ENGINEERING - R.O.W.

No comments provided

ECONOMIC DEVELOPMENT & CLIMATE CHANGE

The ESCC team has no objections to this application. We are requesting an energy strategy by the SPC review.

[Barbara Lamoure - Environment and Sustainability Coordinator]

ENWIN UTILITIES LTD. - HYDRO ENGINEERING

No Objection.

Please be advised of the overhead 120/240V secondary conductor on the eastern limit of the property.

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 LTD. - WATER ENGINEERING

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

FORESTRY

Same comments as Planning Department - Landscape Architect

[Yemi Adeyeye - Manager of Forestry & Natural Areas]

GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

No comments provided

PARKS DESIGN & DEVELOPMENT

No concerns from Parks Design & Development and Natural Areas.

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT - HERITAGE

No supporting information required.

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

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

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism 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 Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

- Windsor Planning & Building Department:
    - 519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca
- Windsor Manager of Culture and Events (A):
    - Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca
- Ontario Ministry of Citizenship and Multiculturalism
    - 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

[Tracy Tang - Planner II - Revitalization & Policy Initiatives]

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

The following studies are required from an urban design and landscape architectural perspective as part of a complete Site Plan Control application:

- Tree Inventory & Preservation Study
- Urban Design Study

The development will be subject to Site Plan Control at which time all landscape architectural comments and requirements will be made. At that time a landscape plan and photometric will be required as a condition of site plan agreement. The applicant can expedite the process for development permit by providing these plans with their application to site Plan control.

[Stefan Fediuk - Landscape Architect / Acting Senior Urban Designer]

PLANNING DEPARTMENT - SITE PLAN CONTROL

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.

[Jacqueline Cabral - Clerk Steno]

TRANSPORTATION PLANNING

- Turner Road is classified as a local road with a required right-of-way width of 20 metres. The current right-of-way width is sufficient; therefore, no conveyance is required.
- Moxlay Ave is classified as a local road with a required right-of-way width of 20 metres. The current right-of-way width is sufficient; therefore, no conveyance is required.
- All parking must comply with Zoning By-Law 8600.
- Each parking space shall have a minimum length of 5.5 metres and a minimum width of 2.5 metres, except where one side of the parking space is flanked by a wall or fence, each parking space shall have a minimum length of 5.5 metres and a minimum width of 3.5 metres.
- Aisle width must be 6 metres in order to have adequate width for turning manoeuvres.
- Per the Official Plan, a sidewalk is required on at least one side of a Local Road. A sidewalk contribution is required along the frontage of Turner Rd and Moxlay Ave, as per Engineering Right-of-Way's comments.
- All new accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- Driveways proposed must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane).
- Raised curbs not permitted within the right-of-way.
- All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

[Elara Mehrilou - Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided

WINDSOR AIRPORT

The Airport Operations has no issues with the development PC 016/23 - OLIVIA CONSTURCTION HOMES INC. - 0 TURNER ROAD

[Steve Tuffin - Director of Operations]

WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD

No comments provided

WINDSOR POLICE SERVICE

No comments provided

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX "F"
Draft Amending By-law

B Y - L A W N U M B E R -2024

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

Passed the day of , 2024.

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

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

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

508. SOUTHEAST CORNER OF MOXLAY AVENUE AND TURNER ROAD

For the lands comprising of Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872, PIN No. 01350-0225 LT, the following shall apply:

1. Section 5.15.5 shall not apply.
2. The provisions of Section 12.2.5 shall apply, save and except Subsections 12.2.5.3, 12.2.5.4 and 12.2.5.8.
3. Lot Coverage - maximum 41.6%

   For this provision *lot coverage* shall exclude any portion of an *accessory building* covered by a *green roof*.
4. Main Building Height - maximum 10.0 m
5. Front Yard Depth - maximum 0.0 m
6. Landscaped Open Space Yard - minimum 41.6% of lot area

   For this provision a *landscaped open space yard* shall include a *green roof* and *soft landscaping* defined as follows:

   *"**GREEN ROOF** means an area open to the sky, located on the roof of a building and maintained with flowers, grass, shrubs, and/or trees."*

   *"**SOFT LANDSCAPING** means an area open to the sky, maintained with flowers, grass, shrubs, and/or trees."*
7. A minimum of 390.0 m^2 of *green roof* shall be provided.

8. Notwithstanding Section 25.5.20.1.2 of Table 25.5.20.1, the minimum separation from a *parking area* and Turner Road shall be 1.20 metres, and such separation shall include a 1.20-metre-high ornamental fence spanning the length of the separation, save and except that portion of the separation within 0.30 metres of an *access area*.

9. Notwithstanding Section 25.5.20.1.3 of Table 25.5.20.1, the minimum separation from a *parking area* to the south interior lot line shall be 1.20 metres.

10. Notwithstanding Section 25.5.20.1.6 of Table 25.5.20.1, the minimum separation from a *parking area* to a building wall containing a *habitable room window* shall be 3.50 metres, and such separation shall include a soft landscaping buffer with a minimum depth of 2.00 metres along any building wall containing a *habitable room window*.

[ZDM 12; ZNG/7202]

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. Zoning Symbol	5. New Zoning Symbol
1	12	Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872 and PIN No. 01350-0225 LT (located on the southeast corner of Moxlay Avenue and Turner Road)	RD1.1	RD3.2 S.20(1)508

DREW DILKENS, MAYOR

CLERK

First Reading	-	, 2024
Second Reading	-	, 2024
Third Reading	-	, 2024

SCHEDULE 2

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

   To amend the zoning of the lands located on the southeast corner of Moxlay Avenue and Turner Road, legally described as Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872, PIN No. 01350-0225 LT, to permit the development of a multiple dwelling with 17 dwelling units on the subject land.

   The amending by-law changes the zoning on the subject land from Residential District 1.1 (RD1.1) to Residential District 3.2 (RD3.2) and adds a special zoning provision permitting a maximum lot coverage of 41.6%, maximum main building height of 10.0 metres and maximum front yard depth of 0.0 metres; permitting a minimum landscaped open space yard of 41.6% of the lot area, minimum green roof area of 390.0 m^2, minimum parking area separation of 1.20 metres from Turner Road and the south interior lot line, and 3.50 metres from a building wall containing a habitable room window; introducing green roof and soft landscaping definitions, and nullifying the Corner Lot General Provision regulation that requires any part of any building or structure to have a minimum separation of 6.0 metres from the point of intersection of any two streets.

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

PART OF ZONING DISTRICT MAP 12

N.T.S.

SCHEDULE 2

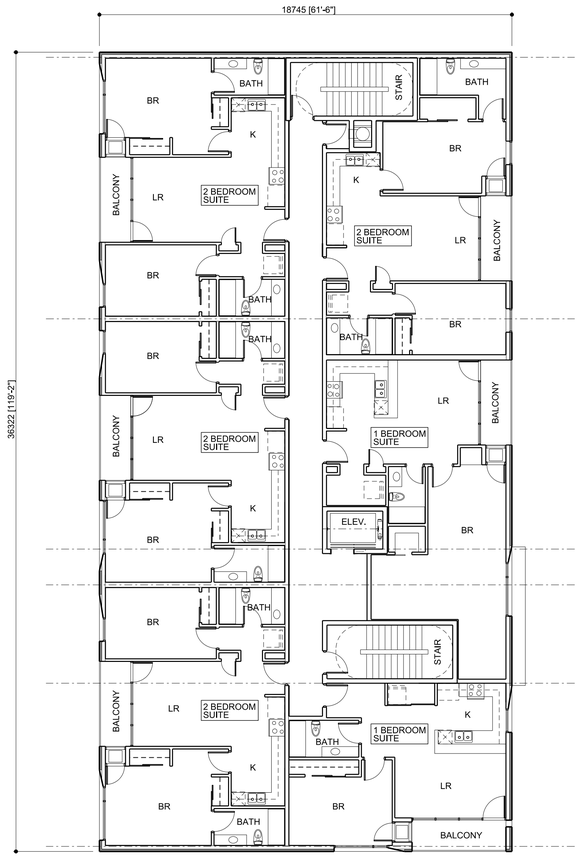
Applicant: Olivia Construction Homes Inc.

SUBJECT LANDS

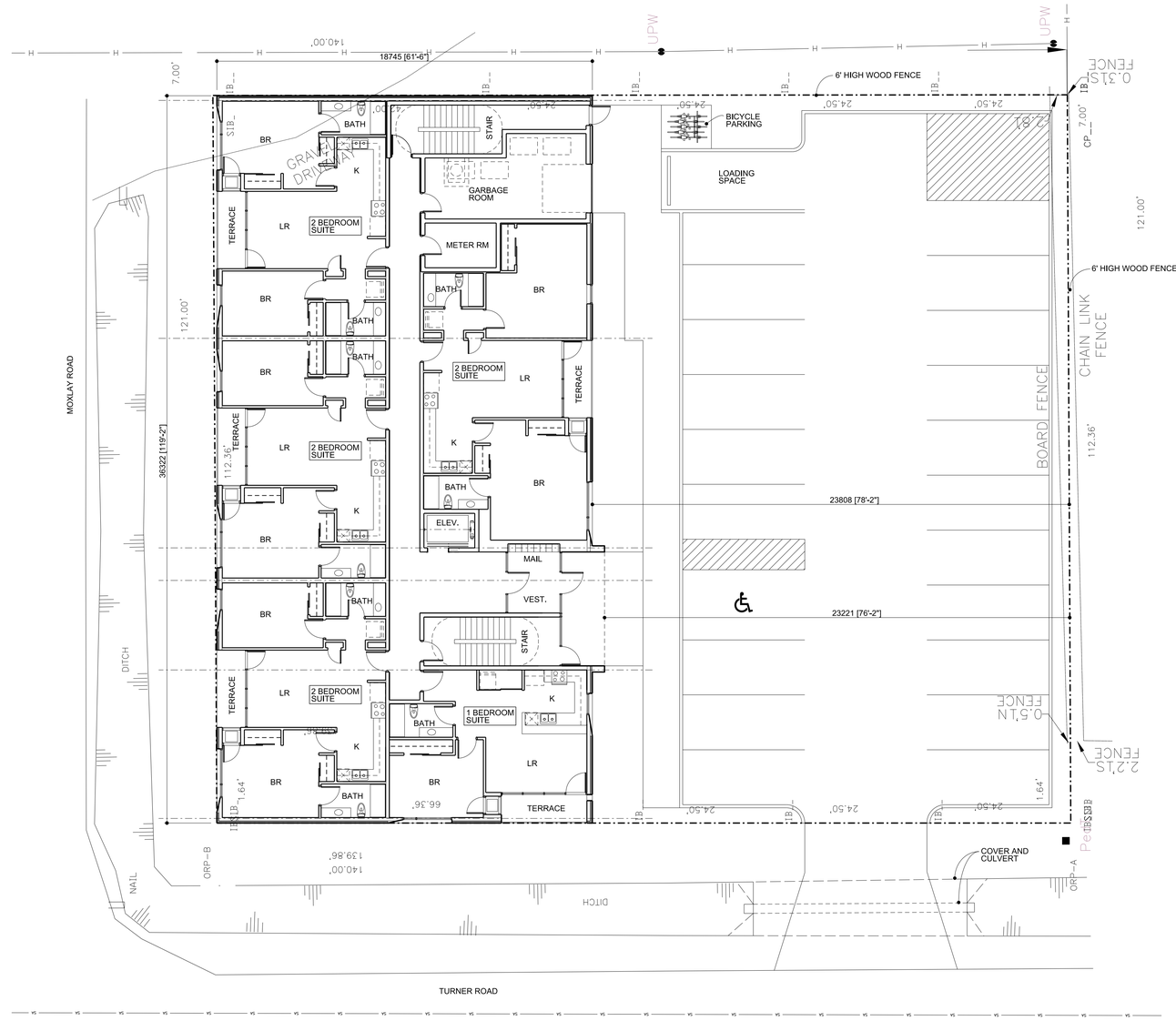
PLANNING & BUILDING DEPARTMENT

DATE : MAY, 2024
FILE NO. : Z-014/24, ZNG-7202

PC - 1



TYPICAL SECOND AND THIRD FLOOR PLANS



SITE AND GROUND FLOOR PLAN

SITE LOCATION MAP
N.T.S.

TABULATION DATA

PROPERTY AREA = 1550.12m²
BUILDING AREA = 681m²
GROSS BUILDING AREA = 2043m²
PARKING SPACES = 21 SPACES
LOADING SPACES = 1 SPACE
REFUSE MANAGED INSIDE THE BUILDING

SCHEDULE OF SUITES FLOOR LEVEL	1 BR	2 BR
GROUND FLOOR	1	4
SECOND FLOOR	2	4
THIRD FLOOR	2	4
TOTAL	5	12

1" = 10'-0"

30 20 10 0 10 20 30

sheet number

Turner Road Development
windsor, ontario CANADA

issue record

1. PRE-CONSULT	8-14-23
2. PC-STAGE 2	12-30-23

site plan and floor plans

scale: 1" = 10'-0"

drawing by:

checked by:

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consulting engineers

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architectural

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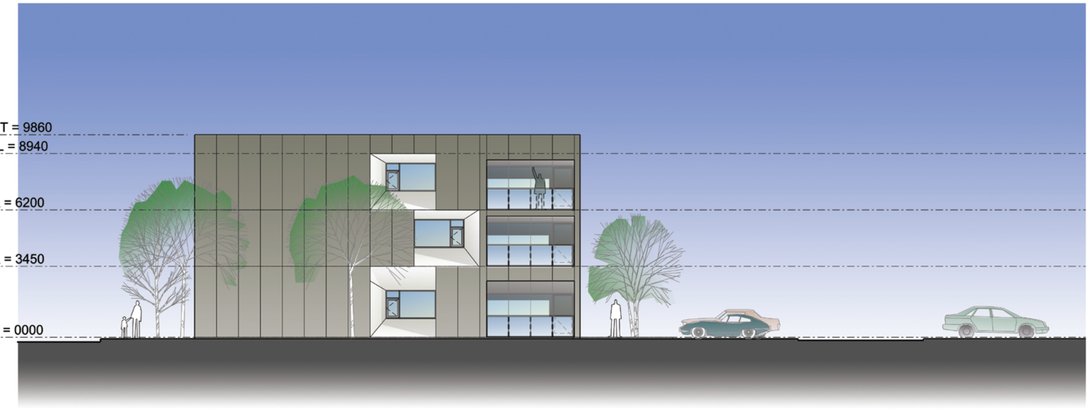
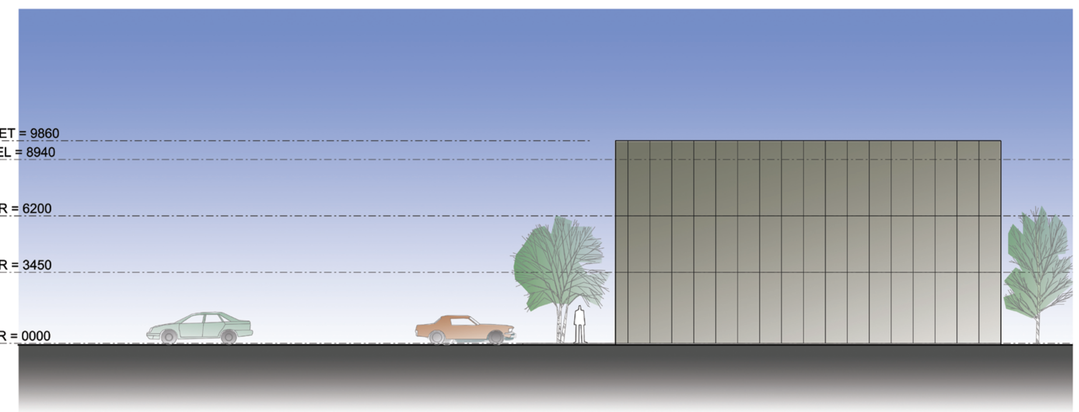
designstudio

NORTH ELEVATION



WEST ELEVATION

SOUTH ELEVATION



EAST ELEVATION

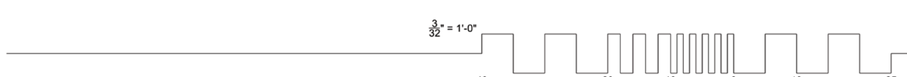
EXTERIOR BUILDING MATERIALS

CLADDING: PREFINISHED INSULATED METAL PANELS WITH POLYISOCYANUATE CORE SUCH AS NOREX-S BY NORBEC - COLOUR AS SHOWN IN THESE ELEVATIONS

BALCONY RAILINGS: CLEAR TEMPERED GLASS ON STRUCTURAL FRAME SYSTEM BY CRL SYSTEMS

BALCONY GLAZING: CLEAR ANODIZED ALUMINUM CURTAIN WALL

STOREFRONT GLAZING: ANODIZED ALUMINUM CURTAIN WALL GLAZING SYSTEM



PC - 2

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1. PRE-CONSULT.	8-14-23
2. PC-STAGE 2	12-30-23

elevations

scale: 3/32" = 1'-0"

drawing by:

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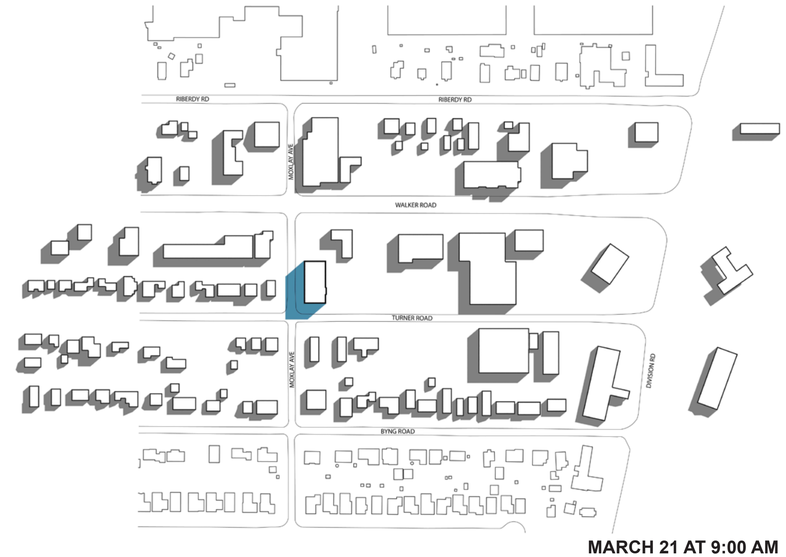
MARCH 21 AT 7:00 AM



MARCH 21 AT 9:00 AM

MARCH 21 AT 8:00 AM

MARCH 21 AT 10:00 AM

PC - 3

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1.	PRE-CONSULT	8-14-23
2.	PC - STAGE 2	12-30-23

PROPOSED SHADOW COLOUR

EXISTING SHADOW COLOUR

micro-climate study

scale:

drawing by:

checked by:

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PC - 4

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1.	PRE-CONSULT	8-14-23
2.	PC - STAGE 2	12-30-23

MARCH 21 AT 4:00 PM

MARCH 21 AT 3:00 PM

MARCH 21 AT 5:00 PM

PROPOSED SHADOW COLOUR

EXISTING SHADOW COLOUR

micro-climate study

scale:

drawing by:

checked by:

do not scale drawing - use figured dimensions only

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designstudio

JUNE 21 AT 7:00 AM

JUNE 21 AT 9:00 AM

JUNE 21 AT 8:00 AM

JUNE 21 AT 10:00 AM

PC - 5

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1.	PRE-CONSULT	8-14-23
2.	PC - STAGE 2	12-30-23

PROPOSED SHADOW COLOUR

EXISTING SHADOW COLOUR

micro-climate study

scale:

drawing by:

checked by:

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developer

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structural

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designstudio

JUNE 21 AT 12:00 PM

JUNE 21 AT 5:00 PM

JUNE 21 AT 4:00 PM

JUNE 21 AT 6:00 PM

PC - 6

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1.	PRE-CONSULT	8-14-23
2.	PC - STAGE 2	12-30-23

PROPOSED SHADOW COLOUR

EXISTING SHADOW COLOUR

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SEPTEMBER 21 AT 7:00 AM

SEPTEMBER 21 AT 9:00 AM

SEPTEMBER 21 AT 8:00 AM

SEPTEMBER 21 AT 10:00 AM

PC - 7

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1.	PRE-CONSULT	8-14-23
2.	PC - STAGE 2	12-30-23

PROPOSED SHADOW COLOUR

EXISTING SHADOW COLOUR

micro-climate study

scale:

drawing by:

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SEPTEMBER 21 AT 12:00 PM

SEPTEMBER 21 AT 4:00 PM

SEPTEMBER 21 AT 3:00 PM

SEPTEMBER 21 AT 5:00 PM

PC - 8

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1.	PRE-CONSULT	8-14-23
2.	PC - STAGE 2	12-30-23

PROPOSED SHADOW COLOUR

EXISTING SHADOW COLOUR

micro-climate
study

scale:

drawing by:

checked by:

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DECEMBER 21 AT 8:30 AM

DECEMBER 21 AT 10:00 AM

DECEMBER 21 AT 9:00 AM

DECEMBER 21 AT 11:00 AM

PC - 9

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1.	PRE-CONSULT	8-14-23
2.	PC - STAGE 2	12-30-23

PROPOSED SHADOW COLOUR

EXISTING SHADOW COLOUR

micro-climate study

scale:

drawing by:

checked by:

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designstudio

PC - 10

sheet number

Turner Road
Development
windsor, ontario CANADA

issue record

1.	PRE-CONSULT	8-14-23
2.	PC - STAGE 2	12-30-23

DECEMBER 21 AT 3:00 PM

DECEMBER 21 AT 2:00 PM

DECEMBER 21 AT 3:30 PM

PROPOSED SHADOW COLOUR

EXISTING SHADOW COLOUR

micro-climate study

scale:

drawing by:

checked by:

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PLANNING RATIONALE REPORT

ZONING BY-LAW AMENDMENT
PROPOSED RESIDENTIAL DEVELOPMENT

0 Turner Road, Windsor, Ontario
(south side of Moxlay Avenue and east side of Turner Road)

April 25, 2024

Prepared by:

Pillon Abbs Inc.
LAND USE PLANNING CONSULTANT

Tracey Pillon-Abbs, RPP
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Chatham, ON
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1.0 INTRODUCTION

I have been retained by Olivia Construction Homes Inc. (herein the "Applicant"), to provide a land use Planning Rationale Report (PRR) in support of a proposed development located at 0 Tuner Road (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is currently a vacant parcel of land in Ward 9, in the Devonshire Planning District and was previously used for residential.

It is proposed to construct a three (3) storey multiple dwelling with 17 residential units. A total of 21 on-site parking spaces are proposed, with access from Turner Road.

The Site has access to full municipal services.

The Site will provide for a new housing choice in an existing built-up area, which is an example of a missing middle development.

An application for a Zoning By-law Amendment (ZBA) is required in order to permit the proposed multiple dwelling.

Once the ZBA has been approved, the Applicant will proceed with a Site Plan Control (SPC) application in order to complete the detailed design requirements. A building permit will also be required prior to any construction or site alterations.

Pre-consultation (stage 1) was completed by the Applicant. Comments dated September 27, 2023 (City File #PS-016/23) were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant. Comments dated March 12, 2024 (City File #PC-014/24) were received and have been incorporated into this PRR.

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

This PRR will show that the proposed development is suitable for residential intensification, is consistent with the PPS, conforms to the intent and purpose of the OP and ZBL and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Description of Site and Ownership

The Site has been owned by Olivia Construction Homes Inc. since November 2020. It is made up of one (1) square-shaped corner parcel of land located on the south side of Moxlay Avenue and the east side of Turner Road (see the area in red on Figure 1a – Site Location).

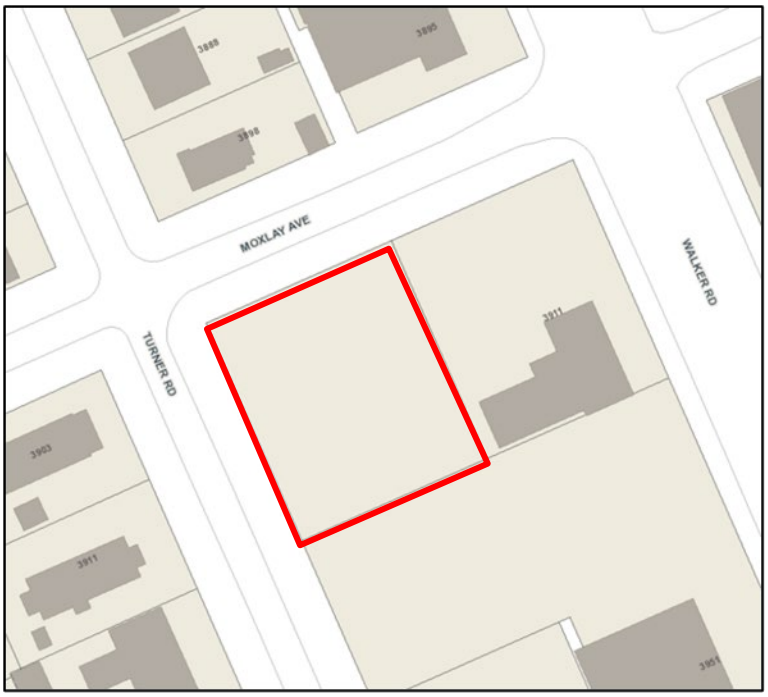


Figure 1a – Site Location (Source: City of Windsor GIS)

The Site is locally known as 0 Turner Road and is legally described as Part Lot 1007 Plan 1126 Sandwich East; Part Lot 1010 Plan 1126 Sandwich East; Part Alley Plan 1126 Sandwich East closed by R183264, Part 2, 12R11872; S/T R1102972E; Windsor (ARN 3739-070-260-03700).

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 1,550.12 m2 (0.155 ha), with a lot width of 18.745 m along Turner Road and a lot depth of 34.18 m along Moxlay Ave.

2.2.2 Existing Structures and Previous Use

The Site is currently vacant (see Figure 1b – Site Street View).

Figure 1b – Site Street View (Source: Pillon Abbs Inc.)

The previous use of the Site was for residential. A single detached dwelling was demolished in 1990.

2.2.3 Vegetation

The Site has an open grassed area.

There are some mature trees located on the Site.

2.2.4 Topography, Drainage and Soil

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

The Site is part of the Turkey Creek Drainage Area.

The Site is impacted by Source Water Protection and is within a Significant Groundwater Recharge Area (SGRA).

The soil is made up of Burford Loan – Shallow Phase (Bg-s).

2.2.5 Other Physical Features

There is an existing shared driveway along Moxley Ave.

There is fencing along the south boundary of the Site.

There is an open ditch along the west and north boundary of the Site.

2.2.6 Municipal Services

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

Turner Road is a north/south local residential road, and Moxlay Ave is an east/west local residential road.

There is no on-street parking in the area of the Site.

There are no streetlights or sidewalks along Turner Road and Moxlay Ave.

The closest fire hydrant is located south of the Site on Turner Road.

The Site has access to transit with the closest bus stop located at the corner of Walker Road and Moxley Ave (180 m), Stop ID: 1772 (Bus #8).

The Site is in close proximity to major transportation corridors, including Walker Road.

2.2.7 Nearby Amenities

There are several schools nearby, including the Talbot Trail Public School, First Lutheran Christan Academy and Roseland Public School.

There are many parks and recreation opportunities in close proximity to the Site, including Devonwood Conservation Area.

The nearest library is Fountaineblue Public Library.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship and local amenities.

2.3 Surrounding Land Uses

Overall, the Site is located in a mixed use area within an existing built up area in Ward 9 and within the Devonshire Planning District.

A site visit was undertaken on June 2, 2022. Photos were taken by Pillon Abbs Inc..

North – The lands directly north of the Site are used for residential with access from Moxlay Ave (see Photo 1 - North).

Photos 1 – North

South – The lands directly south of the Site are used for industrial with access from Turner Road and Walker Road (see Photo 2 - South).

Photo 2 – South

East – The lands east of the Site are used for commercial (E&A Auto Centre) with access from Moxlay Ave and Walker Road (see Photo 3 - East).

Photo 3 – East

West – The lands west of the Site are used for residential with access from Turner Road (see Photos 4 - West).

Photos 4 – West

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

It is proposed to develop the Site for residential purposes.

It is proposed to construct a three (3) storey multiple dwelling with 17 residential units.

A Concept Plan has been prepared by studio g+G., architects, dated December 30, 2023 (see Figure 2a – Concept Plan).

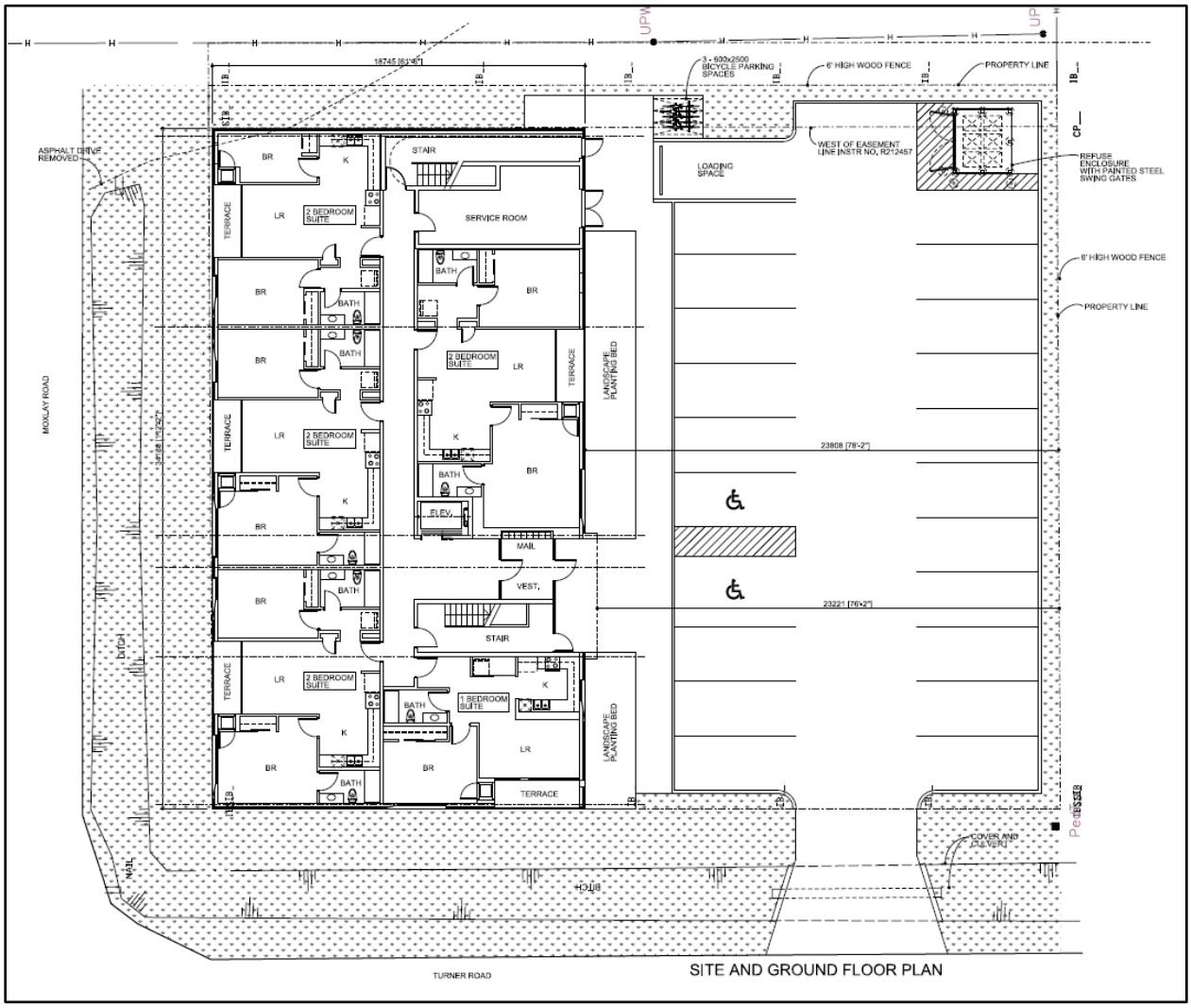


Figure 2a – Concept Plan

The concept plan illustrates a preliminary proposal.

Based on the size of the Site (0.155 ha), the proposed gross density will be 109.68 units per hectare (uph).

The tenure of the units is proposed to be rental.

The proposed multiple dwelling will be a maximum of 9.86 m in height (3-storeys).

The total building area is proposed to be 644 m2 in size, which will result in a total lot coverage of 41.5 %.

The building will face Moxley Ave with a primary pedestrian entrance from the parking area (see Figure 2b – Elevations).

NORTH ELEVATION

SOUTH ELEVATION

WEST ELEVATION

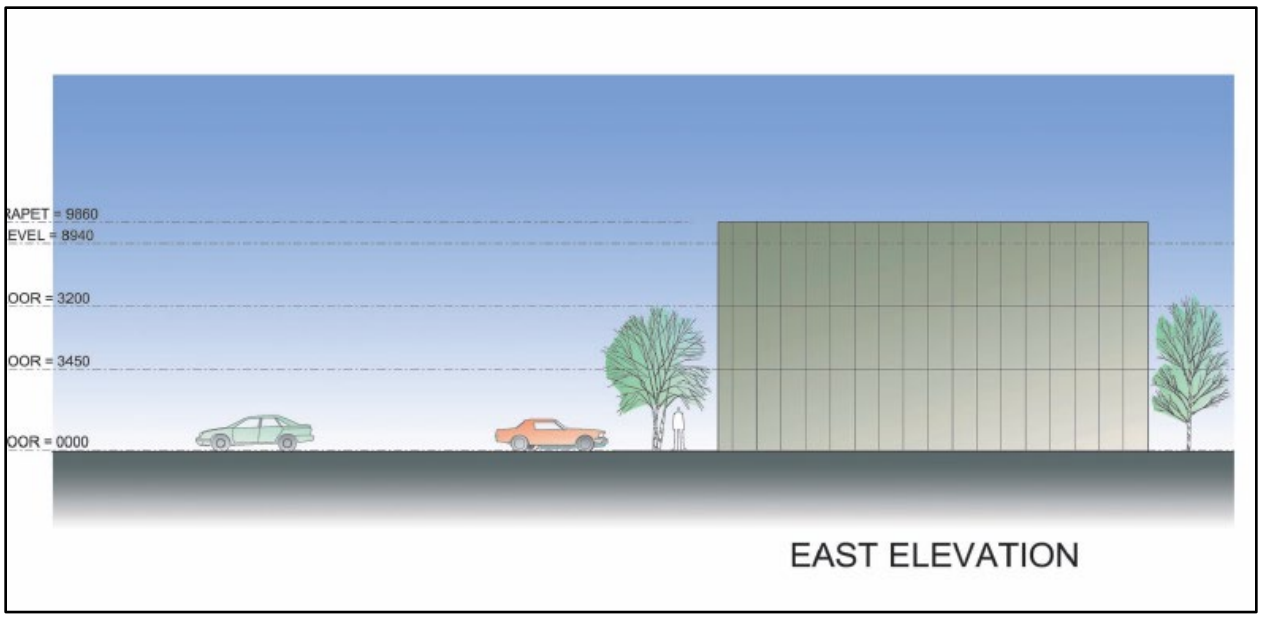
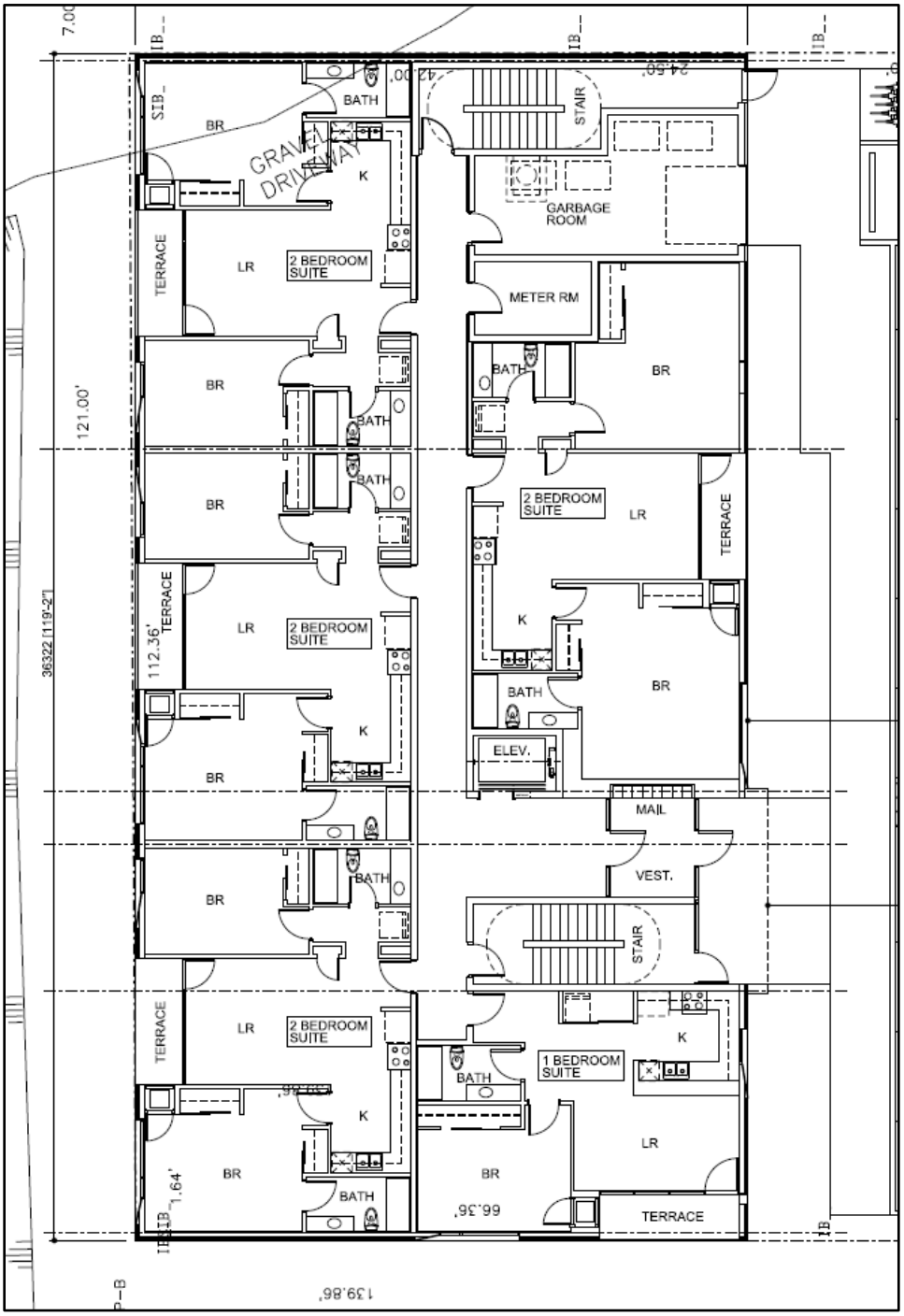


Figure 2b – Elevations

Units range in size from 1 to 2 bedrooms each (see Figure 2c – Floor Plans).



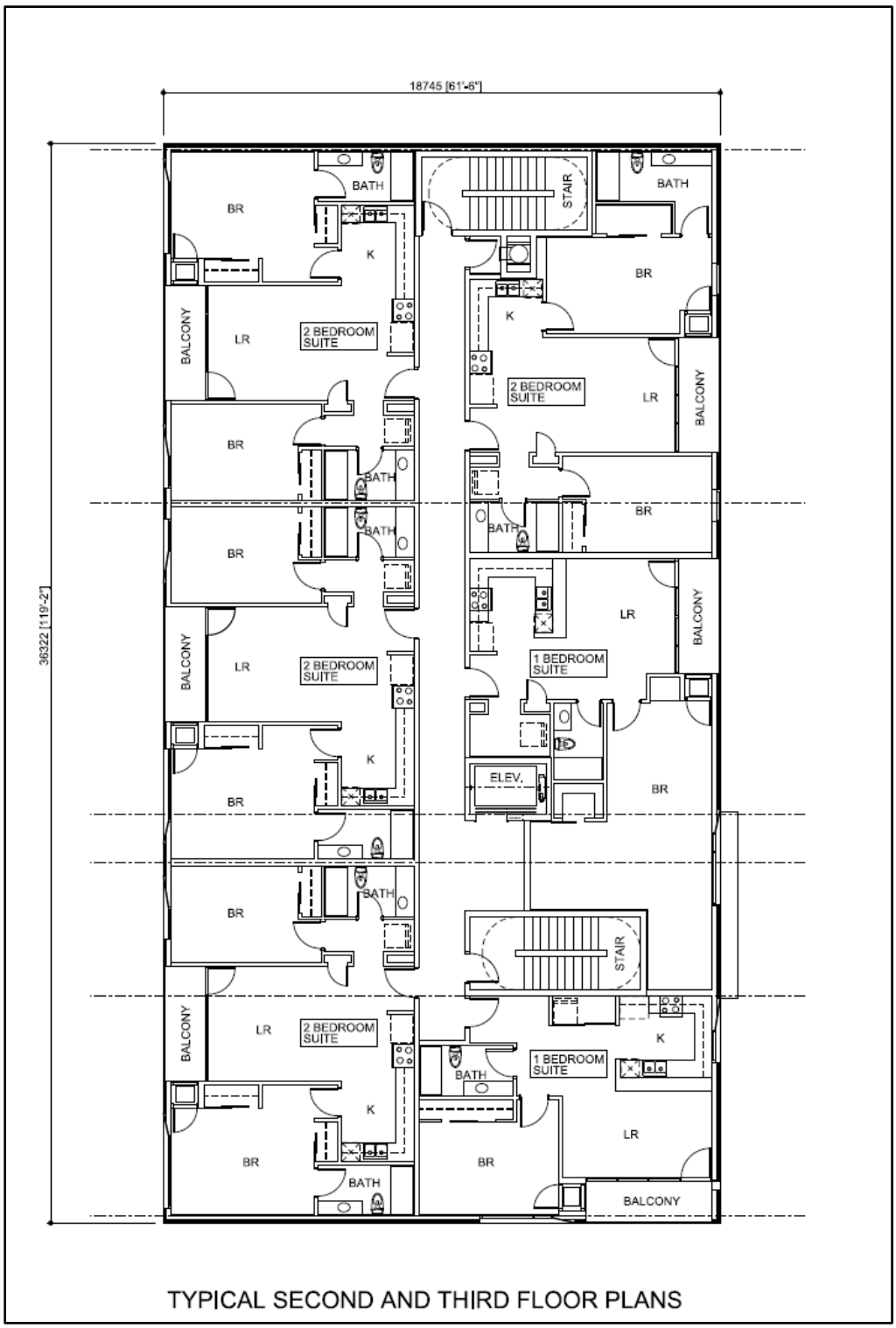


Figure 2c – Floor Plans

There will be balconies (terraces) on three (3) sides of the proposed building.

Parking (paved) for 21 spaces is proposed to be located at the rear of the proposed building, with vehicle access from Turner Road.

Parking includes marked visitor and barrier free spaces.

Bicycle parking with a minimum of 3 spaces and 1 loading area is provided on-site.

Outdoor amenity space, seating area, and greenspace are proposed.

All sidewalks will be paved.

Landscaping will be provided.

New wood fencing is proposed along the south and east sides of the Site.

Waste management (garbage and recycling) is proposed to be stored in a fenced enclosure.

The Site will be serviced with full municipal services, including water, storm and sewers.

A portion of the ditch along Turner Road will be covered, and a culvert will be installed in order to access the proposed parking area.

No buildings or structures are proposed within the utility easement (Instrument No. R1102972E).

EnWin Utilities Ltd.'s has been contacted regarding the minimum building setback from the overhead hydro lines.

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents (120 m radius) and property owners on Wednesday, November 1, 2023, from 6:00 pm to 7:00 pm.

A total of 58 notices were mailed out.

The open house provided members of the public with opportunities to review and comment on the proposed development.

In addition to City of Windsor Staff and the Applicant Team, a total of 1 person registered and attended.

The following is a summary of the comments and responses from the public open houses:

Topic Item	Comments and Questions	Response
Building Height	Please confirm the building height.	The building height proposed is 9.86 m.
Traffic	Traffic is very busy along Tamar (from the storage area)	A TIS is not warranted for the proposed development.
Noise	This will improve noise from Walker Road	A Noise Study will be conducted. The proposed building will act as a buffer.

4.0 APPLICATIONS AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant. Comments dated September 27, 2023 (City File #PS-016/23), were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant. Comments dated March 12, 2024 (City File #PC-014/24) were received and have been incorporated into this PRR.

The proposed development requires an application for a Zoning By-law Amendment (ZBA) along with required support studies.

The following explains the purpose of the application and other required approvals, as well as a summary of the required support studies.

4.1 Zoning By-Law Amendment

A site specific (major) Zoning By-law Amendment (ZBA) is required to permit the proposed development of a multiple dwelling with 5 or more dwelling units as an additional permitted use.

The zoning for the Site is proposed to be changed from Residential District 1.1 (RD1.1) category to a site specific Residential District 3.2 (RD3.2 - S.20(1)(XXX)) category, as shown on Map 12 of the City of Windsor Zoning By-Law (ZBL).

In addition to the change in zoning for the permitted use of a multiple dwelling with 5 or more dwelling units as an additional permitted use, the proposed development will comply with all zone provisions set out in the RD3.2 Zone, except relief is required from certain provisions.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

4.2 Other Application

Once the ZBA has been approved, the Applicant will proceed with a Site Plan Control (SPC) application in order to complete the detailed design requirements.

A building permit will also be required prior to any construction or site alterations.

4.3 Supporting Studies

The following studies have been prepared to support the application.

4.3.1 Sanitary Sewers

A Sanitary Study was prepared by Haddad Morgan & Associates Ltd, dated August 14, 2023.

The purpose of the report was to assess the sanitary sewers in the area of the Site.

The report concluded that the existing infrastructure surrounding the Site is able to support the proposed development.

4.3.2 Stormwater

A Stormwater Management Study (SWM) was prepared by Haddad Morgan & Associates Ltd, dated January 10, 2024, and further revised on March 24, 2024.

The purpose of the report was to assess the storm sewers in the area of the Site.

The report concluded that the existing infrastructure surrounding the Site is able to support the proposed development.

4.3.3 Micro Climate

A Micro Climate Study was prepared by studio g+G., architects, dated December 30, 2023.

The purpose of the report was to assess the shadow impacts in the area from the proposed development.

The report concluded that some shadowing will be created, however it is minor.

4.3.4 Noise

A Road Traffic and Stationary Noise Impact Study was prepared by JJ Acoustic Engineering Ltd, dated November 9, 2023.

The purpose of the report was to assess the road traffic and stationary noise in the area based on volume.

Noise emissions from Windsor International Airport were also assessed.

The report concluded that the potential environmental noise impact from road traffic noise is significant.

The proposed balconies are permitted.

The following recommendations are made to mitigate noise:

- Central air-conditioning
- Noise warning clauses
- Special building components

Further, based on the recommendations, the building will be designed to meet the following Sound Transmission Class (STC) ratings:

- Windows for East façade to have an STC of 27
- Exterior walls to have an STC of 47

- Roof assembly to have an STC of 43

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

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

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

The Site is with a 'Settlement Area", as defined by the PPS.

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

PPS Policy #	Policy	Response
1.0	…..Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns…..	Windsor has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns. Residential use on the Site represents an efficient development pattern that optimizes the use of land. The Site will provide for a new housing choice in an existing built-up area, which is an example of a missing middle development.
1.1.1	Healthy, liveable and safe communities are sustained by:	The proposed development is consistent with the policy to build strong, healthy, and livable communities as it

PPS Policy #	Policy	Response
	a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; 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…….cost-effective development patterns 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;	provides for a development where people can live, work and play. The proposed development offers a new housing choice. There are no anticipated environmental or public health and safety concerns as the area is established. The development pattern does not require expansion of the settlement area as it is considered infilling and intensification. The proposed development will not change lotting or street patterns in the area. The Site has access to full municipal services and is close to existing local parks, places of worship, and schools. Accessibility of units will be addressed at the time of the building permit. Public service facilities are available, such as local schools. The development pattern is proposed to be an efficient use of the Site.

PPS Policy #	Policy	Response
	h) promoting development and land use patterns that conserve biodiversity.	
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 25 years. Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.	The proposed development will help the City of Windsor meet the full range of current and future residential needs through intensification. The Site will provide for residential infilling within an existing settlement area.
1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposal enhances the vitality of the Municipality, as the proposal is within an existing settlement area. There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.
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	The Site will provide for a new housing choice in an existing built-up area, which is an example of a missing middle development. The total density of the proposed development is considered appropriate. The Site provides for an infilling opportunity allowing a transition between uses

PPS Policy #	Policy	Response
	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.	within an existing established neighbourhood. The Site offers an opportunity for intensification by creating a new housing choice. The design and style of the building will blend well with the scale and massing of the existing surrounding neighbourhood. Residents will have immediate access to local amenities, shopping, employment, recreational areas, and institutional uses. Transit is available for the area. The Site is located close to major transportation corridors.
1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to	The proposed development is located on a Site that is physically suitable. The Site is flat, which is conducive to easy vehicular movements. The intensification can be accommodated for the proposed development as it is an appropriate use of the Site. Parking will be provided on-site, including space for tenants and visitors.

PPS Policy #	Policy	Response
	accommodate projected needs.	Bicycle parking will also be provided. One loading space will be provided.
1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.	The proposed residential building will be built with a high standard of construction, allowing a seamless integration with the existing area. There will be no risks to the public as identified in the support studies. The Site is outside of the ERCA regulated area.
1.1.3.5	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets for intensification and redevelopment. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	The proposed development does have a built form that is compact. The proposed building size will allow for the efficient use of land, vehicle access, and infrastructure.
1.2.6.1 - Compatibility	Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from	Avoidance is possible through mitigation measures. There are no adverse effects from odour, noise and any

PPS Policy #	Policy	Response
	odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	other contaminants anticipated. There are no health and safety concerns. The abutting land uses can operate without any interruptions.
1.4.1 - Housing	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and 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 proposed development will provide for an infill and intensification opportunity in the existing built-up area. The Site offers an opportunity for intensification in an area with a mix of uses. Municipal services are available.
1.4.3	Planning authorities shall provide for an appropriate	The proposed density is compatible with the

PPS Policy #	Policy	Response
	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.	surrounding area and will provide an appropriate transition between uses. The Site is close to local amenities. There is suitable infrastructure, including transit.
1.6.1 - Infrastructure	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	The development can proceed on full municipal services. Electrical distribution will be determined through detailed design. Access to public transit is available.
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.	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of serving for settlement areas. A Sanitary and SWM study has been completed.
1.6.6.7 - Stormwater	Planning for stormwater management shall: a) be integrated with planning for sewage and water services	There will be no anticipated impacts on the municipal system, and it will not add to

PPS Policy #	Policy	Response
	and ensure that systems are optimized, feasible and financially viable over the long term; b) minimize, or, where possible, prevent increases in contaminant loads; c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure; d) mitigate risks to human health, safety, property and the environment; e) maximize the extent and function of vegetative and pervious surfaces; and f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	the capacity in a significant way. There will be no risk to health and safety. At this time, there are no streetlights, however, they can be installed in the future. A Sanitary and SWM study has been completed.
1.6.7.1 - Transportation	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	The Site is in close proximity to major transportation corridors and has access to transit. At this time, there are no sidewalks, however they can be installed in the future.
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including	The proposed development contributes to the City's requirements for

PPS Policy #	Policy	Response
	through the use of transportation demand management strategies, where feasible.	development within an existing built-up area.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development contributes to the City's requirement for infilling and intensification within an existing settlement area. The proposed density, scale, and building height will blend with the existing land use pattern. The height of the proposed development is keeping in context with the surrounding area.
2.1.1 - Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural features that apply to this Site.
2.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water.	A SWM study has been completed. The Site is outside the regulated area of ERCA.
2.6.1 - Heritage	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no cultural heritage features that apply to this Site.
3.0 - Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not	There are no natural or human-made hazards. The Site is outside the regulated area of ERCA.

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

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are designated "Residential" according to Schedule "D" Land Use attached to the OP for the City of Windsor (see Figure 3 –OP).

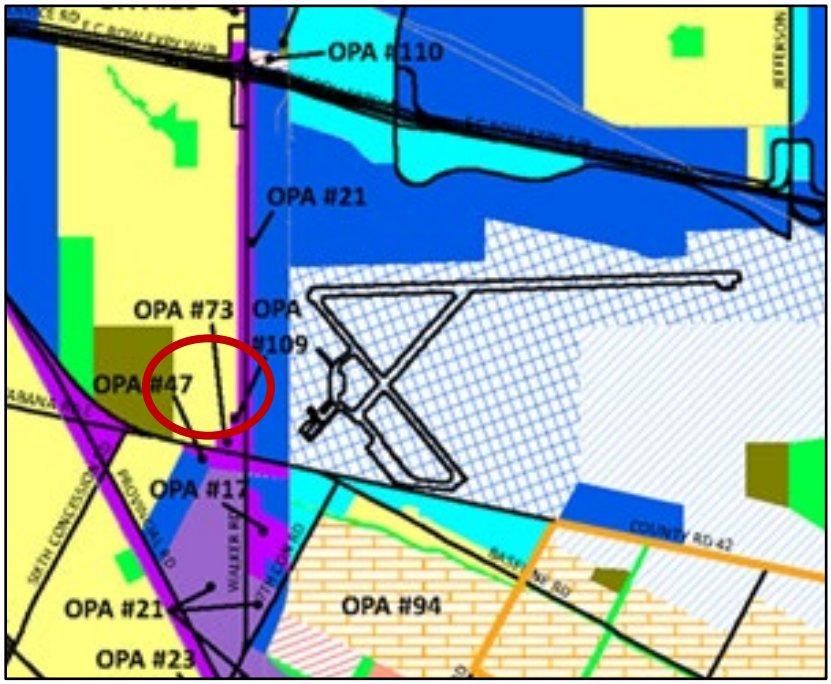


Figure 3 –OP

The Site is also subject to the following:

- Schedule C - Development Constraints - Airport Operating Area with a Noise Exposure Forecast (NEF) above 30, and
- Schedule C-1 - Archaeological Potential, low potential.

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

OP Policy #	Policy	Response
3.1	The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan.	The proposed development will support the City's vision by providing residential in an existing built-up area where citizens can live, work and play. The proposed development will incorporate design features to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making.
3.2.1.2 – Growth Concept, Neighbourhood Housing Variety	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	The proposed development supports one of the City's overall development strategies of providing for a range of housing types. The Site will provide for a new housing choice in an existing built-up area, which is an example of missing middle development.
3.2.1.3 – Growth Concept, Distinctive Neighbourhood Character	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	The Site will provide for a new housing choice in an existing built-up area, which is an example of a missing middle development.

OP Policy #	Policy	Response
	of the neighbourhood will be retained and enhanced.	
4.0 - Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	The proposed development will support the City's goal of promoting a healthy community. The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for the residential needs of the City.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve: 6.1.1 Safe, caring and diverse neighbourhoods. 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.	The proposed development supports the goals set out in the OP as it provides for the intensification of residential offering a new housing choice. Care in the design of the proposed multiple dwelling has taken into consideration the built form in the area. The Site provides for an infilling opportunity, allowing a transition between existing uses.
6.1.14 – Residential Intensification	To direct residential intensification to those areas of the City where	The Site has access to transportation, full municipal services and local amenities.

OP Policy #	Policy	Response
	transportation, municipal services, community facilities and goods and services are readily available.	
6.2.1.2 – General Policies, Type of Development Profile	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.	The proposed development is considered a low profile development as it is proposed to have 3 storeys constructed on the Site. The proposed development is in keeping with the neighbouring heights and densities found in the area. The proposed building will provide for a transition between uses.
6.3.1.1 – Range of Forms & Tenures	To support a complementary range of housing forms and tenures in all neighbourhoods	It is proposed to construct a 3 storey building with 17 residential rental units. The proposed development will offer a new housing choice which will complement the existing neighbourhood. The Site is a corner lot, and the proposed building will have a street presence with parking behind the building.

OP Policy #	Policy	Response
6.3.1.2 - Neighbourhoods	To promote compact neighbourhoods which encourage a balanced transportation system.	The proposed development takes advantage of the entire Site. The Site will have paved sidewalks connection to the parking area. The Site has access to transit and is in close proximity to major transportation corridors.
6.3.1.3 – Intensification, Infill & Redevelopment	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	The proposed development is considered infill and intensification. The parcel of land is vacant and appropriate for development.
6.3.2.1 – Permitted Uses	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.	The proposed development is a permitted use in the OP as it is considered a low profile development.
6.3.2.4 – Location Criteria	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.	The Site is located near major transportation corridors. Full services are available. Local amenities are close by. The proposed development is located close to transit.

OP Policy #	Policy	Response
	New residential development and intensification shall be located where: a) there is access to a collector or arterial road; b) full municipal physical services can be provided; c) adequate community services and open spaces are available or are planned; and d) public transportation service can be provided.	
6.3.2.5 – Evaluation of a Neighbourhood	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.	This PRR has undertaken the required evaluation of provincial legislation. There are no development constraint areas that impact this Site. Noise study has been completed, and mitigation measures are recommended. The Site will provide for a new housing choice in an existing built-up area, which is an example of a missing middle development. No anticipated traffic concerns. The proposed development will be strategically located to provide efficient ease of the proposed new access into the parking area from Turner Road. The Site is capable of accommodating the proposed development in

OP Policy #	Policy	Response
	(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) in existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (e) capable of being provided with full municipal physical services and emergency services; and (f) facilitating a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.	terms of scale, massing, height and siting. Full municipal services can be provided. The setbacks and the design features incorporated into the proposed development provide for a transition between uses in the area. The City's design guidelines can be followed.
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The proposed development is close to nearby transit, off a major transportation corridor and has access to full municipal services.

OP Policy #	Policy	Response
7.2.10.2 - Airport	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; (e) Other land uses may be permitted within the Airport Operating Area provided the proponent completes a noise study to support the feasibility of the proposal and, if feasible identify and implement	A Noise Study was prepared. Mitigation measures are included in the recommendations. Based on the recommendations, the proposed building will be designed to meet the following Sound Transmission Class (STC) ratings: • Windows for East façade to have an STC of 27 • Exterior walls to have an STC of 47 • Roof assembly to have an STC of 43

OP Policy #	Policy	Response
	appropriate mitigation measures.	
8.7.2.3 – Built Form, Infill Development	Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for: (a) massing; (b) building height; (c) architectural proportion; (d) volumes of defined space; (e) lot size; (f) position relative to the road; (g) building area to site area ratios; (h) the pattern, scale and character of existing development; (i) exterior building appearance; and (j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above. (h) the pattern, scale and character of existing development; and (i) exterior building appearance, (j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above	The Site provides for an infilling opportunity, allowing a transition between uses. **Massing –** The proposed development fits well into this Site, contributing to the overall architectural diversity in the area. **Building height – t**he height of the proposed development is appropriate and provides for a transition between uses. **Architectural proportion** – the proposed development will act as an edge, separating the commercial area from Walker Road from the residential block to the west, providing a residential character to the east side of Turner road and act as a sound buffer as well. **Volume of defined space** – The proposed building maintains an active street frontage. **Lot size –** This design approach strengthens the continuity and cohesive identity of the corner lot. **Building area** – The design considerations of the proposed development demonstrate a balance between fitting into the existing context and adding a

OP Policy #	Policy	Response
		unique architectural contribution to the area. **Pattern, scale and character** – The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting. **Exterior building appearance** – The proposed 3 storey residential development takes inspiration from the surrounding area for the design aesthetic.
10.2.11.1 - Airport	The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that the public is protected from unacceptable levels of noise and vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports.	A Noise Study has been prepared. Mitigation measures have been included in the recommendations. Based on the recommendations the building will be designed to meet the following Sound Transmission Class (STC) ratings.
10.2.18.1 - Climate	The purpose of a Micro-Climate Study is to evaluate how the proposed development will alter the micro-climate including wind, shadow and sunlight penetration, and to determine the appropriate design measures to reduce or mitigate any undesirable conditions.	A Micro Climate Study has been prepared. Minor shadowing will occur.

Therefore, the proposed development will conform to the City of Windsor OP.

5.1.3 Zoning By-law

The City of Windsor Zoning By-Law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and providing for its day-to-day administration.

According to Map 12 attached to the ZBL the Site is currently zoned Residential District 1.1 (RD1.1) category (see Figure 4 – Zoning).

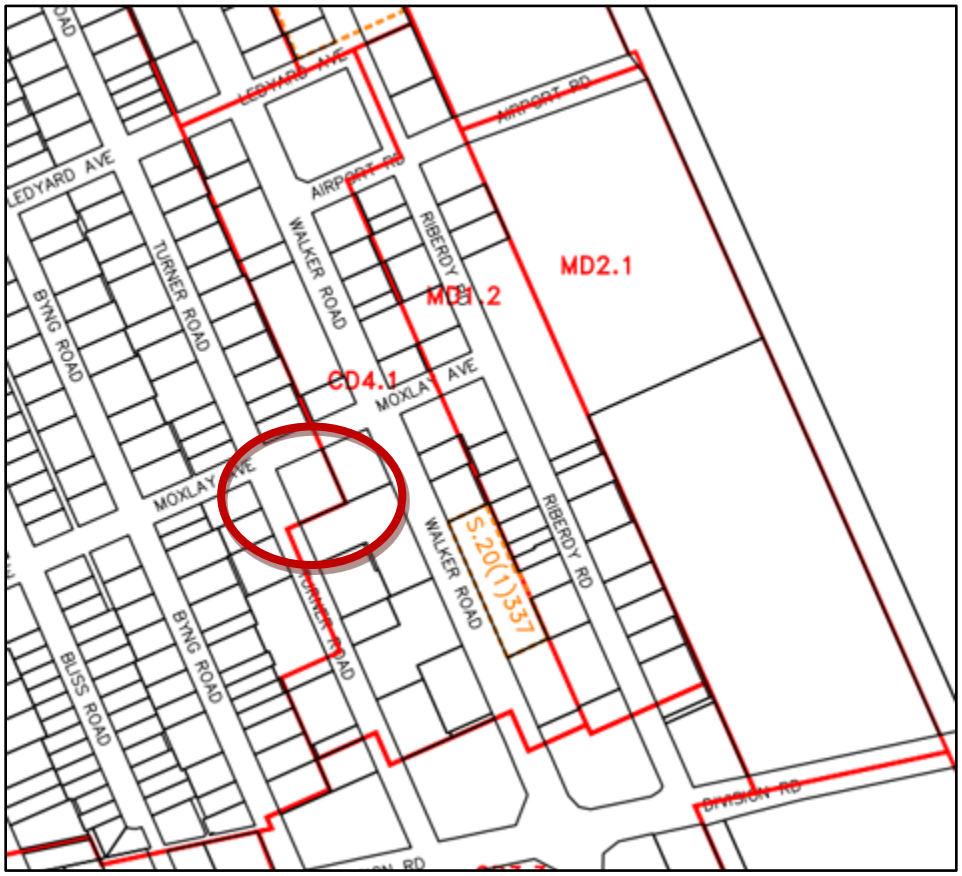


Figure 4 –Zoning

The zoning for the Site is proposed to be changed to a site specific Residential District 3.2 (RD3.2 - S.20(1)(XXX)) category as shown on Map 12 of the City of Windsor Zoning By-Law (ZBL) in order to permit a multiple dwelling with 5 or more dwelling units as an additional permitted use.

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

A review of the RD3.2 zone provisions, as set out in Section 12.2.5 of the ZBL is as follows:

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
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	Multiple dwelling with 5 or more dwelling units	A zoning amendment is required to permit the proposed development as an additional permitted use.
Min Lot Frontage	30.0 m	34.18 m along Moxlay Ave	Complies
Min Lot Area	For a corner lot having a minimum frontage of 30.0 m on each of the exterior lot lines: a) For the first 5 dwelling units - 540.0 m2 b) For the next 19 dwelling units - 67.0 m2 per unit c) For each additional dwelling unit - 44.0 m2 per unit **540 + 804 = 1,344 m2**	1,550.12 m2	Complies

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Max Lot Coverage	35.0 %	41.5 % (based on 644 m2 building area and 1,550.12 m2 lot) Say 42%	Relief required. Relief is considered minor. The increase in the maximum lot coverage will allow the building to utilize the Site effectively. *LOT COVERAGE means: 1. the percentage of lot area covered by all buildings at grade, combined with 2. the percentage of lot area covered by the vertical downward projection of all roofs, cantilevered building walls and other projecting features exclusive of the following: balconies; chimney breasts; cornices; decks; eaves; fire escapes; steps and ramps; a swimming pool open to the sky; the first 15.0 m2 of a sunroom.* All other zone regulations pertaining to setbacks can be maintained.
Max Building Height	Corner – 24.0 m	9.86 m	Complies
Min Landscaped Open Space Yard	35.0% of lot area 1550.12/35 = 542.54 m2	175 m2 (11.2 %)	Relief Required. Private terraces are provided for each unit. *LANDSCAPED OPEN SPACE means an area open to the sky and maintained with one or more of the following*

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
			ground covers: bark; flowers; grass; mulch; ornamental stone, block or brick, excluding construction grade aggregate; shrubs; trees; water feature; wood chips; and may include outdoor recreational facilities accessory to a dwelling or dwelling unit. Additional outdoor seating can be provided. The decrease will the provided parking to comply with the zoning requirements. The type of landscaping can be provided as part of SPC approval.
Dwelling Unit Density – dwelling units per hectare – maximum	For a corner lot having a minimum frontage of 30.0 m on each of the exterior lot lines **188 units per ha**	109.68 units per hectare (uph) Based on 0.155 ha and 17 units	Complies
Min Front Yard Depth	N/A	N/A	Complies
Min Rear Yard Depth	N/A	N/A	Complies
Min Side Yard	N/A	N/A	Complies
Parking Spaces Required (Table 24.20.20.5.1)	Multiple Dwelling containing a minimum of 5 dwelling units:	21	Complies

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	1.25 parking spaces required for each dwelling unit **17 x 1.25 = 21.25 space (21 rounded down)**		
Visitor Parking (24.22.10)	15 percent of parking spaces marked **= 3.15 (3 rounded down**)	3 (spaces to be marked)	Complies
Accessible Parking Spaces Required (Table 24.24.1)	For 1 to 24 total number of Parking Spaces Type A – 1 parking spaces Total B - 0 parking spaces **= 1 parking spaces**	1	Complies
Bicycle Parking (24.30.1)	10 to 19 parking spaces in parking area: **= 2 spaces required**	3	Complies
Loading (Table 24.40.1.5)	1,000 m² or less - 0	1 Based on 610 m2 total building size	Complies
Min Parking Area Separation (Table 25.5.20.1.2)	Any other street – 3.00 m	>3.00 m	Complies

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Min Parking Area Separation (Table 25.5.20.1.3)	An interior lot line - **0.90 m**	0.90 m (west side) 0.90 m (south side)	Complies Complies
Min Parking Area Separation (Table 25.5.20.1.5)	A building wall in which is located a main pedestrian entrance facing the parking area – **2.00 m**	4.5 m (3.4 m from the south face of the building)	Complies
Min Parking Area Separation (Table 25.5.20.1.6)	A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area – 4.50 m	4.50 m	Complies
Min Daylight Corner - 5.15.5	On a corner lot, any part of any building or structure shall have **a minimum separation of 6.0 metres from the point of intersection of any two streets** unless: .1 that part of the building or structure is elevated a minimum of 2.20 metres above grade; .2 that part of the building or structure consists exclusively	>6.0 m	Complies

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	of not more than one structural support column having a maximum outside diameter of 1.0 metre and a minimum height of 2.20 metres above grade.		

Therefore, in addition to the change in zoning for the permitted use of a multiple dwelling with 5 or more dwelling units, the proposed development will comply with all zone provisions set out in the RD3.2 Zone except for the following, which requires site specific relief:

1. *increase the maximum lot coverage from the required 35.0 % to the proposed 42.0 %, and*
2. *decrease the minimum landscaped open space from 35.0 % to 11.2 %.*

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic concerns,
- There are no natural heritage concerns,
- There are no cultural heritage concerns,
- There are no hazards, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development has been designed to be compatible with the existing built-up area.

The proposed development is a low profile form of development which incorporates sufficient setbacks to allow for appropriate landscaping and buffering.

The building has been designed to address compatibility within uses in the area.

The proposed development will be strategically located to provide efficient ease of the proposed new access into the parking area.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the City to provide infilling, which contributes to a new housing choice and intensification requirements set out in the PPS and the OP.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

The building will act as a buffer between land use.

The proposed development will not change lotting or street patterns in the area.

6.1.4 Natural Environment Impacts

The proposal does not have any negative natural environmental impacts.

6.1.5 Municipal Services Impacts

Full municipal services are available, which is the preferred form for development.

6.1.6 Social, Heritage and/or Economic Conditions

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

Infilling in an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

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

Based on the Site area, the proposed development will result in a total gross density, which is appropriate for the area.

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

There are no cultural heritage resources that impact the Site.

6.2 Conclusion

In summary, it would be appropriate for Council for the City of Windsor to approve the ZBA to permit the proposed development on the Site as it is appropriate for infilling and will offer residential in an area of mixed uses.

The Site will provide for a new housing choice, which is an example of a missing middle development, while respecting the built form in the area.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

10.2.13.2 Where a Planning Rationale Report is required, such a study should:

(a) Include a description of the proposal and the approvals required;

(b) Describe the site's previous development approval history;

(c) Describe major physical features or attributes of the site including current land uses(s) and surrounding land uses, built form and contextual considerations;

(d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;

(e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;

(f) Describe whether the proposal addresses the Community Strategic Plan;

(g) Describe the suitability of the site and indicate reasons why the proposal is appropriate for this site and will function well to meet the needs of the intended future users;

(h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;

(i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;

(j) Describe the impact on the natural environment;

(k) Describe the impact on municipal services;

(l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,

(m) Describe areas of compliance and non-compliance with the Zoning By-law.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

Tracey Pillon-Abbs, RPP
Principal Planner

Road Traffic and Stationary Noise Impact Study

Turner Road Noise Impact Study

JJ-00589 NIS1

November 9, 2023 Reference No. JJ-00589-NIS1

Ashraf Botros
Olivia Construction Homes Inc.
1797 S Cameron Blvd
Windsor, ON N9B 3P6

Dear Mr. Botros:

Re: Road Traffic and Stationary Noise Impact Study
Turner Road, Windsor, Ontario

1. Introduction

JJ Acoustic Engineering Ltd. (JJAE) was retained to complete a Road Traffic and Stationary Noise Impact Study (Study) for the residential development located at Turner Road in Windsor, Ontario (Site). The Site will be developed into a 3-storey residential building. JJAE has provided a copy of the most up-to-date Site Plan in Attachment A.

The Study was prepared consistent with Ontario Ministry of the Environment, Conservation and Park (MOECP) NPC 300, "Environmental Noise Guideline, Stationary and Transportation Sources–Approval and Planning" dated August 2013.

This Study has determined that the potential environmental noise impact from road traffic noise is significant. The proposed development will need the following: a requirement for central air-conditioning, noise warning clauses, and special building components. Road traffic noise control requirements for the Site were determined based on road traffic volumes provided by the City of Windsor (City) and forecasted to 10 years from the date of this study.

JJ Acoustic Engineering Ltd.
joey@jjae.ca
226-346-6473

The following attachments were included with this Study:

- Attachment A – Site Plan
- Attachment B – Traffic Data Summary Table & Sample Stamson Traffic Model Outputs
- Attachment C – Stationary Noise Impact Figures
- Attachment D – Stationary Noise Impact Source Table
- Attachment E – Aircraft Data

2. Road Traffic Analysis

2.1 Road Traffic Noise Modeling Methodology

The road traffic noise impact was conducted using STAMSON, the MOECP's computerized model of ORNAMENT. The Application of the model for the site was consistent with the ORNAMENT technical documents. The computer model input parameters include, among other data, the number of road segments, number of house rows, the positional relationship of the receptor to a noise source or barrier in terms of distance, elevation and angle of exposure to the source, the basic site topography, the ground surface type, traffic volumes, traffic composition and speed limit.

The predicted sound level is based on the 1-hour equivalent sound level, designated as Leq, and is adjusted by the STAMSON program to the 16-hour daytime and the 8-hour nighttime equivalent sound level. The applicable noise criteria for noise sensitive spaces are specified in terms of the 16-hour daytime period (7:00 a.m. to 11:00 p.m.) and 8-hour nighttime period (11:00 p.m. to 7:00 a.m.) enabling a direct comparison between the STAMSON model output and the noise limits.

2.2 Road Traffic Model Input Parameters

This section describes the STAMSON model input parameters used to predict road traffic noise impact for the Site.

The Site has one significant roadway in the vicinity of the development: Walker Road approximately 50 meters to the East of the Site. Where there are intervening and off-site structures that provide line-of-sight obstruction to the roads, JJAE did not include line-of-sight obstruction in our analysis as to calculate worst-case noise impact. Rail line CPKC Windsor Subdivision Railway is about 345 meters to the East of the Site, and Division Road is about 290 meters to the South of the Site. These traffic noise sources are beyond our red flag distances and, as such, JJAE will not be considering them in the report.

2.2.1 Road Traffic Parameters

The traffic data provided by the City has been summarized below:

Walker Road:

- Current AADT (2015): 29,700
- Forecast AADT (2033): 46,322
- Commercial Vehicle Rates: Assumed values of 1% medium trucks and 2% heavy trucks
- Posted Speed Limit: 60 km/h
- Day Night Splits: 90% day and 10% night

The traffic data is the foundation of this analysis, and the Study will be updated if the values change. JJAE assumed 2.5% annual growth to forecast AADT. Traffic data was supplied by the City. The City's AADT report for this Noise Studies report has been supplied in Attachment B.

2.3 Road Traffic Noise Modeling Results

JJAE calculated the Plane of Window (POW) noise exposure for each floor at the Site for the separate daytime and nighttime periods.

The STAMSON road traffic model outputs are provided in Attachment B.

2.4 Road Traffic Modeling Discussion

Noise control requirements will be defined based on NPC 300.

Daytime Outdoor Living Area Assessment (NPC 300, Section C7.1.1)

NPC 300 section A5 (pages 13-14) defines an Outdoor Living Area (OLA). As part of this definition, a balcony or terrace is considered an OLA if it has a minimum depth of 4 meters. All balconies are less than 4 m in depth and therefore will not be considered as OLAs.

Due to high traffic volumes an OLA is not feasible for this site, with respect to noise.

Plane of a Window – Ventilation Requirements (NPC 300, Section C7.1.2)

The predicted daytime and nighttime Plane of Window (POW) noise impact assumes a worst-case and direct line of sight noise exposure to both roads, unless the building itself blocks line-of-sight (full or partial).

JJAE has used the following criteria, which is a summary of NPC 300 requirements, to evaluate the Site noise impacts from road traffic noise:

Daytime Level (dBA)	Nighttime Level (dBA)	Ventilation Requirements and Warning Clauses	Special Building Components
55	50	Not Required	Not Required
55 – 65	50 – 60	Yes, with Type C Warning Clause	Not Required
66 or more	60 or more	Yes, with Type D Warning Clause	Yes

Table B.1 summarizes the predicted worst-case sound levels and the requirements for the units. The following warning clause is required:

Warning Clause C: "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Warning Clause D: "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Indoor Living Areas – Building Components (NPC 300, Section C7.1.3)

At minimum, the building must be constructed to standard Ontario Building Code requirements.

2.5 Aircraft Noise

JJAE has reviewed the Noise Exposure Forecast NEF for Windsor International Airport and has determined that the site is located between the NEF contours of 25 and 30. JJAE has used 30 as the worst-case scenario in our calculations. JJAE has used a calculation tool developed by the National Research Council (NRC) called IBANA Calc, which calculates the Indoor Noise level within a given space. JJAE has modeled a representative suite within the building to calculate the worst-case noise impact.

JJAE will provide recommendations to mitigate all noise sources below the indoor noise limits stated in NPC 300 Table C-4 that in the Sleeping Quarters the Indoor NEF/NEP of 0. It should be noted that NEF is calculated with the following equation: $\text{NEF} = Leq_{24} - 32\,\text{dBA}$. Thus, we are looking to have an indoor noise level at or below 32. Attachment E provides all calculations for the aircraft calculations.

3. Stationary Noise Impact Analysis

3.1 Stationary Noise Impact Sound Level Criteria

The general criteria for stationary noise sources are defined by NPC 300. The criteria defined in Table C-5 and C-6, "Exclusion Limit Values of One-Hour Equivalent Sound Level (Leq, dBA) Outdoor Points of Reception" and "Exclusion Limit Values of One-Hour Equivalent Sound Level (Leq, dBA) Plane of Window of Noise Sensitive Spaces" are used to evaluate the noise impact at the proposed development.

The criteria for a Class 1 area have been summarized below:

Receiver Category	Time Period	Stationary Noise Criteria
Outdoor Living Area (OLA)	Day = 7:00 to 23:00	Leq = 50 dBA
Plane of Window (POW)	Day = 7:00 to 23:00	Leq = 50 dBA

	Night = 23:00 to 7:00	Leq = 45 dBA

3.2 Modelling Methodology

The stationary noise impact was evaluated using the CADNA A acoustic modelling software that is based on the ISO 9613-2 standard. The data for all potential stationary noise sources was summarized in Attachment D.

- **Ground Absorption**: Default ground absorption coefficient of 0.7 was used.
- **Temperature**: 10°C
- **Humidity**: 70%
- **Building Reflection Coefficient**: Absorption Coefficient Alpha of 0.37 (Reflection Loss of 2dB, Structured Façade) was used.
- **Time-Weighted Adjustment:** where sources operate non-continuously JJAE has provided operating times and as shown in Sections 4 and 5.
- **Tonality**: A 5 dbA tonal penalty was applied to all tonal sources, where applicable. JJAE has provided a (T) for sources identified as tonal in Sections 4 and 5.
- **Reflection Order**: A maximum reflection order of 1 was used to evaluate indirect noise impact.

4. Noise Impact Summary – From Site

The noise from the Site to the neighboring buildings could not be accounted for because the site has not undergone mechanical design yet. An addendum to this report should be completed once a mechanical design is done to account for noise from the Site to the neighboring building.

5. Noise Impact Summary – From Environment to Site

There are several buildings near the site. JJAE has identified several potential stationary noise sources including:

- HVAC 1FAN Units
- HVAC 2FAN Units
- Medium HVAC Units
- Heavy truck 20kph
- Heavy Truck Idling

A summary of the noise sources used in our modelling is provided in Attachment D.

JJAE modelled the noise impact from all significant noise sources to the Site. The results are summarized in the table below and illustrated on Figure 1.

Building #1	Worst Case Daytime Sound Level (dBA)	Daytime Noise Limit (dBA)	Worst Case Nighttime Sound Level (dBA)	Nighttime Noise Limit (dBA)	Limits met
North	47	50	45	45	Yes
East	47	50	45	45	Yes
South	40	50	38	45	Yes
West	33	50	31	45	Yes

From the table above it can be seen that all façades for the Site are at or below the noise limits.

6. Recommendations

The road traffic noise impacts were above the NPC 300 requirements. Noise mitigation measures include:

Building #1:

- Warning Clause Type C for the North, South and West façades.
- Warning Clause Type D for the East façade.
- JJAE and the client require air conditioning for all units.
- A minimum of STC 27 on all exterior glazing for the East façade.
- Roof assembly must meet a minimum STC rating of 43.
- Exterior Walls must meet a minimum STC rating of 47.

The stationary noise impacts from neighboring buildings to the site were evaluated and the sound level predictions were determined to be below noise limits.

The noise from the Site to the neighboring buildings could not be accounted for because the site has not undergone mechanical design yet. An addendum to this report should be completed once a mechanical design is done to account for noise from the Site to the neighboring building.

7. Conclusions

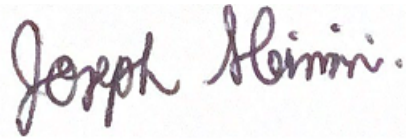
The results of this Study indicate that the potential environmental impact from road traffic noise sources is significant. Mitigation measures will be required including ventilation requirements and noise warning clauses for each unit.

Should you have any questions on the above, please do not hesitate to contact us.

Yours truly,

Written By: Reviewed by:

Nov 9, 2023

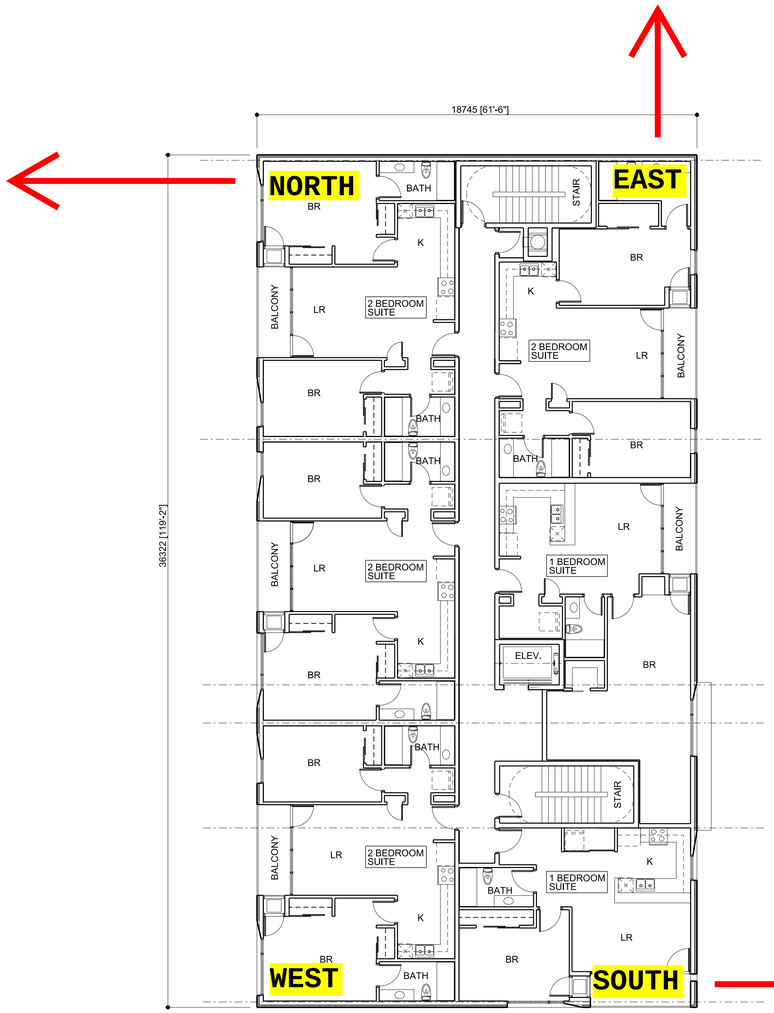


Joseph Sleiman
Acoustic Technician

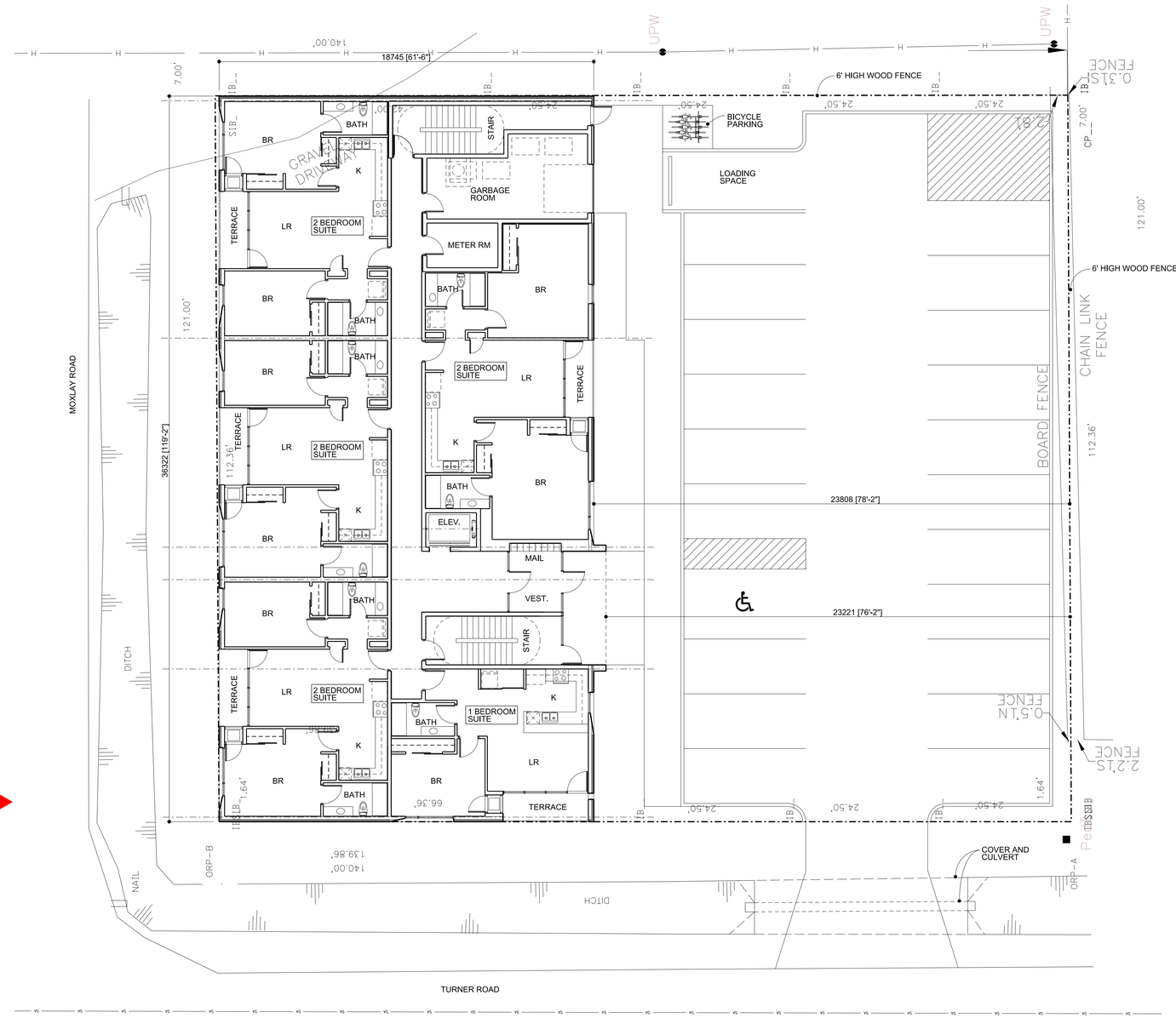
Joey Jraige, P.Eng., B.A.Sc.
President (Owner)

JJ Acoustic Engineering Ltd.
joey@jjae.ca
226-346-6473

ATTACHMENT A



TYPICAL SECOND AND THIRD FLOOR PLANS



SITE AND GROUND FLOOR PLAN

SITE LOCATION MAP
N.T.S.

TABULATION DATA

PROPERTY AREA = 1550.12m²
BUILDING AREA = 681m²
GROSS BUILDING AREA = 2043m²
PARKING SPACES = 21 SPACES
LOADING SPACES = 1 SPACE
REFUSE MANAGED INSIDE THE BUILDING

SCHEDULE OF SUITES FLOOR LEVEL	1 BR	2 BR
GROUND FLOOR	1	4
SECOND FLOOR	2	4
THIRD FLOOR	2	4
TOTAL	5	12

1" = 10'-0"

30 20 10 0 10 20 30

PC - 1

sheet number

Turner Road Development
windsor, ontario CANADA

Issue record

1. PRE-CONSULT 8-14-23

site plan and floor plans

scale: 1" = 10'-0"

drawing by:

checked by:

do not scale drawing - use figured dimensions only

all drawings and specification remain the property of the architect and must be returned after completion of the work

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this drawing is not to be used for construction until it is issued as such and signed by the architect

developer

Olivia Construction Inc

1797 S Cameron Blvd
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structural

Haddad Morgan and Assoc. LTD.
consulting engineers

24 shepherd street east
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t: 519 973 1177
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architectural

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1057 walker road
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N8Y 2N6 CANADA
t: 519 254 8698

designstudio

sheet number

Turner Road
Development
windsor, ontario CANADA

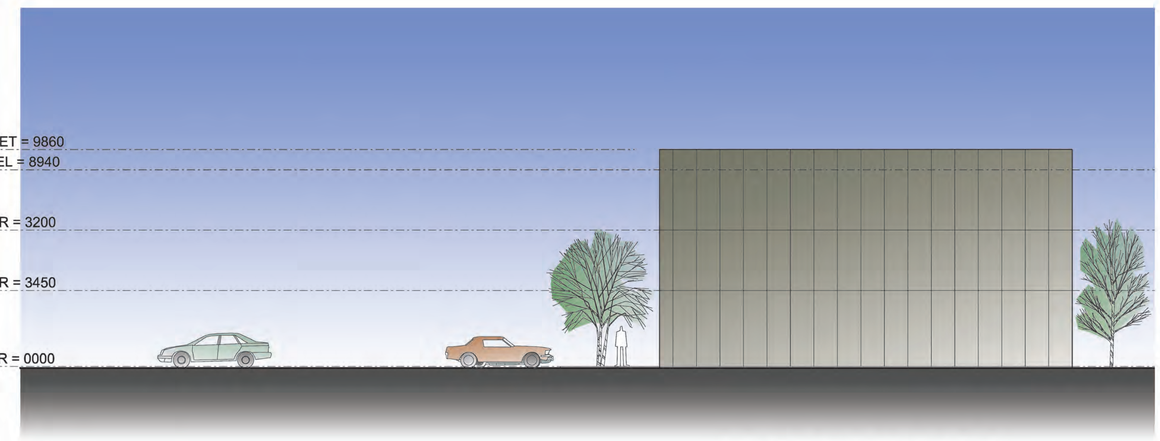
issue record

1. PRE-CONSULT. 8-14-23

NORTH ELEVATION

WEST ELEVATION

SOUTH ELEVATION



EAST ELEVATION

EXTERIOR BUILDING MATERIALS

CLADDING: PREFINISHED INSULATED METAL PANELS WITH POLYISOCYANUATE CORE SUCH AS NOREX-S BY NORBEC - COLOUR AS SHOWN IN THESE ELEVATIONS

BALCONY RAILINGS: CLEAR TEMPERED GLASS ON STRUCTURAL FRAME SYSTEM BY CRL SYSTEMS

BALCONY GLAZING: CLEAR ANODIZED ALUMINUM CURTAIN WALL

STOREFRONT GLAZING: ANODIZED ALUMINUM CURTAIN WALL GLAZING SYSTEM

$\frac{3}{32}$" = 1'-0"

40 20 10 0 10 25

elevations

scale: $\frac{3}{32}$" = 1'-0"

drawing by:

checked by:

do not scale drawing - use figured dimensions only

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designstudio

ATTACHMENT B

Table B1

Road Traffic Noise Levels and Mitigation Measures Summary
Turner Road, Windsor, Ontario

Point of Reception	Road Sound Level Daytime (dBA)	Road Sound Level Nighttime (dBA)	Ventilation Requirements NPC 300	Warning Clauses From NPC 300	Special Building Components
North Façade					
Plane of Window Level 1	63 (dBA)	57 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 2	63 (dBA)	57 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 3	63 (dBA)	57 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
East Façade					
Plane of Window Level 1	66 (dBA)	60 (dBA)	Requirement for Air Conditioning	Type D	Minimum Window STC Rating of 27
Plane of Window Level 2	66 (dBA)	60 (dBA)	Requirement for Air Conditioning	Type D	Minimum Window STC Rating of 27
Plane of Window Level 3	66 (dBA)	60 (dBA)	Requirement for Air Conditioning	Type D	Minimum Window STC Rating of 27
South Façade					
Plane of Window Level 1	61 (dBA)	55 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 2	61 (dBA)	55 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 3	61 (dBA)	55 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
West Façade (1)					
Plane of Window Level 1	56 (dBA)	50 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 2	56 (dBA)	50 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 3	56 (dBA)	50 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code

Notes:
(1) The West Façade is shielded by the building. JJAE has assumed a conservative 10 dBA reduction in sound level from the East Façade for the West Façade

Joseph Sleiman

From: Spagnuolo, Mike <mspagnuolo@citywindsor.ca>
Sent: Thursday, November 9, 2023 3:38 PM
To: Joseph Sleiman
Cc: Joey Jraige
Subject: RE: Traffic Data for surrounding roadways 3942 Turner Road, Windsor

Hi Joseph.
I can provide you with our most recent ADT.
Division west of Walker 16,100 (2015)
Division east of Walker 13,600 (2015)
Walker north of Division 36,400 (2017)
Walker south of Division 37,000 (2015)
Traffic forecasts and acceptable truck percentages regarding your TIS can be obtained from Transportation Planning transportation@citywindsor.ca
For information regarding the railway, you will need to submit a Freedom of Information request for it. You will need to specify the grade crossings or the limits of the railroad line you are requesting the data for.
For your reference, they have the following related information for each crossing provided to us from the railways:

- The average annual daily railway movements
- The railway design speed
- An indication of whether or not whistling is required when railway equipment is approaching the grade crossing

Hope this points you in the right direction. If you need any traffic data (ADT, TMC's etc) feel free to reach out to me directly.

MIKE SPAGNUOLO | SIGNAL SYSTEMS ANALYST
THE CITY OF WINDSOR ONTARIO, CANADA
Office Of The City Engineer
1269 Mercer St | Windsor, ON | N8X 0A9
(519) 255-6247 Ext 6061
www.citywindsor.ca

From: Joseph Sleiman <Joseph@jjae.ca>
Sent: November 9, 2023 12:44 PM
To: Spagnuolo, Mike <mspagnuolo@citywindsor.ca>
Cc: Joey Jraige <joey@jjae.ca>
Subject: Traffic Data for surrounding roadways 3942 Turner Road, Windsor

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mike, I hope your day is going great!

I need your help with a project I am working on located in the street 3942 Turner Road, Windsor.
I need the following information for Walker Road and Division Road:

Please provide:

“Future AADT 10 years or Current AADT with a growth % most commonly used by the City of Windsor?
% Medium Trucks (or estimations as deemed acceptable by the City of Windsor)?
% Heavy trucks (or estimations as deemed acceptable by the City of Windsor)?
Speed limits for roadways.”

Also, I have contacted **Community Connect** to get some Rail line data, more specifically, **rail line CPKC Windsor Subdivision Railway** to which they said that I must contact the Road Authority to obtain this information (please see the email thread attached). Are you able to provide this information or steer me in the right direction as to whom I should ask?

For this project in 3942 Turner Road, Windsor, I also need the information for the CPKC rail located to the east of the site, to the southwest of the Windsor Airport.

Thank you very much for your time.

Have a wonderful weekend.
Regards,

Joseph C. Sleiman
JJ Acoustic Engineering Ltd.
226-344-8911
joseph@jjae.ca

```
STAMSON 5.0        NORMAL REPORT        Date: 24-11-2023 20:02:07
MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: b1northf.te          Time Period: Day/Night 16/8 hours
Description: Building #1 North Facade Floor 1


Road data, segment # 1: Walker Rd (day/night)
---------------------------------------------
Car traffic volume  : 40439/4493  veh/TimePeriod  *
Medium truck volume :   417/46    veh/TimePeriod  *
Heavy truck volume  :   834/93    veh/TimePeriod  *
Posted speed limit  :    60 km/h
Road gradient       :     0 %
Road pavement       :     1 (Typical asphalt or concrete)

* Refers to calculated road volumes based on the following input:

    24 hr Traffic Volume (AADT or SADT):  29700
    Percentage of Annual Growth        :   2.50
    Number of Years of Growth          :  18.00
    Medium Truck % of Total Volume     :   1.00
    Heavy Truck  % of Total Volume     :   2.00
    Day (16 hrs) % of Total Volume     :  90.00

Data for Segment # 1: Walker Rd (day/night)
-------------------------------------------
Angle1   Angle2           :   0.00 deg   90.00 deg
Wood depth                :      0       (No woods.)
No of house rows          :      0 / 0
Surface                   :      2       (Reflective ground surface)
Receiver source distance  :  50.00 / 50.00  m
Receiver height           :   2.00 / 2.00   m
Topography                :      1       (Flat/gentle slope; no barrier)
Reference angle           :   0.00


Results segment # 1: Walker Rd (day)
------------------------------------

Source height = 1.19 m

ROAD (0.00 + 63.44 + 0.00) = 63.44 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj SubLeq
--------------------------------------------------------------------------
     0     90   0.00  71.68   0.00 - 5.23 - 3.01   0.00   0.00   0.00  63.44
--------------------------------------------------------------------------

Segment Leq : 63.44 dBA
```

Total Leq All Segments: 63.44 dBA

Results segment # 1: Walker Rd (night)

Source height = 1.19 m

ROAD (0.00 + 56.91 + 0.00) = 56.91 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj	SubLeq
0	90	0.00	65.15	0.00	- 5.23	- 3.01	0.00	0.00	0.00	56.91

Segment Leq : 56.91 dBA

Total Leq All Segments: 56.91 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 63.44
(NIGHT): 56.91

```
STAMSON 5.0        NORMAL REPORT        Date: 24-11-2023 20:01:48
MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: b1eastf1.te          Time Period: Day/Night 16/8 hours
Description: Building #1 East Facade Floor 1


Road data, segment # 1: Walker Rd (day/night)
---------------------------------------------
Car traffic volume  : 40439/4493  veh/TimePeriod  *
Medium truck volume :   417/46    veh/TimePeriod  *
Heavy truck volume  :   834/93    veh/TimePeriod  *
Posted speed limit  :    60 km/h
Road gradient       :     0 %
Road pavement       :     1 (Typical asphalt or concrete)

* Refers to calculated road volumes based on the following input:

    24 hr Traffic Volume (AADT or SADT):  29700
    Percentage of Annual Growth        :   2.50
    Number of Years of Growth          :  18.00
    Medium Truck % of Total Volume     :   1.00
    Heavy Truck  % of Total Volume     :   2.00
    Day (16 hrs) % of Total Volume     :  90.00

Data for Segment # 1: Walker Rd (day/night)
-------------------------------------------
Angle1   Angle2           : -90.00 deg   90.00 deg
Wood depth                :      0       (No woods.)
No of house rows          :      0 / 0
Surface                   :      2       (Reflective ground surface)
Receiver source distance  :  50.00 / 50.00  m
Receiver height           :   2.00 / 2.00   m
Topography                :      1       (Flat/gentle slope; no barrier)
Reference angle           :   0.00


Results segment # 1: Walker Rd (day)
------------------------------------

Source height = 1.19 m

ROAD (0.00 + 66.45 + 0.00) = 66.45 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj SubLeq
--------------------------------------------------------------------------
  - 90     90   0.00  71.68   0.00 - 5.23   0.00   0.00   0.00   0.00  66.45
--------------------------------------------------------------------------

Segment Leq : 66.45 dBA
```

Total Leq All Segments: 66.45 dBA

Results segment # 1: Walker Rd (night)

Source height = 1.19 m

ROAD (0.00 + 59.92 + 0.00) = 59.92 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj	SubLeq
- 90	90	0.00	65.15	0.00	- 5.23	0.00	0.00	0.00	0.00	59.92

Segment Leq : 59.92 dBA

Total Leq All Segments: 59.92 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 66.45
(NIGHT): 59.92

```
STAMSON 5.0        NORMAL REPORT        Date: 24-11-2023 20:02:23
MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: b1southf.te          Time Period: Day/Night 16/8 hours
Description: Building #1 South Facade Floor 1


Road data, segment # 1: Walker Rd (day/night)
---------------------------------------------
Car traffic volume  : 40439/4493  veh/TimePeriod  *
Medium truck volume :   417/46    veh/TimePeriod  *
Heavy truck volume  :   834/93    veh/TimePeriod  *
Posted speed limit  :    60 km/h
Road gradient       :     0 %
Road pavement       :     1 (Typical asphalt or concrete)

* Refers to calculated road volumes based on the following input:

    24 hr Traffic Volume (AADT or SADT):  29700
    Percentage of Annual Growth        :   2.50
    Number of Years of Growth          :  18.00
    Medium Truck % of Total Volume     :   1.00
    Heavy Truck  % of Total Volume     :   2.00
    Day (16 hrs) % of Total Volume     :  90.00

Data for Segment # 1: Walker Rd (day/night)
-------------------------------------------
Angle1   Angle2           : -90.00 deg   0.00 deg
Wood depth                :      0       (No woods.)
No of house rows          :      0 / 0
Surface                   :      2       (Reflective ground surface)
Receiver source distance  :  81.00 / 81.00  m
Receiver height           :   2.00 / 2.00   m
Topography                :      1       (Flat/gentle slope; no barrier)
Reference angle           :   0.00


Results segment # 1: Walker Rd (day)
------------------------------------

Source height = 1.19 m

ROAD (0.00 + 61.34 + 0.00) = 61.34 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj SubLeq
--------------------------------------------------------------------------
  - 90      0   0.00  71.68   0.00 - 7.32 - 3.01   0.00   0.00   0.00  61.34
--------------------------------------------------------------------------

Segment Leq : 61.34 dBA
```

Total Leq All Segments: 61.34 dBA

Results segment # 1: Walker Rd (night)

Source height = 1.19 m

ROAD (0.00 + 54.82 + 0.00) = 54.82 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj	SubLeq
- 90	0	0.00	65.15	0.00	- 7.32	- 3.01	0.00	0.00	0.00	54.82

Segment Leq : 54.82 dBA

Total Leq All Segments: 54.82 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 61.34
(NIGHT): 54.82

ATTACHMENT C

> -99.0 dB
> 35.0 dB
> 40.0 dB
> 45.0 dB
> 50.0 dB
> 55.0 dB
> 60.0 dB
> 65.0 dB
> 70.0 dB
> 75.0 dB
> 80.0 dB
> 85.0 dB

Point Source
Line Source
Building
Building Evaluation

STATIONARY NOISE IMPACT
Turner Road, Windsor, Ontario

FIGURE 1a
NOISE IMPACT
FROM ENVIRONMENT TO SITE

> -99.0 dB
> 35.0 dB
> 40.0 dB
> 45.0 dB
> 50.0 dB
> 55.0 dB
> 60.0 dB
> 65.0 dB
> 70.0 dB
> 75.0 dB
> 80.0 dB
> 85.0 dB

Point Source
Line Source
Building
Building Evaluation

STATIONARY NOISE IMPACT
Turner Road, Windsor, Ontario

FIGURE 1b
NOISE IMPACT
FROM ENVIRONMENT TO SITE
ZOOMED IN TO SITE

ATTACHMENT D

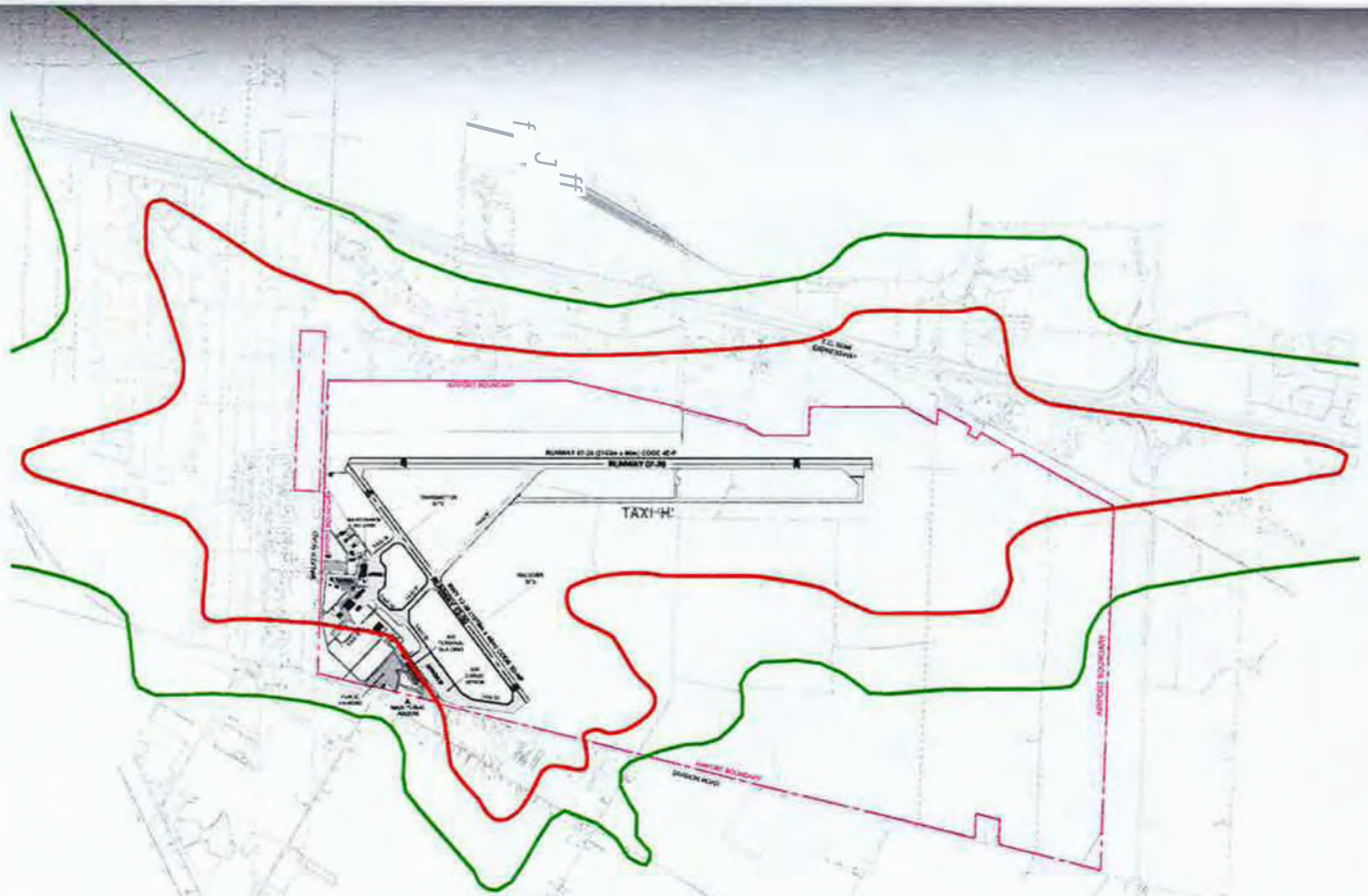
Table D1
Stationary Noise Impact Source Data
Turner Road, Windsor, Ontario

Noise Source Description	Cadna ID	Total SWL (dBA)	Data Source or Representative Data	Height Absolute (m)	Above Roof (m)	x	y
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	9.5	1.5	17337585	4681218
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	9.5	1.5	17337620	4681367
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337448	4681234
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337412	4681294
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337419	4681293
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337386	4681187
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337467	4681166
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337485	4681140
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337475	4680994
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337480	4680999
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337485	4681003
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337476	4681009
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337570	4681016
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337558	4681051
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337564	4681056
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337565	4680976
Heavy Truck Idling	Heavy_Truck_Idling	100	Heavy_Truck_Idling	1.5	1.5	17337472	4680983
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337529	4681026
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337535	4681022
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337536	4681009
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337540	4681011
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337534	4681025
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	6.5	1.5	17337526	4681034
Heavy Truck Idling	Heavy_Truck_Idling	100	Heavy_Truck_Idling	1.5	1.5	17337573	4681236
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337395	4681181
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337407	4681181
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337394	4681192
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337384	4681194
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337382	4681198
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337378	4681208
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337374	4681216
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337372	4681227
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337369	4681233
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337365	4681240
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337362	4681248
Medium HVAC	Medium_HVAC	90.9	Medium_HVAC	11.5	1.5	17337540	4681006
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337415	4681294
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337317	4681341
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	9.5	1.5	17337532	4681318

Table D2
Stationary Noise Impact Source Data
Turner Road, Windsor, Ontario

Noise Source Description	Cadna ID	Total SWL (dBA)	Data Source or Representative Data	Height Absolute (m)	Above Roof (m)	Operating Time Day (min)	Operating Time Special (min)	Operating Time Night (min)	Moving Pt. Src Number Day	Moving Pt. Src Number Evening	Moving Pt. Src Number Night	Moving Pt. Src Speed (km/h)
Heavy truck 20kph	Heavy_truck_20kph	90.7	Heavy_truck_20kph	1.5	1.5	540	0	0	4	0	0	20
Heavy truck 20kph	Heavy_truck_20kph	91.9	Heavy_truck_20kph	1.5	1.5	540	0	0	4	0	0	20

ATTACHMENT E



WINDSOR AIRPORT
MASTER PLAN

FIGURE 3-4 -AIRPORT NOISE EXPOSURE FORECAST CONTOURS

30 NEF (NOISE EXPOSURE FORECAST)

25 NEF

Notes

1. Conceptual Layout
2. All dimensions approximate
3. Noise Exposure Forecast provided by Windsor Airport Management

YQG YOUR QUICK GATEWAY
WINDSOR INTERNATIONAL AIRPORT

DILLON CONSULTING

Base data provided by City of Windsor Official Plan
Map creatnd by EDH
Map checked by EGL

File Location: \\20dillon.dillon.caltoronto data\PROJECTS\DRAFT\09\092665 Windsor Airport Master Plan

Map Projection: n/aTAX I H

Project 09-2665
Status n/a
Date OecemberJOfO

N E S W

Aircraft Noise Sound Insulation Scenario Calculation Results

Project: TurnerRd
ProjectID:
Date:1/12/2024
Outdoor level: NEF 30 or Leq24 62 or Ldn 63 dBA

Source Spectrum details:

100% Standard Aircraft
Corrections:

Receiving room:

Floor Area: 13 ft²
Absorbtion: 100% of floor area

Construction Description:

Element 1: VIN1_OSB11_WS140(406)_GFB152_RC13(610)_G13

Construction Type: 2by6 Wall+RC
Area: 13.00 m²
Test ID: TLA-99-061a
Test Date: 2/10/1999

Vinyl siding, 11 mm OSB, 140 mm wood studs on 406 mm centre with glass fibre cavity insulation, 1 of 13 mm gypsum board on resilient channels spaced 610 mm on centre.

Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Indoor Sound Level(dB)
50	39.1
63	42.3
80	41.6
100	36.9
125	36.5
160	33.1
200	26.0
250	16.8
315	12.2
400	8.8
500	5.6
630	4.8
800	-0.2
1000	-4.8

1250	-10.5
1600	-15.1
2000	-18.3
2500	-19.0
3150	-17.9
4000	-25.8
5000	-39.7

A-Weighted Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	A-Wtd Sound Level(dBA)
50	8.9
63	16.1
80	19.1
100	17.8
125	20.4
160	19.7
200	15.1
250	8.2
315	5.6
400	4.0
500	2.4
630	2.9
800	-1.0
1000	-4.8
1250	-9.9
1600	-14.1
2000	-17.1
2500	-17.7
3150	-16.7
4000	-24.8
5000	-39.2

Transmission Loss vs. Frequency - Spectrum Values:

Frequency(Hz)	Transmission Loss(dB)
50	15.7
63	13.8
80	15.9
100	22.1
125	22.8
160	25.9
200	32.5
250	40.7
315	44.4
400	46.9
500	49.6

630	49.8
800	54.0
1000	57.3
1250	61.8
1600	64.7
2000	65.7
2500	64.6
3150	61.1
4000	65.8
5000	73.6

Source Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Source Sound Level(dB)
50	54.8
63	56.0
80	57.5
100	58.9
125	59.3
160	59.0
200	58.5
250	57.5
315	56.5
400	55.8
500	55.2
630	54.6
800	53.7
1000	52.5
1250	51.2
1600	49.6
2000	47.4
2500	45.6
3150	43.3
4000	40.2
5000	34.3

Single Number Ratings

Outdoor Sound Level:	62	dBA
Indoor Sound Level:	26	dBA
A-wtd Level Reduction:	36	dB
A-wtd Reduction re Standard Source:	36	dB
OITC Rating:	32	dB

Aircraft Noise Sound Insulation Scenario Calculation Results

Project: TurnerRd
ProjectID:
Date:1/12/2024
Outdoor level: NEF 30 or Leq24 62 or Ldn 63 dBA

Source Spectrum details:

100% Standard Aircraft
Corrections:

Receiving room:

Floor Area: 13.39 ft²
Absorbtion: 100% of floor area

Construction Description:

Element 1: GMEM4_PSMEM0.2_WFB13_INSUL70_PAP0.3_STE0.8_SJ254(1610)_AIR352_CTILE16

Construction Type: Steel Deck
Area: 13.00 m²
Test ID: TLF-99-011a
Test Date: 4/21/1999

Granular membrane and peel and stick membranes, 13 mm wood fibre board, 70 mm thick polyisocyanurate insulation, kraft paper, 0.7 mm steel decking, steel j oists on 1610 mm centre, 16 mm ceiling tiles hung from steel decking, no vents i nstalled.

Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Indoor Sound Level(dB)
50	38.6
63	42.0
80	42.0
100	39.7
125	39.4
160	35.9
200	31.1
250	25.7
315	19.0
400	14.2
500	12.2
630	8.9
800	3.9

1000	-2.9
1250	-9.9
1600	-16.2
2000	-21.9
2500	-26.6
3150	-33.8
4000	-44.1
5000	-54.0

A-Weighted Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	A-Wtd Sound Level(dBA)
50	8.4
63	15.8
80	19.5
100	20.6
125	23.3
160	22.5
200	20.2
250	17.1
315	12.4
400	9.4
500	9.0
630	7.0
800	3.1
1000	-2.9
1250	-9.3
1600	-15.2
2000	-20.7
2500	-25.3
3150	-32.6
4000	-43.1
5000	-53.5

Transmission Loss vs. Frequency - Spectrum Values:

Frequency(Hz)	Transmission Loss(dB)
50	16.1
63	14.0
80	15.4
100	19.1
125	19.7
160	23.0
200	27.3
250	31.7
315	37.4
400	41.4

500	42.9
630	45.6
800	49.7
1000	55.3
1250	61.0
1600	65.6
2000	69.2
2500	72.1
3150	76.9
4000	83.9
5000	87.8

Source Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Source Sound Level(dB)
50	54.8
63	56.0
80	57.5
100	58.9
125	59.3
160	59.0
200	58.5
250	57.5
315	56.5
400	55.8
500	55.2
630	54.6
800	53.7
1000	52.5
1250	51.2
1600	49.6
2000	47.4
2500	45.6
3150	43.3
4000	40.2
5000	34.3

Single Number Ratings

Outdoor Sound Level:	62	dBA
Indoor Sound Level:	29	dBA
A-wtd Level Reduction:	33	dB
A-wtd Reduction re Standard Source:	33	dB
OITC Rating:	29	dB

Aircraft Noise Sound Insulation Scenario Calculation Results

Project: TurnerRd
ProjectID:
Date:1/12/2024
Outdoor level: NEF 30 or Leq24 62 or Ldn 63 dBA

Source Spectrum details:

100% Standard Aircraft
Corrections:

Receiving room:

Floor Area: 13.39 ft²
Absorbtion: 120% of floor area

Construction Description:

Element 1: GL3_AIR16_GL6

Construction Type: Window
Area: 2.00 m²
Test ID: CMHC177.961.11
Test Date: 11/1/1996

Aluminum casement

Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Indoor Sound Level(dB)
50	26.8
63	27.0
80	26.5
100	20.9
125	27.2
160	30.0
200	32.5
250	22.5
315	18.5
400	16.7
500	12.2
630	10.6
800	5.7
1000	4.5
1250	3.2
1600	0.5

2000	-1.6
2500	-3.4
3150	-9.8
4000	-12.1
5000	-19.1

A-Weighted Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	A-Wtd Sound Level(dBA)
50	-3.4
63	0.8
80	4.0
100	1.8
125	11.1
160	16.6
200	21.6
250	13.9
315	11.9
400	11.9
500	9.0
630	8.7
800	4.9
1000	4.5
1250	3.8
1600	1.5
2000	-0.4
2500	-2.1
3150	-8.6
4000	-11.1
5000	-18.6

Transmission Loss vs. Frequency - Spectrum Values:

Frequency(Hz)	Transmission Loss(dB)
50	19.0
63	20.0
80	22.0
100	29.0
125	23.0
160	20.0
200	17.0
250	26.0
315	29.0
400	30.0
500	34.0
630	35.0
800	39.0

1000	39.0
1250	39.0
1600	40.0
2000	40.0
2500	40.0
3150	44.0
4000	43.0
5000	44.0

Source Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Source Sound Level(dB)
50	54.8
63	56.0
80	57.5
100	58.9
125	59.3
160	59.0
200	58.5
250	57.5
315	56.5
400	55.8
500	55.2
630	54.6
800	53.7
1000	52.5
1250	51.2
1600	49.6
2000	47.4
2500	45.6
3150	43.3
4000	40.2
5000	34.3

Single Number Ratings

Outdoor Sound Level:	62	dBA
Indoor Sound Level:	25	dBA
A-wtd Level Reduction:	37	dB
A-wtd Reduction re Standard Source:	37	dB
OITC Rating:	28	dB

August 14, 2023

The Corporation of the City of Windsor
P.O. Box 1607
Windsor, Ontario
N9A 6S1

RE: DEVELOPMENT AT TURNER AND MOXLAY AVENUE - SANITARY STUDY
Our Project No.: 23-211

Further to requirements sent forward during the planning process with the City of Windsor we offer the following analysis and report specific to the sanitary sewer on Turner Ave. at the proposed development. The following report will summarize our findings and recommendations.

Overview

The current site, located on Turner Avenue at Moxlay Avenue is a vacant land with intended use for a residential development. The site is able to be serviced by the existing 10" (250mm) PVC sanitary sewer located on Turner Ave. which communicates flow to the north until it is intercepted by a larger (375mm) on Ledyard.

Summary of Study

For this study, our office followed the standard design methodologies recommended by the Ministry of the Environment (MOECP) with factors defined in the City of Windsor's own development manual. Our analysis considered the flow which is conveyed from Division Road (start of the sanitary line) to the Ledyard sewer.

Sanitary Sewer

As noted in the previous section, our assessment was based on flows within the areas being assigned to the Turner Ave. sewer while accounting for additional load specific to the proposed development, refer to the attached calculation one will see the total tributary areas considered which assume an average width from rear yard to rear yard on Turner of 94m and applying pipe lengths defined on the sewer atlas as defining road length.

The sewer calculations were reviewed for the presence of increased flow. Consideration was given to the original flow from the site as a residential land compared to the proposed high-density residential development. It should be noted that per the City development manual a flow rate of 0.0042 L/S /capita was applied, inclusive of an addition 29 persons (1 person per bed in the new develop) being added. The addition of the 29 persons is in addition to capacity already assigned when considering the calculation of 50 persons per Ha.

To establish amplified loads as proposed in both the City of Windsor standard and the MOECP guidelines the Harman Formula was employed. Furthermore, an extraneous flow value of 0.1560 L/s/Ha was also added to the loading. As such the total load for any segment of pipe was defined for a flow of:

$$Q_{Design} = Peak\ Factor\ \times Population\ \times 0.0042 + Extrenous\ Flow$$

Based on the above and apply the data available in City Atlas N-12 we have been able to establish the slope and thus flow capacity of each segment of the line defined. Through this effort we were able to establish a Q/Qfull usage of the existing system.

It is important to note that per the City atlas this sewer is only sanitary and all storm in this area appears to be directed to road side ditches. Considering all of the above this sewer is more than capable of supporting the proposed 29 persons of additional load without creating a surcharged condition.

Conclusion

As noted in the above section of this site report, the existing infrastructure surrounding the site is able to support the proposed development. The sanitary sewers have been confirmed as being designed to support the change in use.

Closing

We trust that the above meets your needs at this time. Should you require any further assistance in this regard please do not hesitate to contact our office.

Yours truly,

Haddad Morgan and Associates Ltd.

August 14, 2023

LICENSED PROFESSIONAL ENGINEER
W.D. TAPE
100026210
PROVINCE OF ONTARIO

William Tape, Ph.D., P.E., P. Eng., C.A.H.P.
Senior Engineer

1316 OUELLETTE AVENUE, WINDSOR, ONTARIO, N8X 1J8 WWW.HADDADMORGAN.COM 519.973.1177

Upstream	Downstream	Area	Total area Ha	Populations 50/ha	additional	Total Population	Pop flow L/s	Extren. L/s	Harmon factor	Design L/s	Pipe size mm	pipe slope %	Pipe Area SM	R d/4	Q full L/s	Q/Qfull
Division	7S2194	2.17	2.17	109	29	138	0.58	0.34	4.20	2.77	250	0.38%	0.393	0.0625	0.291	0.95%
7S2194	7S2193	2.01	4.17784	100.4	0	238.4	1.00	0.65	4.12	4.78	250	0.42%	0.393	0.0625	0.308	1.55%
7S2193	Trunk at Ledyard	0.97	5.142938	48.3	0	286.6	1.20	0.80	4.09	5.72	250	0.47%	0.393	0.0625	0.326	1.75%

Office of the Commissioner of Engineering Services

March 27, 2024

Haddad Morgan & Associated Ltd.
24 Shepherd Street East
Windsor, ON
N8X 2J8

Attention: William Tape, Ph.D., P.E., P. Eng.

RE: 0 Turner Road – PC-014-24
Stormwater Management

This will acknowledge receipt of the stormwater management report and site servicing drawings dated March 27, 2024, for the above-noted development.

We have reviewed the stormwater management report, which confirms the following:

- Stormwater will be restricted to the 2 year pre-development release rate by two means of control inside the MH near the property line. The discharge will be pumped during high tailwater conditions, shut down during gravity flow release then re-engage to drain the system. An Ipex LMF flow control device will restrict flows during gravity conditions.
- Storage will be provided for the 1:5 year storm event in storm pipes, structures, and underground storage and for the 1:100 year storm event in ponding above catchbasins in the parking lot.
- Stormwater quality control will be achieved through the StormTech Chamber systems Isolator Row Plus.

The site servicing noted above is acceptable. The Corporation of the City of Windsor provided a cursory review of the information submitted and it is not to be considered a detailed comprehensive review. The Consulting Engineers are responsible for their designs, materials specified and used for the project within the City of Windsor. Any issues discovered after the acceptance of your submission are the sole responsibility of the Consulting Engineers and shall be rectified to the satisfaction of the City Engineer at no cost to the Corporation of the City of Windsor.

By copy of this letter, the Building Department is advised that we have no objection to the issuing of permits for this development, subject to any additional approval if required.

Engineering Department permits are required for all work in the right-of-way, including, but not limited to paving in the right-of-way, driveways and sewer connections.

I trust that the above is satisfactory, however, should you have any questions please contact Shannon Mills, of this office at smills@citywindsor.ca.

Yours truly,

Patrick Winters, P.Eng.
Manager of Development

SM

CC: Building Department, Attn: Brandon Calleja
Building Department, Attn: Amanda Foot
Engineer/Plan Examiner: Attn: Philip Glos
Planning Department, Attn: Kareem Kurdi
Right-of-Way, Attn: Adam Pillon

Attachments:
Stormwater Management report dated March 27, 2024
Site Servicing Drawings dated March 27, 2024

HADDAD MORGAN & ASSOCIATES LTD
CONSULTING ENGINEERS

Stormwater Management Study Report

Development on Turner at Moxlay Site (R1)

Windsor, Ontario

23-211

March 27, 2024

William Tape, Ph.D., P.E., P.Eng.

SUBMITTED TO:

The City of Windsor

The principal objective of this report is to provide the stormwater management for multi-unit residential development on Turner Avenue within the undeveloped parcel on the southeast corner of the intersection with Moxlay. This shall include the stormwater storage requirement, in accordance with the storm water management guidelines set out in Windsor/Essex Region Stormwater Management Standards Manual.

Available Infrastructure

In coordination with the City of Windsor's available infrastructure the storm flow will convey to the existing road side drain located on Turner fronting the property.

Pre-Develops Conditions

The current site is 0.155 Ha in size and is currently in an undeveloped condition. The release rate for this site has been restricted to the 2 year event based on the current undeveloped condition.

STORM

Proposed Development

The proposed project includes the residential buildings and a new parking lot with access from Turner. In the developed condition, the surface condition breakdown will be as follows:

Building Area	660.4 square metres
Paved/Hardscape Area	767.1 square metres
Landscaped Area	123.4 square metres

The introduction of the new on-site storm network would change the overland flow distance, in addition to accounting for the flow on paved infrastructure and thus this was accounted for in the calculations associated with the design of the onsite network as defined in the attached drawings. The release rate applied for the site is based on the following study and discussions with the City of Windsor.

The net rate stated above was used as the basis for determining the storage requirement.

The proposed system includes the following components:

- New storm sewer system under the proposed pavement;
- Underground storage units;
- Outlet control;
- Surface storage within parking areas where permitted by the standard.

Minor System

The minor storm event for this site is the 5- year event with restrict given in accordance with the 2 year event due to the discharge is to a road side ditch. A detailed depiction of the proposed on site storm sewer infrastructure can be found in the design drawings. Due to the proposed flow restrictions, stormwater quantity control is necessary in the minor system design. Therefore, the necessary storm water storage associated with the 5-year storm shall be accommodated by means of underground structures (pipes, manholes, catch basins, and storage units). The minor system hydraulic grade line (HGL) shall be below ground elevations (i.e., **no surface storage**), as per the standards manual.

Major System

This design was developed using the standard for major system design with a 100-year return period. The necessary storm water storage associated with the 100-year storm event shall be accommodated by means of underground structures (pipes, manholes, catch basins, storage units) and surface storage.

Runoff Control

Based on the 2 year analysis for the purpose of release it was determined that a release during the 5 year event must be restricted to 4.9L/s and the major event could be increased to 13 L/s. With the above considered release rates of 4.9L/s at the minor event and 5.8 L/s at the major event will define the release maximums.

To achieve this release rate two means of discharge will be used. Given the discharge is to a shallow road side ditch pumping from the system will be needed to lift the water from the onsite system to the ditch. This will also be of value during high tailwater conditions where the discharge is submerged. In addition to the pump the system has been designed such that a gravity outlet exists and once water is able to discharge through that outlet (where tailwater conditions don't exist) the pump will, via float settings, shut down and allow for gravity flow release until such time the outlet stops flowing and the pump will re-engage to drain the system.

To control the outlet flow rate under gravity condition an Ipex LMF device is proposed.

Pumping

Refer to the drawings attached for specific float and control settings. The final pump shall be selected through a design build submission for various vendors. Pump on and off stages are also defined in the document.

Storage Requirements

Storage has been assessed against a free jet release condition and against a tailwater condition at the ditch that reaches the top of bank level. Both these calculations are offered in the attached

appendices. It was found that the tailwater condition demands the highest storage values such that for the minor event 22CM are required with 72.2CM required for the major event. Based on the design of the system 24.55 CM are provided at the minor event staging with 80.2 CM being provided at the major event stage.

The minor storm is contained below surface in its entirety with the 100 year event reaching a flood elevation of not more than 619.95.

Please refer to page 5 of the calculation packages attached for definition of the storage measures and associated volumes.

Free Board

Given the above 100 year flood levels all openings to the building shall be set to an elevation of not less than 0.3m above this point the lowest building elevation is set to 621.30ft which is 1.35ft (0.411m) above the 100 year storage level.

Water Quality

Referring to the attached a water quality unit by ADS is proposed. Please find attached the analysis provided by ADS.

Closing

Should you have any questions or comments regarding this report, please feel free to contact our office.

SWM CALCULATIONS
WITH TAIL CONDTION

HADDAD MORGAN & ASSOCIATES LTD
CONSULTING ENGINEERS

This project has been analyzed in accordance with the requirements set out in the latest edition of the Windsor-Essex Region Stormwater Management Report for catchments 2Ha or smaller

Project Description:	Turner Development		
Project No.:	23-211		
Date of Analysis	Jan-24	Revision	0

Design for Minor Event	2	Design for Major Event	100

Property Information (SM units)

Description	Existing	New	Table 3.2.2.7 C
Total Catchment Size	1550.9	1550.9	
Building Area	0	660.4	0.95
Paved Area	0	767.1	0.95
Gravel Area	0		0.70
Landscape - Clay	1550.9	123.4	0.20
Landscape - Sand			0.15
Residential Single Family			0.60
Resid. Single - Lots <500SM			0.70
Residential - semi det.			0.70
Residential - Town/Row			0.80
Industrial Commerical			0.90

	AC	
Description	Existing	New
Building Area	-	627.42
Paved Area	-	728.72
Gravel Area	-	-
Landscape - Clay	310.18	24.68
Landscape - Sand	-	-
esidential Single Family	-	-
id. Single - Lots <500SM	-	-
Residential - semi det.	-	-
esidential - Town/Row	-	-
ndustrial Commerical	-	-
Sumation	310.18	1,380.82

Soil Designation (A-D)	D	
% Impervious Override	0	%

Page 2 ***Pre-Development Event Analysis***

Storm Event - Section 3.2 **(Pre-Developed)**

Storm Event	a	b	c
2	854	7	0.818
5	1259	8.8	0.838
10		9.5	0.845
25		10.2	0.852
50	2114	10.6	0.858
100	2375	11	0.861

$$I = \frac{a}{(T+b)^c}$$

Minor Storm	
a	854
b	7
c	0.818
Major Storm	
a	2375
b	11
c	0.861

Time of Concentration - 3.7.3

Time of Concentration = t (sheet) +t (shallow) + t (concentrated)

t sheet (t1)

$$\frac{6.92L^{0.6}n^{0.6}}{I^{0.4}S^{0.3}}$$

Length of Shallow flow	41.8	m
Mannings	Grass - shore praire	
Average Slope	0.5	%
Shallow Concentrated Flow (User Input) t2	0	min
Concentrated time (pipe flow) (User Input) t3	0	min

***USER NOTE - macro will not run to solve t1 if t1 below reads 0.0 - input higher value*

Mannings n - Values Per Table 3.7.4.1

Value	Description
0.013	Smooth asphalt/concrete
0.06	Cultived soil - resid. Cover <20%
0.17	Cultived soil - resid. Cover >20%
0.13	Range (natural)
0.15	Grass - shore praire
0.24	grass - dense
0.4	woods - light underbrush
0.8	woods - dense underbrush
0	User Input

Minor Storm Event		
Calculated n value	0.15	
t2+t3	0	min
t1 (sheet)	20.21	min
t total	20.21	min
Intensity	57.25	mm/hr

Major Storm Event		
Calculated n value	0.15	
t2+t3	0	min
t1 (sheet)	13.76	min
t total	13.76	min
Intensity	149.87	mm/hr

Page 3 ***Pre-Development Runoff and Flow Control Analysis***

Soil Classification: D

Description	AC Existing	AC New	
Property Total Area CM	1,550.92	1,550.92	
Building Area	-	627.42	
Paved Area	-	728.72	
Gravel Area	-	-	
Landscape - Clay	310.18	24.68	
Landscape - Sand	-	-	*
Residential Single Family	-	-	*
Resid. Single - Lots <500SM	-	-	*
Residential - semi det.	-	-	*
Residential - Town/Row	-	-	*
Industrial Commerical	-	-	*
Sumation AC	310.18	1,380.82	

** User Note: % Impervious taken as 100% for noted items - if different use overide on Pg.1*

% Impervious	92.0	%	C equiv by AC	0.890	
Storage depth 3.3.2	102.4	mm	C 100 year	0.948	

Runoff Pre-Development

Intensity (minor)	57.25	mm/hr
Intensity (major)	149.87	mm/hr

Rational Method - PreDevelopment

Q_{minor}	0.0049	CMS	Q Reduction	0	CMS **
Q_{major}	0.013	CMS	** per approval authority		

Surface Elevation :	Minor Event	188.70	m
	Major Event	188.86	m

Outlet Info:	Invert at outlet	188.33	m		
	Orifice Diameter	PUMP	mm	Max. Dia.	mm
	Orifice coefficient	0.62			
	Tailwater elev.	188.83	m		

Head Condition Differential	Minor		m	
	Major		m	
Discharge Rate Through Orifice	Minor	0.0049	CMS	***OK***
	Major	0.0049	CMS	***OK***

Page 4 ***Storage Requirements***

Zero Release condition

Storage Depth 102.37 mm

Zero Release Storage	158.8 CM

$C_{100year}$ 0.948 C_{minor} 0.890

Release Rates CMS Minor 0.005 Major 0.005

23-209/18-141 CMS CMS

	Minor Event				Major			
Time	Intensity (mm/hr)	Total Input CM	Total Release CM	Storage CM	Intensity (mm/hr)	Total Input CM	Total Release CM	Storage CM
5	111.9	12.87	1.47	11.4	218.2	26.74	1.47	25.27
10	84.1	19.36	2.94	16.4	172.7	42.31	2.94	39.37
15	68.1	23.52	4.41	19.1	143.7	52.80	4.41	48.39
20	57.6	26.52	5.88	20.6	123.5	60.51	5.88	54.63
25	50.1	28.85	7.35	21.5	108.6	66.50	7.35	59.15
30	44.5	30.75	8.82	21.9	97.1	71.35	8.82	62.53
35	40.1	32.34	10.29	22.0	87.9	75.39	10.29	65.10
40	36.6	33.71	11.76	21.9	80.4	78.83	11.76	67.07
45	33.7	34.91	13.23	21.7	74.2	81.83	13.23	68.60
50	31.3	35.98	14.70	21.3	68.9	84.46	14.70	69.76
55	29.2	36.95	16.17	20.8	64.4	86.82	16.17	70.65
60	27.4	37.83	17.64	20.2	60.5	88.94	17.64	71.30
65	25.8	38.64	19.11	19.5	57.1	90.87	19.11	71.76
70	24.5	39.39	20.58	18.8	54.0	92.63	20.58	72.05
75	23.2	40.09	22.05	18.0	51.3	94.26	22.05	72.21
80	22.1	40.74	23.52	17.2	48.9	95.77	23.52	72.25
85	21.1	41.35	24.99	16.4	46.7	97.17	24.99	72.18
90	20.2	41.93	26.46	15.5	44.7	98.49	26.46	72.03
95	19.4	42.47	27.93	14.5	42.8	99.72	27.93	71.79
100	18.7	42.99	29.40	13.6	41.2	100.89	29.40	71.49
105	18.0	43.49	30.87	12.6	39.6	101.99	30.87	71.12
110	17.4	43.96	32.34	11.6	38.2	103.03	32.34	70.69
115	16.8	44.41	33.81	10.6	36.9	104.03	33.81	70.22
120	16.2	44.84	35.28	9.6	35.7	104.97	35.28	69.69
125	15.7	45.26	36.75	8.5	34.6	105.88	36.75	69.13
130	15.3	45.66	38.22	7.4	33.5	106.74	38.22	68.52
135	14.8	46.05	39.69	6.4	32.5	107.57	39.69	67.88
140	14.4	46.42	41.16	5.3	31.6	108.37	41.16	67.21
145	14.0	46.78	42.63	4.2	30.7	109.13	42.63	66.50
150	13.7	47.13	44.10	3.0	29.9	109.87	44.10	65.77
155	13.3	47.47	45.57	1.9	29.1	110.58	45.57	65.01
160	13.0	47.79	47.04	0.8	28.4	111.27	47.04	64.23
165	12.7	48.11	48.51	- 0.4	27.7	111.94	48.51	63.43
				22.0				72.2

Page 5 - Storage Distribution

Alternate Zero Release Solution | **158.8** | **CM**

Minor Event	**22.0**	**CM - REQUIRED**	
81' of piping at 8" dia.			0.81
Manholes qty 3			3.39
ADS Chambers			20.35
		total	24.55

Major Event	**72.2**	**CM - REQUIRED**	
surface ponding to elevation 619.95 (189.01)		5892.8sqft of area	55.7
81' of piping at 8" dia.			0.81
Manholes qty 3			3.39
ADS chambers			20.35
			80.2

SWM CALCULATIONS

WITH FREE RELEASE AT OUTLET

HADDAD MORGAN & ASSOCIATES LTD
CONSULTING ENGINEERS

This project has been analyzed in accordance with the requirements set out in the latest edition of the Windsor-Essex Region Stormwater Management Report for catchments 2Ha or smaller

Project Description:	Turner Development		
Project No.:	23-211		
Date of Analysis	Jan-24	Revision	0

Design for Minor Event	2	Design for Major Event	100

Property Information (SM units)

Description	Existing	New	Table 3.2.2.7 C
Total Catchment Size	1550.9	1550.9	
Building Area	0	660.4	0.95
Paved Area	0	767.1	0.95
Gravel Area	0		0.70
Landscape - Clay	1550.9	123.4	0.20
Landscape - Sand			0.15
Residential Single Family			0.60
Resid. Single - Lots <500SM			0.70
Residential - semi det.			0.70
Residential - Town/Row			0.80
Industrial Commerical			0.90

	AC	
Description	Existing	New
Building Area	-	627.42
Paved Area	-	728.72
Gravel Area	-	-
Landscape - Clay	310.18	24.68
Landscape - Sand	-	-
esidential Single Family	-	-
id. Single - Lots <500SM	-	-
Residential - semi det.	-	-
esidential - Town/Row	-	-
ndustrial Commerical	-	-
Sumation	310.18	1,380.82

Soil Designation (A-D)	D	
% Impervious Override	0	%

Page 2 ***Pre-Development Event Analysis***

Storm Event - Section 3.2 **(Pre-Developed)**

Storm Event	a	b	c
2	854	7	0.818
5	1259	8.8	0.838
10		9.5	0.845
25		10.2	0.852
50	2114	10.6	0.858
100	2375	11	0.861

$$I = \frac{a}{(T+b)^c}$$

Minor Storm	
a	854
b	7
c	0.818
Major Storm	
a	2375
b	11
c	0.861

Time of Concentration - 3.7.3

Time of Concentration = t (sheet) +t (shallow) + t (concentrated)

t sheet (t1)

$$\frac{6.92L^{0.6}n^{0.6}}{I^{0.4}S^{0.3}}$$

Length of Shallow flow	41.8	m
Mannings	Grass - shore praire	
Average Slope	0.5	%
Shallow Concentrated Flow (User Input) t2	0	min
Concentrated time (pipe flow) (User Input) t3	0	min

***USER NOTE - macro will not run to solve t1 if t1 below reads 0.0 - input higher value*

Mannings n - Values Per Table 3.7.4.1

Value	Description
0.013	Smooth asphalt/concrete
0.06	Cultived soil - resid. Cover <20%
0.17	Cultived soil - resid. Cover >20%
0.13	Range (natural)
0.15	Grass - shore praire
0.24	grass - dense
0.4	woods - light underbrush
0.8	woods - dense underbrush
0	User Input

Minor Storm Event		
Calculated n value	0.15	
t2+t3	0	min
t1 (sheet)	20.21	min
t total	20.21	min
Intensity	57.25	mm/hr

Major Storm Event		
Calculated n value	0.15	
t2+t3	0	min
t1 (sheet)	13.76	min
t total	13.76	min
Intensity	149.87	mm/hr

Page 3 ***Pre-Development Runoff and Flow Control Analysis***

Soil Classification: D

Description	AC Existing	AC New	
Property Total Area CM	1,550.92	1,550.92	
Building Area	-	627.42	
Paved Area	-	728.72	
Gravel Area	-	-	
Landscape - Clay	310.18	24.68	
Landscape - Sand	-	-	*
Residential Single Family	-	-	*
Resid. Single - Lots <500SM	-	-	*
Residential - semi det.	-	-	*
Residential - Town/Row	-	-	*
Industrial Commerical	-	-	*
Sumation AC	310.18	1,380.82	

** User Note: % Impervious taken as 100% for noted items - if different use overide on Pg.1*

% Impervious	92.0	%	C equiv by AC	0.890	
Storage depth 3.3.2	102.4	mm	C 100 year	0.948	

Runoff Pre-Development

Intensity (minor)	57.25	mm/hr
Intensity (major)	149.87	mm/hr

Rational Method - PreDevelopment

Q_{minor}	0.0049	CMS	Q Reduction	0	CMS **
Q_{major}	0.013	CMS	** per approval authority		

Surface Elevation :	Minor Event	188.70	m
	Major Event	188.86	m

Outlet Info:	Invert at outlet	188.33	m		
	Orifice Diameter	62.00	mm	Max. Dia.	62.5 mm
	Orifice coefficient	0.62			
	Tailwater elev.	0	m		

Head Condition Differential	Minor	0.343	m		
	Major	0.496	m		
Discharge Rate Through Orifice	Minor	0.005	CMS	***OK***	
	Major	0.0058	CMS	***OK***	

Page 4 ***Storage Requirements***

Zero Release condition

Storage Depth 102.37 mm

Zero Release Storage	158.8 CM

$C_{100year}$ 0.948 C_{minor} 0.890

Release Rates CMS Minor 0.005 Major 0.006

23-209/18-141 CMS CMS

	Minor Event				Major			
Time	Intensity (mm/hr)	Total Input CM	Total Release CM	Storage CM	Intensity (mm/hr)	Total Input CM	Total Release CM	Storage CM
5	111.9	12.87	1.46	11.4	218.2	26.74	1.75	24.98
10	84.1	19.36	2.91	16.4	172.7	42.31	3.50	38.81
15	68.1	23.52	4.37	19.1	143.7	52.80	5.25	47.55
20	57.6	26.52	5.83	20.7	123.5	60.51	7.01	53.51
25	50.1	28.85	7.29	21.6	108.6	66.50	8.76	57.75
30	44.5	30.75	8.74	22.0	97.1	71.35	10.51	60.84
35	40.1	32.34	10.20	22.1	87.9	75.39	12.26	63.13
40	36.6	33.71	11.66	22.0	80.4	78.83	14.01	64.82
45	33.7	34.91	13.12	21.8	74.2	81.83	15.76	66.06
50	31.3	35.98	14.57	21.4	68.9	84.46	17.51	66.95
55	29.2	36.95	16.03	20.9	64.4	86.82	19.26	67.55
60	27.4	37.83	17.49	20.3	60.5	88.94	21.02	67.92
65	25.8	38.64	18.95	19.7	57.1	90.87	22.77	68.10
70	24.5	39.39	20.40	19.0	54.0	92.63	24.52	68.11
75	23.2	40.09	21.86	18.2	51.3	94.26	26.27	67.99
80	22.1	40.74	23.32	17.4	48.9	95.77	28.02	67.75
85	21.1	41.35	24.77	16.6	46.7	97.17	29.77	67.40
90	20.2	41.93	26.23	15.7	44.7	98.49	31.52	66.97
95	19.4	42.47	27.69	14.8	42.8	99.72	33.27	66.45
100	18.7	42.99	29.15	13.8	41.2	100.89	35.03	65.86
105	18.0	43.49	30.60	12.9	39.6	101.99	36.78	65.21
110	17.4	43.96	32.06	11.9	38.2	103.03	38.53	64.51
115	16.8	44.41	33.52	10.9	36.9	104.03	40.28	63.75
120	16.2	44.84	34.98	9.9	35.7	104.97	42.03	62.94
125	15.7	45.26	36.43	8.8	34.6	105.88	43.78	62.10
130	15.3	45.66	37.89	7.8	33.5	106.74	45.53	61.21
135	14.8	46.05	39.35	6.7	32.5	107.57	47.28	60.29
140	14.4	46.42	40.80	5.6	31.6	108.37	49.04	59.33
145	14.0	46.78	42.26	4.5	30.7	109.13	50.79	58.35
150	13.7	47.13	43.72	3.4	29.9	109.87	52.54	57.33
155	13.3	47.47	45.18	2.3	29.1	110.58	54.29	56.29
160	13.0	47.79	46.63	1.2	28.4	111.27	56.04	55.23
165	12.7	48.11	48.09	0.0	27.7	111.94	57.79	54.14
				22.1				68.1

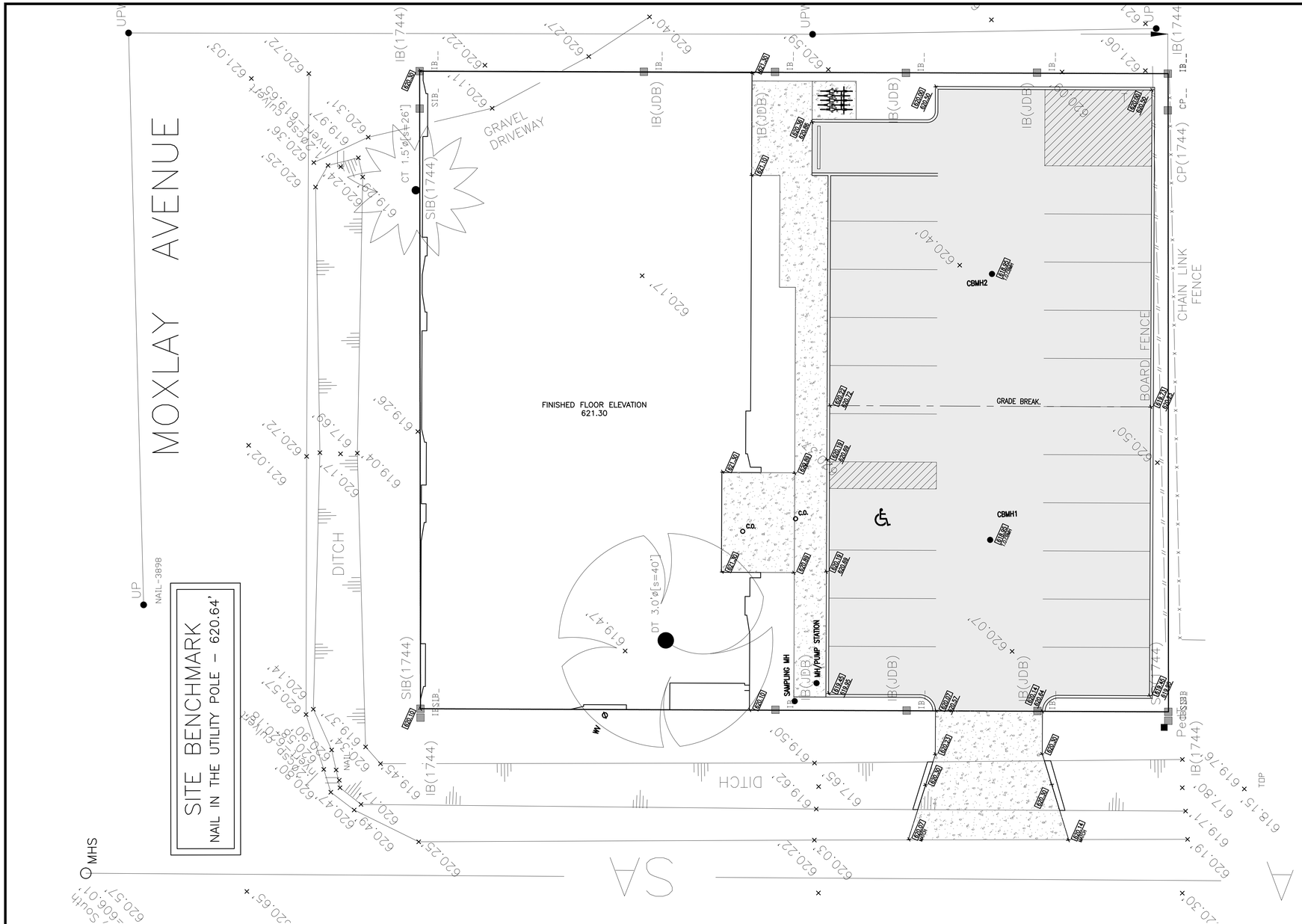
Page 5 - Storage Distribution

Alternate Zero Release Solution **158.8** **CM**

Minor Event	**22.1**	**CM - REQUIRED**	
81' of piping at 8" dia.			0.81
Manholes qty 3			3.39
ADS Chambers			20.35
		total	24.55

Major Event	**68.1**	**CM - REQUIRED**	
surface ponding to elevation 619.95 (189.01)		5892.8sqft of area	55.7
81' of piping at 8" dia.			0.81
Manholes qty 3			3.39
ADS chambers			20.35
			80.2

DRAWINGS



SITE PLAN

1'=10'

ALL MEASUREMENTS SHOWN ON THIS DRAWING ARE IMPERIAL UNLESS MENTIONED OTHERWISE.

SITE BENCHMARK:

REFER TO SURVEY

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING DRAWINGS:

1. TOPOGRAPHIC SURVEY
2. ARCHITECTURAL SITE PLAN
3. MECHANICAL SITE PLAN

GENERAL NOTES:

1. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND FIELD CONDITIONS. IN THE EVENT DIMENSIONS OR FIELD CONDITIONS VARY FROM DESIGN DRAWINGS, THE ENGINEER SHALL BE NOTIFIED.
2. THE LOCATION OF UTILITIES AS SHOWN ON THIS DRAWING ARE NOT CERTIFIED AS TO LOCATION. THE ONUS LIES UPON THE TENDERER (AND AFTER ACCEPTANCE OF TENDER, UPON THE CONTRACTOR) TO ASCERTAIN AT HIS OWN EXPENSE THE EXACT LOCATION OF EACH UTILITY. NO EXTRA OR CLAIM FOR COMPENSATION WILL BE ALLOWED IF IT IS DISCOVERED THAT ANY UTILITY IS ACTUALLY LOCATED ON THE SITE AND IS IN CONFLICT WITH THE PROPOSED WORKS.
3. THE CONTRACTOR ASSUMES FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES FOR LOCATES AND TO REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED TO THESE UTILITIES OR TO OTHER THIRD PARTIES ARISING OUT OF ANY ACT OR NEGLECT BY THE CONTRACTOR, OR ANYONE ACTING UNDER HIS AUTHORITY, DURING THE COURSE OF WORK. THE CONTRACTOR AGREES TO INDEMNIFY STUDIO G+G AND HADDAD, MORGAN AND ASSOCIATES LTD. AGAINST THE CONTRACTOR'S ACTIONS.
4. ALL SIGNS, BARRICADES, FENCES AND LIGHTS SHALL BE MAINTAINED BY THE CONTRACTOR AS DIRECTED BY THE ENGINEER.
5. THE CONTRACTOR AND HIS WORKERS SHALL UNDERTAKE ALL WORK ON THIS PROJECT IN COMPLIANCE WITH THE "OCCUPATIONAL HEALTH AND SAFETY ACT AND REGULATIONS FOR CONSTRUCTION PROJECTS", ONT. REG. 213/91 AS AMENDED.
6. ALL WORK SHALL CONFORM TO THE CITY OF WINDSOR SPECIFICATIONS AND/OR REQUIREMENTS.
7. ALL DIMENSIONS SHOWN ON THE PLAN ARE IN IMPERIAL UNITS.
8. ALL DIMENSIONS SHOWN ON THE PLAN ARE TO FACE OF CURB OR EDGE OF PAVEMENT, UNLESS NOTED OTHERWISE. ALL ELEVATIONS INDICATED ARE AT EDGE OF PAVEMENT.
9. THE LIMIT FOR EXCAVATION AND GRANULAR BASE INSTALLATION SHALL BE 6" BEYOND EDGE OF PAVEMENTS OR BACK OF CURB.
10. SUBGRADE SHALL BE SHAPED TO THE SPECIFIED GRADE AND CROSS SECTION AND HEAVILY PROOF-ROLLED TO DETERMINE THE PRESENCE OF ANY SOFT SPOTS IN THE PRESENCE OF A GEOTECHNICAL ENGINEER.
11. ALL EXCAVATED MATERIAL SHALL BE REMOVED FROM SITE.
12. GRANULAR BASE SHALL BE GRANULAR 'A' MATERIAL CONFORMING TO OPSS 1010, MECHANICALLY COMPACTED TO 100% S.P.M.D.D. BASE THICKNESS SHALL BE MINIMUM 12".
13. STORM DRAINS SHALL BE PVC PIPE DR35 CERTIFIED TO CSA B182.2. TRENCHES UNDER PAVEMENTS, SIDEWALKS AND 5' BEHIND CURBS TO BE BACKFILLED WITH GRANULAR 'A' CONFORMING TO OPSS 1010 MECHANICALLY COMPACTED TO 100% S.P.M.D.D. UNDER GRASSED AREA BACKFILL WITH NATIVE MATERIAL COMPACTED TO 90% S.P.M.D.D. STORM DRAINS SHALL BE INSTALLED IN ACCORDANCE WITH OPSS 410.
14. BENCHING IS NOT REQUIRED IN STORM MANHOLES. PROVIDE A MINIMUM OF 12" AND A MAXIMUM OF 18" DEEP SUMP.
15. CATCH BASINS SHALL BE INSTALLED IN ACCORDANCE WITH OPSS 407 AT THE LOCATIONS AS INDICATED. CATCH BASIN FRAME AND COVER SHALL CONFORM TO OPSD 400.020. CATCH BASINS TO HAVE 24" SUMPS. INSTALL 6" ø 'T' TRAP CLEAN-OUTS. INSTALL FILTER CLOTH UNDER GRATES DURING CONSTRUCTION.
16. SUBDRAINS AND TILE DRAINS SHALL BE 4" ø BIG 'O' WRAPPED WITH FILTER FABRIC SOCK BACKFILLED WITH 3/4" CLEAR STONE. SLOPE 4" ø BIG 'O' @ 0.2%. BIG 'O' SUBDRAINS SHALL BE INSTALLED UNDER CURBS AND CONNECTED TO THE NEAREST CATCHBASIN.
17. CONCRETE FOR BARRIER CURBS, SIDEWALKS AND DRIVEWAYS SHALL HAVE A COMPRESSIVE STRENGTH OF 32 MPa AT 28 DAYS WITH 6% TO 8% AIR ENTRAINMENT.
18. THE CONTRACTOR SHALL SUPPLY, PLACE AND COMPACT HOT-MIX, HOT-LAID ASPHALTIC CONCRETE IN ACCORDANCE WITH OPSS 310 "HOT MIX ASPHALT".
19. SURFACE COURSE ASPHALT SHALL BE HL3 AND BASE COURSE ASPHALT SHALL BE HL4. ASPHALTIC MIXTURES SHALL BE MANUFACTURED IN ACCORDANCE WITH THE REQUIREMENTS OF OPSS 1150.
20. PAVEMENT MARKINGS SHALL BE PLACED ON A CLEAN SURFACE. TRAFFIC PAINT SHALL BE WATER BASED LATEX TRAFFIC PAINT YELLOW IN COLOUR.
21. ALL EXISTING GRASS AREAS DISTURBED DURING CONSTRUCTION SHALL BE RESTORED WITH A MINIMUM OF 4" TOPSOIL, GRASS SEED AND HYDRO MULCH.
22. PROVIDE ALL CONCRETE PAVED SURFACES, SIDEWALKS, AND DRIVES WITH CRYSTAL-LOK BY IMCO.
23. UPON COMPLETION THE CONTRACTOR SHALL ENGAGE A LICENSED ONTARIO LAND SURVEYOR TO PROVIDE CONFIRMATION OF CONSTRUCTION TO DESIGN GRADES.

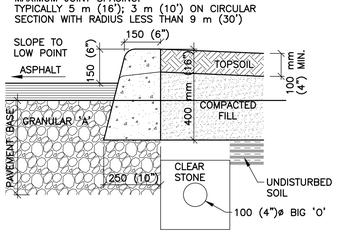
SEDIMENT CONTROL MEASURES:

1. THE CONTRACTOR SHALL PROTECT ALL EXPOSED SURFACES AND CONTROL ALL RUNOFF DURING CONSTRUCTION.
2. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO STARTING CONSTRUCTION AND MUST REMAIN IN PLACE UNTIL RESTORATION IS COMPLETE.
3. THE CONTRACTOR SHALL MAINTAIN EROSION CONTROL MEASURES DURING CONSTRUCTION.
4. ALL COLLECTED SEDIMENT SHALL BE DISPOSED OF AT AN APPROVED LOCATION.
5. AREA DISTURBED DURING CONSTRUCTION SHALL BE KEPT TO A MINIMUM.
6. ALL DE-WATERING SHALL BE DISPOSED OF IN AN APPROVED SEDIMENTATION BASIN.
7. THE CONTRACTOR SHALL PROTECT ALL CATCHBASINS, MANHOLES AND PIPE ENDS FROM SEDIMENT INTRUSION WITH FILTER CLOTH OR OTHER APPROVED METHOD.
8. ALL SUMPS SHALL BE KEPT CLEAN DURING CONSTRUCTION.
9. THE CONTRACTOR SHALL PREVENT WIND-BLOWN DUST.
10. STRAW BALES ARE TO BE USED DURING CONSTRUCTION, AS REQUIRED.

THE FOLLOWING CITY OF WINDSOR STANDARD DRAWINGS SHALL APPLY TO THIS CONTRACT:

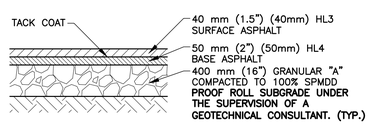
COMMERCIAL DRIVE - CONCRETE	AS-204
CURB AND GUTTER FOR ASPHALT PAVEMENT	AS-208
FLAT CATCH BASIN FRAME AND GRATE	AS-301
MANHOLE FRAME AND COVER TYPE II	AS-304A
DETAIL OF TYPICAL MANHOLE STEP	AS-305
600mmX600mm PRECAST CONCRETE CATCH BASIN	AS-309
PRIVATE DRAIN DETAIL (SINGLE)	AS-313
PRE-CAST MAINTENANCE HOLE 1200mm DIAMETER	AS-314A
CLEANOUT AT PROPERTY LINE	AS-325
SUB DRAIN AT CATCH BASIN	AS-515
TRUNCATED DOME TACTILE SURFACE INDICATORS	AS-549

MAXIMUM JOINT SPACING:
TYPICALLY 5 m (16'); 3 m (10') ON CIRCULAR SECTION WITH RADIUS LESS THAN 9 m (30')



150 mm (6") HIGH CONCRETE CURB

NOT TO SCALE



PARKING LOT PAVEMENT

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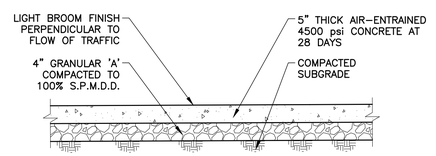


NOTES:

1. CONTRACTION JOINTS SHALL BE SPACED AT 5'-0" MAXIMUM INTERVALS.
2. EXPANSION JOINTS SHALL BE PREMOULDED FILLER, SPACED AT A MAXIMUM OF 50'-0" O.C. AND SHALL BE PROVIDED WHERE THE WALK ABUTS STRUCTURES, BEGINNING AND END OF RADII AND WHERE WALK ABUTS EXISTING CONCRETE.

CONCRETE SIDEWALK

NOT TO SCALE

HADDAD MORGAN & ASSOCIATES LTD
CONSULTING ENGINEERS
24 Shepherd St. E. Windsor, ON N8X 2J8
(519) 973-1177 hma@haddadmorgan.com

DATE	ISSUED FOR
JAN 10, 24	SWM ASSESSMENT

PROJECT :

TURNER ROAD DEVELOPMENT

Windsor, Ontario

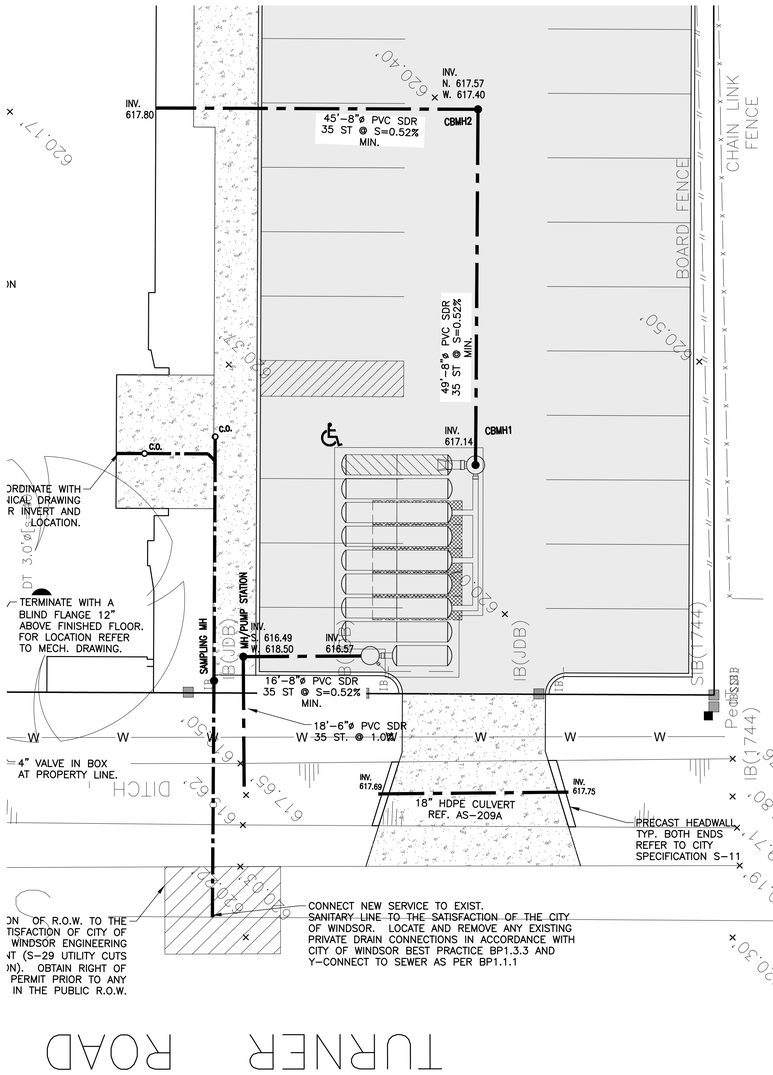
DWG. TITLE :

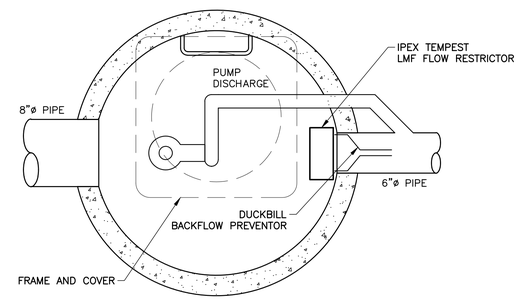
SITE LAYOUT AND GRADING

DATE	: DECEMBER 2023
SCALE	: AS SHOWN
DESIGNED BY	: W.T.
DRAWN BY	: M.T.
CHECKEDBY	: W.T.
APPROVED BY	: W.T.
PROJECTNO.	: 23-211

DWG. NO.

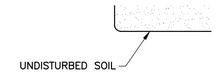
C100





SECTION A–A – PUMPING MANHOLE

NOT TO SCALE

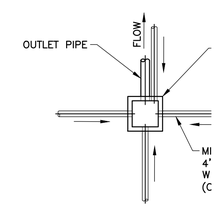


NOTES: O.D. IS NOT TO INC
A = D/4 BUT NOT

ALTERNATIVE BEDDIN
MAY BE USED, SUB
THE APPROVAL OF
PRIOR TO THE STAR
CONSTRUCTION.

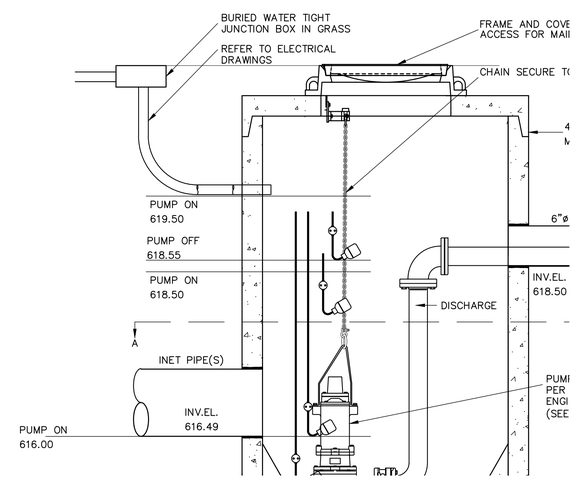
CLASS 'B' BED

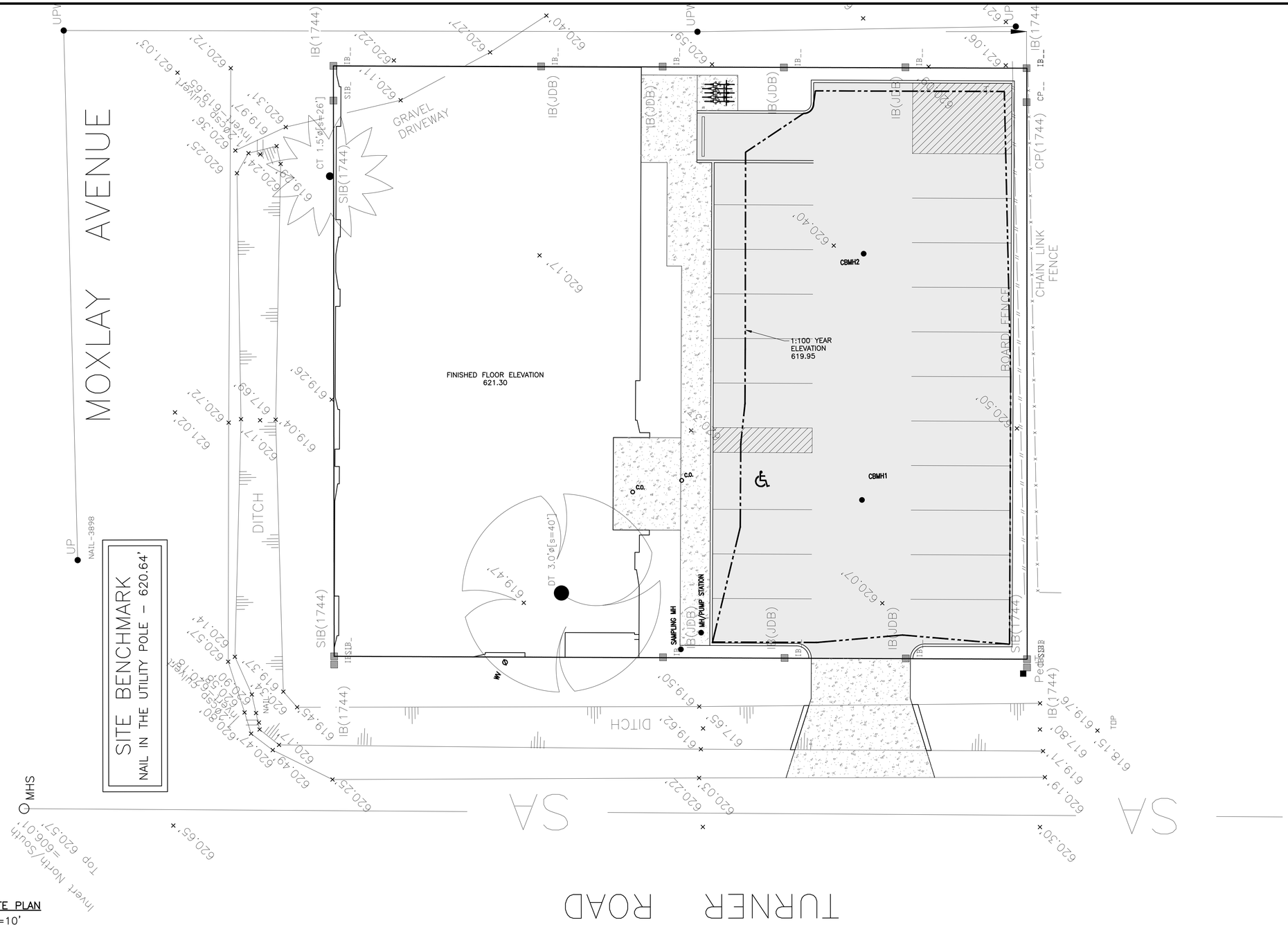
NOT TO S



SUBDRAINS AT CATCHB

NOT TO SCALE





SITE PLAN
1'=10'

ALL MEASUREMENTS SHOWN ON THIS DRAWING ARE IMPERIAL UNLESS MENTIONED OTHERWISE.

SITE BENCHMARK:
REFER TO SURVEY

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING DRAWINGS:

1. TOPOGRAPHIC SURVEY
2. ARCHITECTURAL SITE PLAN
3. MECHANICAL SITE PLAN

HADDAD MORGAN & ASSOCIATES LTD
CONSULTING ENGINEERS
24 Shepherd St. E. Windsor, ON N8X 2J8
(519) 973-1177 hma@haddadmorgan.com

DATE	ISSUED FOR
JAN 10, 24	SWM ASSESSMENT

PROJECT :
TURNER ROAD DEVELOPMENT

Windsor, Ontario

DWG. TITLE :
STORMWATER MANAGEMENT

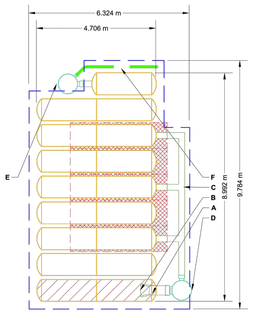
DATE :	DECEMBER 2023
SCALE :	AS SHOWN
DESIGNED BY :	W.T.
DRAWN BY :	M.T.
CHECKEDBY :	W.T.
APPROVED BY:	W.T.
PROJECTNO. :	23-211

DWG. NO.
C102

PROPOSED LAYOUT		CONCEPTUAL ELEVATIONS:	
17	STORMTECH SC-310 CHAMBERS	MAXIMUM ALLOWABLE GRADE (TOP OF PAVEMENT/UNPAVED):	2.997
18	STORMTECH SC-310 END CAPS	MINIMUM ALLOWABLE GRADE (UNPAVED WITH TRAFFIC):	1.168
152	STONE ABOVE (mm)	MINIMUM ALLOWABLE GRADE (UNPAVED NO TRAFFIC):	1.016
152	STONE BELOW (mm)	MINIMUM ALLOWABLE GRADE (TOP OF RIGID CONCRETE PAVEMENT):	1.016
40	STONE VOID	MINIMUM ALLOWABLE GRADE (BASE OF FLEXIBLE PAVEMENT):	1.016
20.4	INSTALLED SYSTEM VOLUME (m³) (PERIMETER STONE INCLUDED) (COVER STONE INCLUDED) (BASE STONE INCLUDED)	TOP OF STONE:	0.711
		TOP OF SC-310 CHAMBER:	0.559
		200 mm x 200 mm TOP MANIFOLD INVERT:	0.241
		300 mm ISOLATOR ROW PLUS INVERT:	0.178
56.6	SYSTEM AREA (m²)	200 mm BOTTOM CONNECTION INVERT:	0.168
32.2	SYSTEM PERIMETER (m)	BOTTOM OF SC-310 CHAMBER:	0.152
		UNDERDRAIN INVERT:	0.000
		BOTTOM OF STONE:	0.000

*INVERT ABOVE BASE OF CHAMBER

PART TYPE	ITEM ON LAYOUT	DESCRIPTION	INVERT*	MAX FLOW
PREFABRICATED EZ END CAP	A	300 mm BOTTOM PREFABRICATED EZ END CAP. PART#: SC310ECEZ / TYP OF ALL 300 mm BOTTOM CONNECTIONS AND ISOLATOR PLUS ROWS	23 mm	
FLAMP	B	INSTALL FLAMP ON 300 mm ACCESS PIPE / PART#: SC31012RAMP		
MANIFOLD	C	200 mm x 200 mm TOP MANIFOLD, MOLDED FITTINGS	89 mm	
NYLOPLAST (INLET W/ ISO PLUS ROW)	D	750 mm DIAMETER (610 mm SUMP MIN)		65 L/s IN
NYLOPLAST (OUTLET)	E	750 mm DIAMETER (DESIGN BY ENGINEER)		20 L/s OUT
UNDERDRAIN	F	100 mm ADS N-12 DUAL WALL PERFORATED HDPE UNDERDRAIN		



ISOLATOR ROW PLUS (SEE DETAIL)

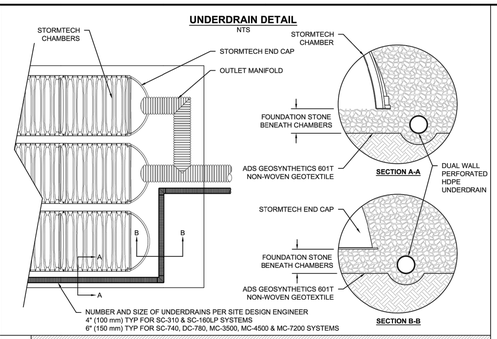
PLACE MINIMUM 3,810 m OF ADSPLUS125 WOVEN GEOTEXTILE OVER BEDDING STONE AND UNDERNEATH CHAMBER FEET FOR SCOUR PROTECTION AT ALL CHAMBER INLET ROWS

BED LIMITS

NOTES

* MANIFOLD SIZE TO BE DETERMINED BY SITE DESIGN ENGINEER. SEE TECH NOTE #6.32 FOR MANIFOLD SIZING GUIDANCE.
* DUE TO THE ADAPTATION OF THIS CHAMBER SYSTEM TO SPECIFIC SITE AND DESIGN CONSTRAINTS, IT MAY BE NECESSARY TO CUT AND COUPLE ADDITIONAL PIPE TO STANDARD MANIFOLD COMPONENTS IN THE FIELD.
* THE SITE DESIGN ENGINEER MUST REVIEW ELEVATIONS AND IF NECESSARY ADJUST GRADING TO ENSURE THE CHAMBER COVER REQUIREMENTS ARE MET.
* THIS CHAMBER SYSTEM WAS DESIGNED WITHOUT SITE-SPECIFIC INFORMATION ON SOIL CONDITIONS OR BEARING CAPACITY. THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR DETERMINING THE SUITABILITY OF THE SOIL AND PROVIDING THE BEARING CAPACITY OF THE INSITU SOILS. THE BASE STONE DEPTH MAY BE INCREASED OR DECREASED ONCE THIS INFORMATION IS PROVIDED.
* **NOT FOR CONSTRUCTION:** THIS LAYOUT IS FOR DIMENSIONAL PURPOSES ONLY TO PROVE CONCEPT & THE REQUIRED STORAGE VOLUME CAN BE ACHIEVED ON SITE.

UNDERDRAIN DETAIL
NTS



4 UNDERDRAIN DETAIL

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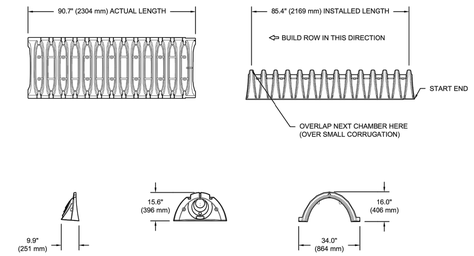
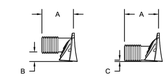
SC-310 TECHNICAL SPECIFICATION
NTS



NOMINAL CHAMBER SPECIFICATIONS

SIZE (W X H X INSTALLED LENGTH)	34.0" X 16.0" X 85.4"	(864 mm X 406 mm X 2169 mm)
CHAMBER STORAGE	14.7 CUBIC FEET	(0.42 m³)
MINIMUM INSTALLED STORAGE*	31.0 CUBIC FEET	(0.88 m³)
WEIGHT	35.0 lbs.	(16.8 kg)

*ASSUMES 6" (152 mm) ABOVE, BELOW, AND BETWEEN CHAMBERS



PRE-FAB STUB AT BOTTOM OF END CAP WITH FLAMP END WITH "BR"
PRE-FAB STUBS AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "B"
PRE-FAB STUBS AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "T"
PRE CORED END CAPS END WITH "PC"

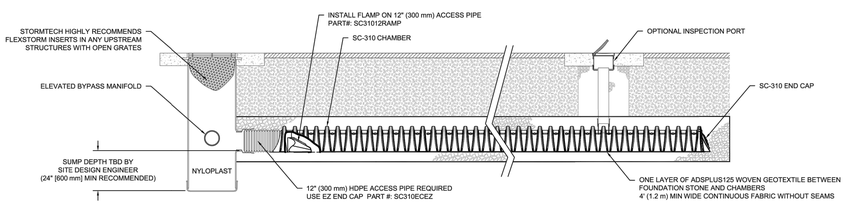
PART #	STUB	A	B	C
SC310EPE06T / SC310EPE06TPC	6" (150 mm)	9.6" (244 mm)	5.8" (147 mm)	---
SC310EPE06B / SC310EPE06BPC			---	0.5" (13 mm)
SC310EPE08T / SC310EPE08TPC	8" (200 mm)	11.9" (302 mm)	3.5" (89 mm)	---
SC310EPE08B / SC310EPE08BPC			---	0.6" (15 mm)
SC310EPE10T / SC310EPE10TPC	10" (250 mm)	12.7" (323 mm)	1.4" (36 mm)	---
SC310EPE10B / SC310EPE10BPC			---	0.7" (18 mm)
SC310ECEZ*	12" (300 mm)	13.5" (343 mm)	---	0.9" (23 mm)

ALL STUBS, EXCEPT FOR THE SC310ECEZ ARE PLACED AT BOTTOM OF END CAP SUCH THAT THE OUTSIDE DIAMETER OF THE STUB IS FLUSH WITH THE BOTTOM OF THE END CAP. FOR ADDITIONAL INFORMATION CONTACT STORMTECH AT 1-888-892-2694.

* FOR THE SC310ECEZ THE 12" (300 mm) STUB LIES BELOW THE BOTTOM OF THE END CAP APPROXIMATELY 0.25" (6 mm). BACKFILL MATERIAL SHOULD BE REMOVED FROM BELOW THE N-12 STUB SO THAT THE FITTING SITS LEVEL.

NOTE: ALL DIMENSIONS ARE NOMINAL

2 SC-310 TECHNICAL SPECIFICATION



SC-310 ISOLATOR ROW PLUS DETAIL
NTS

3 SC-310 ISOLATOR ROW PLUS DETAIL

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INSPECTION & MAINTENANCE

STEP 1) INSPECT ISOLATOR ROW PLUS FOR SEDIMENT
- A. INSPECTION PORTS (IF PRESENT)
  - A.1. REMOVE/OPEN LID ON NYLOPLAST INLINE DRAIN
  - A.2. REMOVE AND CLEAN FLEXSTORM FILTER IF INSTALLED
  - A.3. USING A FLASHLIGHT AND STADIA ROD, MEASURE DEPTH OF SEDIMENT AND RECORD ON MAINTENANCE LOG
  - A.4. LOWER A CAMERA INTO ISOLATOR ROW PLUS FOR VISUAL INSPECTION OF SEDIMENT LEVELS (OPTIONAL)
  - A.5. IF SEDIMENT IS AT, OR ABOVE, 3" (80 mm) PROCEED TO STEP 2. IF NOT, PROCEED TO STEP 3.
- B. ALL ISOLATOR PLUS ROWS
  - B.1. REMOVE COVER FROM STRUCTURE AT UPSTREAM END OF ISOLATOR ROW PLUS
  - B.2. USING A FLASHLIGHT, INSPECT DOWN THE ISOLATOR ROW PLUS THROUGH OUTLET PIPE
    - i) MIRRORS ON POLES OR CAMERAS MAY BE USED TO AVOID A CONFINED SPACE ENTRY
    - ii) FOLLOW OSHA REGULATIONS FOR CONFINED SPACE ENTRY IF ENTERING MANHOLE
  - B.3. IF SEDIMENT IS AT, OR ABOVE, 3" (80 mm) PROCEED TO STEP 2. IF NOT, PROCEED TO STEP 3.

STEP 2) CLEAN OUT ISOLATOR ROW PLUS USING THE JETVAC PROCESS
- A. A FIXED CULVERT CLEANING NOZZLE WITH REAR FACING SPREAD OF 45" (1.1 m) OR MORE IS PREFERRED
- B. APPLY MULTIPLE PASSES OF JETVAC UNTIL BACKFLUSH WATER IS CLEAN
- C. VACUUM STRUCTURE SUMP AS REQUIRED

STEP 3) REPLACE ALL COVERS, GRATES, FILTERS, AND LIDS; RECORD OBSERVATIONS AND ACTIONS.

STEP 4) INSPECT AND CLEAN BASINS AND MANHOLES UPSTREAM OF THE STORMTECH SYSTEM.

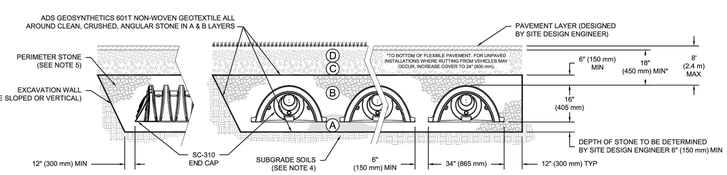
NOTES

1. INSPECT EVERY 6 MONTHS DURING THE FIRST YEAR OF OPERATION. ADJUST THE INSPECTION INTERVAL BASED ON PREVIOUS OBSERVATIONS OF SEDIMENT ACCUMULATION AND HIGH WATER ELEVATIONS.
2. CONDUCT JETTING AND VACTORING ANNUALLY OR WHEN INSPECTION SHOWS THAT MAINTENANCE IS NECESSARY.

ACCEPTABLE FILL MATERIALS: STORMTECH SC-310 CHAMBER SYSTEMS

	MATERIAL LOCATION	DESCRIPTION	AASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	**FINAL FILL:** FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THE 'D' LAYER.	ANY SOIL/ROCK MATERIALS, NATIVE SOILS, OR PER ENGINEER'S PLANS. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	N/A	PREPARE PER SITE DESIGN ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
C	**INITIAL FILL:** FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDMENT STONE ('B' LAYER) TO 18" (450 mm) ABOVE THE TOP OF THE CHAMBER. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'C' LAYER.	GRANULAR WELL-GRADED SOIL/AGGREGATE MIXTURES, <35% FINES OR PROCESSED AGGREGATE. MOST PAVEMENT SUBBASE MATERIALS CAN BE USED IN LIEU OF THIS LAYER.	AASHTO M145[1] A-1, A-2-4, A-3 OR AASHTO M43[1] 3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 12" (300 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 6" (150 mm) MAX LIFTS TO A MIN. 95% PROCTOR DENSITY FOR WELL GRADED MATERIAL AND 95% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 lbs (53 kN). DYNAMIC FORCE NOT TO EXCEED 20,000 lbs (89 kN).
B	**EMBEDMENT STONE:** FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE ('A' LAYER) TO THE 'C' LAYER ABOVE.	CLEAN, CRUSHED, ANGULAR STONE	AASHTO M43[1] 3, 357, 4, 467, 5, 56, 57	NO COMPACTION REQUIRED.
A	**FOUNDATION STONE:** FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	CLEAN, CRUSHED, ANGULAR STONE	AASHTO M43[1] 3, 357, 4, 467, 5, 56, 57	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE.[2,3]

PLEASE NOTE:
1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE: "CLEAN, CRUSHED, ANGULAR NO. 4 (AASHTO M43) STONE".
2. STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'A' LOCATION MATERIALS WHEN PLACED AND COMPACTED IN 6" (150 mm) (MAX) LIFTS USING TWO FULL COVERAGES WITH A VIBRATORY COMPACTOR.
3. WHERE INFILTRATION SURFACES MAY BE COMPROMISED BY COMPACTION, FOR STANDARD DESIGN LOAD CONDITIONS, A FLAT SURFACE MAY BE ACHIEVED BY RAKING OR DRAGGING WITHOUT COMPACTION EQUIPMENT. FOR SPECIAL LOAD DESIGNS, CONTACT STORMTECH FOR COMPACTION REQUIREMENTS.
4. ONCE LAYER 'C' IS PLACED, ANY SOIL/MATERIAL CAN BE PLACED IN LAYER 'D' UP TO THE FINISHED GRADE. MOST PAVEMENT SUBBASE SOILS CAN BE USED TO REPLACE THE MATERIAL REQUIREMENTS OF LAYER 'C' OR 'D' AT THE SITE DESIGN ENGINEER'S DISCRETION.



NOTES:

1. CHAMBERS SHALL MEET THE REQUIREMENTS OF ASTM F2922 (POLETHYLENE) OR ASTM F2418 (POLYPROPYLENE), "STANDARD SPECIFICATION FOR CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
2. SC-310 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
3. THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING RESISTANCE (ALLOWABLE BEARING CAPACITY) OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE RANGE OF EXPECTED SOIL MOISTURE CONDITIONS.
4. PERIMETER STONE MUST BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
5. REQUIREMENTS FOR HANDLING AND INSTALLATION:
   - TO MAINTAIN THE WIDTH OF CHAMBERS DURING SHIPPING AND HANDLING, CHAMBERS SHALL HAVE INTEGRAL, INTERLOCKING STACKING LUGS.
   - TO ENSURE A SECURE JOINT DURING INSTALLATION AND BACKFILL, THE HEIGHT OF THE CHAMBER JOINT SHALL NOT BE LESS THAN 2".
   - TO ENSURE THE INTEGRITY OF THE ARCH SHAPE DURING INSTALLATION, a) THE ARCH STIFFNESS CONSTANT SHALL BE GREATER THAN OR EQUAL TO 400 LBS/FT/%. THE ASC IS DEFINED IN SECTION 6.2.8 OF ASTM F2418. AND b) TO RESIST CHAMBER DEFORMATION DURING INSTALLATION AT ELEVATED TEMPERATURES (ABOVE 73° F / 23° C), CHAMBERS SHALL BE PRODUCED FROM REFLECTIVE GOLD OR YELLOW COLORS.

1 SC-310 CROSS SECTION DETAIL

DRAWN: WT | DATE:
CHECKED: N/A | PROJECT #:
REV: | NOT TO SCALE

TURNER DEVELOPMENT
WINDSOR, ON, CANADA

StormTech® Chamber System
888-892-2694 | WWW.STORMTECH.COM

ADS
4640 TRUEMAN BLVD
HILLIARD, OH 43026
1-800-733-7473

THIS DRAWING HAS BEEN PREPARED BASED ON INFORMATION PROVIDED TO ADS UNDER THE DIRECTION OF THE SITE DESIGN ENGINEER OR OTHER PROJECT REPRESENTATIVE. THE SITE DESIGN ENGINEER SHALL REVIEW THIS DRAWING PRIOR TO CONSTRUCTION. IT IS THE ULTIMATE RESPONSIBILITY OF THE SITE DESIGN ENGINEER TO ENSURE THAT THE PRODUCT(S) DEPICTED AND ALL ASSOCIATED DETAILS MEET ALL APPLICABLE LAWS, REGULATIONS, AND PROJECT REQUIREMENTS.

SHEET
1 OF 1

HADDAD MORGAN & ASSOCIATES LTD
CONSULTING ENGINEERS
24 Shepherd St. E. Windsor, ON N8X 2J8
(519) 973-1177 hma@haddadmorgan.com

JAN 10, 24	SWM ASSESSMENT
DATE	ISSUED FOR

PROJECT :
TURNER ROAD DEVELOPMENT

Windsor, Ontario

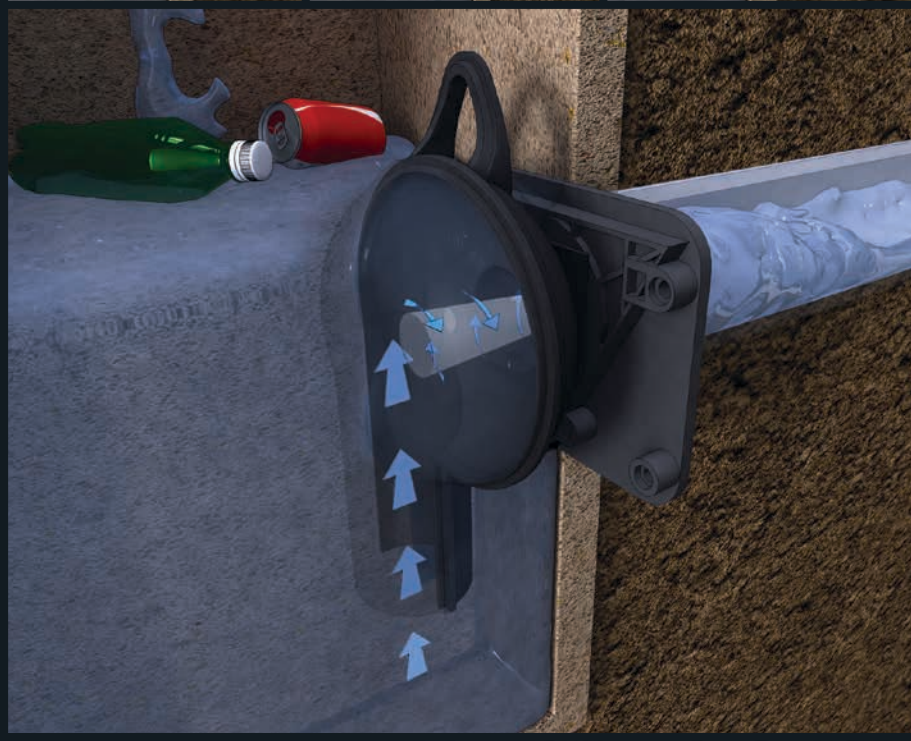
DWG. TITLE :
ADS CHAMBER SYSTEM

DATE	: DECEMBER 2023
SCALE	: AS SHOWN
DESIGNED BY	: W.T.
DRAWN BY	: M.T.
CHECKEDBY	: W.T.
APPROVED BY	: W.T.
PROJECTNO.	: 23-211

DWG. NO.
C200

FLOW RESTRICTION DEVICE

THE NEXT GENERATION IN STORM SEWER INLET CONTROLS



TEMPEST™
INLET CONTROL DEVICES

STORM WATER FLOW CONTROL

THE COST-EFFECTIVE SOLUTION TO YOUR STORM WATER SURCHARGE PROBLEMS

- Conserves sewer system capacity
- System accommodates low to high flows
- Integrated odour and floatable control
- Fast and easy to install and maintain

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We build tough products for tough environments®

TEMPEST™
INLET CONTROL DEVICES

THE NEXT GENERATION IN STORM SEWER INLET CONTROLS

✓ Reduces Sewer Overflows & Basement Backups

Tempest is a family of cost-effective inlet control devices that work together across a series of catch basins to limit the amount of storm water runoff that can enter a combined sewer system during a storm event. Basement backups and sewer overflows are avoided because storm water surcharges are controlled at the sewer inlet and are allowed to remain in catch basins or temporarily above ground.

✓ Integrated Odour & Floatable Control

In addition to flow control, Tempest systems can also alleviate sewer system odour emissions as well as prevent floating debris from entering the sewer system.

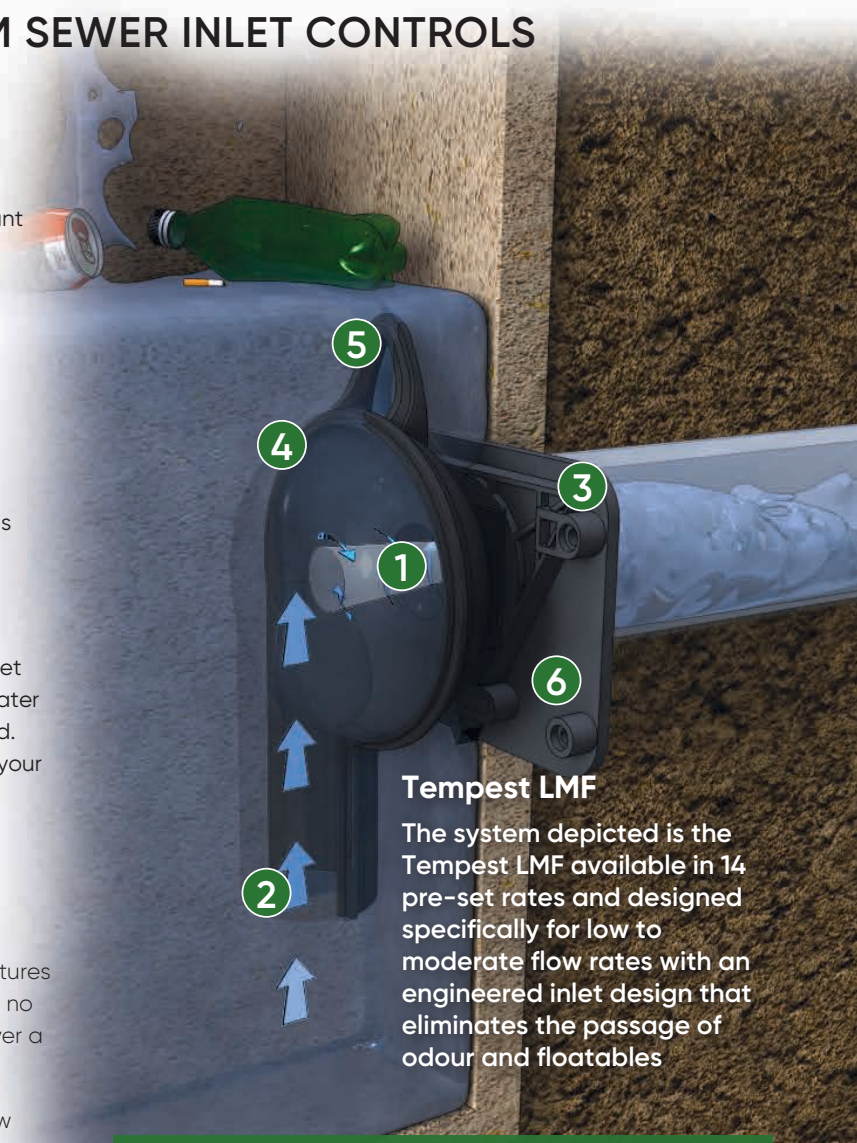
✓ Wide Range of Models & Pre-set Flow Rates

Available in a wide range of patent pending models and pre-set flow rates, Tempest systems can accommodate most storm water flow control requirements from 32 GPM to 270 GPM and beyond. Application specific solutions can also be engineered to meet your unique needs in both wet and dry catch basin environments.

✓ Easy to Install & Maintain

Constructed from durable PVC, Tempest units are corrosion free and built to last. The Tempest's light weight design accommodates both square and round catch basins and features a universal back plate and interchangeable components with no moving parts that makes the units quick and easy to install over a catch basin outlet pipe.

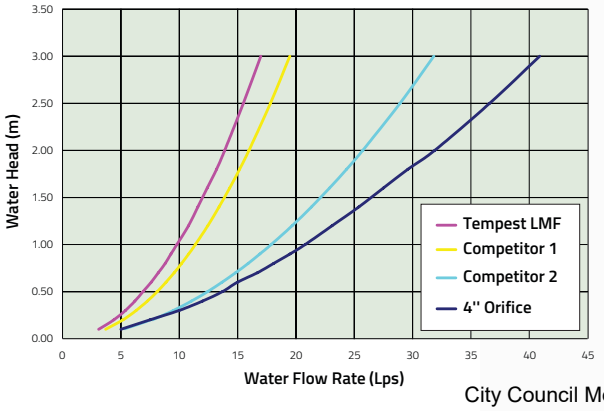
These devices also include a quick release mechanism to allow easy access for service without the need to drain the installation.



Tempest LMF

The system depicted is the Tempest LMF available in 14 pre-set rates and designed specifically for low to moderate flow rates with an engineered inlet design that eliminates the passage of odour and floatables

Tempest Inlet Control Devices restrict flow to a narrower range than traditional methods regardless of head



FEATURES & BENEFITS

1. Restricts flow to a narrow range regardless of head
2. Unit design prevents the passage of floatables and odours
3. Neoprene gasket for air-tight seal*
4. Virtually maintenance free and corrosion free durable PVC construction
5. Features a quick release mechanism that's accessed with reach bar. Unit can then be simply lifted out for easy maintenance*
6. Universal back plates available for both square and round catch basins*

* Excluding Tempest HF Sump

THE TEMPEST FAMILY OF SYSTEMS

TEMPEST LMF

Restricts:
- ✓ Flow
- ✓ Odours
- ✓ Floatables

LOW to MODERATE FLOW RATES
32 GPM (2 L/s) – 270 GPM (17 L/s)
14 pre-set flow rates

The Tempest LMF system features a vortex inlet design that allows a low flow rate to be set and eliminates the passage of odours and floatables and allows for debris and sediment to collect in the structure.

TEMPEST MHF

Restricts:
- ✓ Flow

MEDIUM TO HIGH FLOW RATES
143 GPM (9L/s) or greater
Specified pre-set flow rates

The Tempest MHF is a standard orifice plate or plug device designed to allow a specified flow volume through the outlet pipe at a specified head.

TEMPEST HF & HF SUMP

Restricts:
- ✓ Flow
- ✓ Odours
- ✓ Floatables

HIGH FLOW RATES
240 GPM (15 L/s) or greater
5 pre-set flow rates

The standard Tempest HF system allows a near constant discharge rate to be set and eliminates the passage of odours and floatables and allows for debris and sediment to collect in the structure.

The Tempest HF SUMP system is designed for catch basins & manholes in which there is no sump or the outlet pipe is too low to install standard Tempest device.

UNIVERSAL BACK PLATES

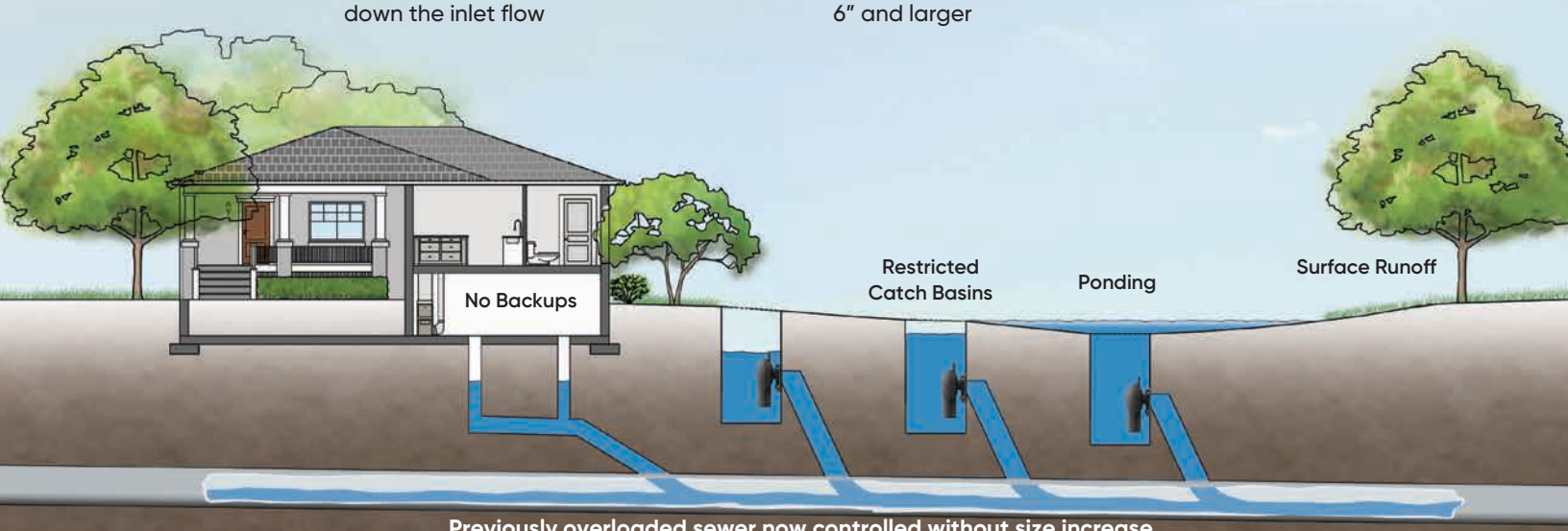
Available for BOTH square and round catch basins.*

For square catch basins

For round catch basins

SOLUTION: TEMPEST INLET CONTROL SYSTEMS

- Provides control by restricting flow into the sewer system
- Provides temporary ponding in catch basins, parking lots & roadways
- Helps preserve sewer capacity, slows down the inlet flow
- Reduces residential flooding and flash flooding
- Water surcharge is controlled and directed as per engineer design
- Can accommodate outlet pipes 6" and larger



Previously overloaded sewer now controlled without size increase

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Markets served by IPEX group products are:

- Electrical systems
- Telecommunications and utility piping systems
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- Industrial process piping systems
- Municipal pressure and gravity piping systems
- Plumbing and mechanical piping systems
- Electrofusion systems for gas and water
- Industrial, plumbing and electrical cements
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ADS WATER QUALITY CALCULATIONS

(ANALYSIS AND DESIGN BY ADS)

ADS Isolator Row PLUS Sizing Summary

Project Name:	Turner Development
Consulting Engineer:	Haddad Morgan
Location:	Windsor, ON
Sizing Completed By:	C. Neath
Email:	cody.neath@ads-pipe.com

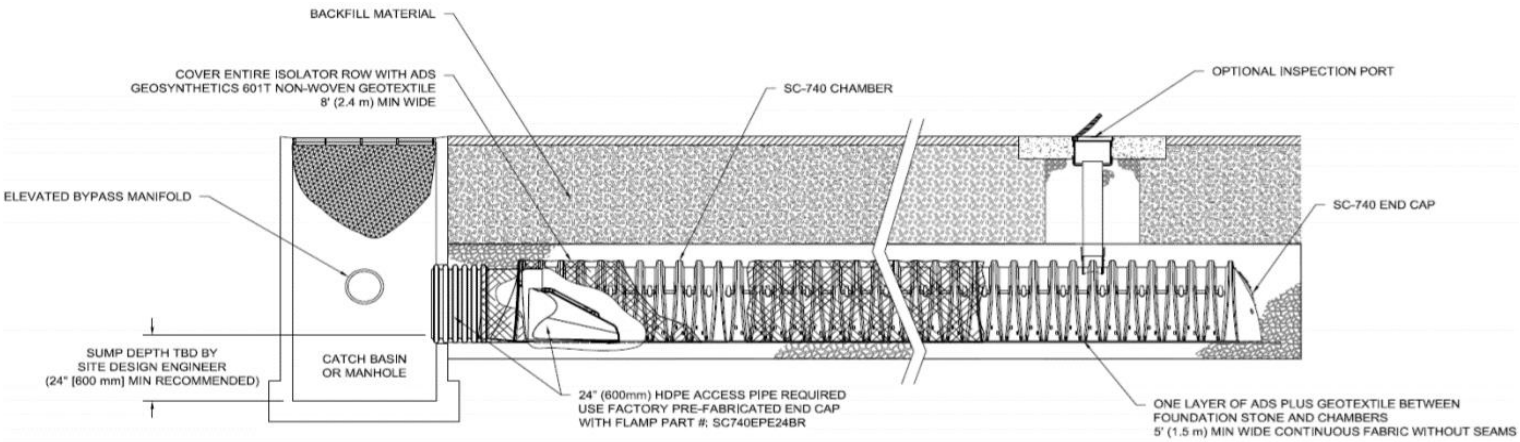
Treatment Requirements				
Treatment Goal:	Normal (MOE)			
Selected Parameters:	70%	TSS	90%	Volume

Site Details	
Site Area:	0.15509 ha
% Impervious:	92%
Rational C:	0.85
Rainfall Data:	ERCA Table 3.4.1.5
Particle Size Distribution:	ETV

Summary of Results	
Isolator Row PLUS TSS Removal:	79.7%
Total Volume Treated:	> 90%

Stormtech Details	
Chamber Model:	SC-310
No. Chambers in Isolator Row PLUS:	3
ETV Verified Flowrate per Chamber:	4.62 L/s
Bottom Surface Area per Chamber:	1.64 m²
Total Bottom Surface Area:	4.92 m²

Overall System Capacities	
Total Sediment Storage Capacity:	0.4 m³
Peak Stormtech Inlet Flow Capacity:	---
Peak IR PLUS Water Quality Flow:	13.9 L/s



Notes:

Removal efficiencies are based on ETV results.

Consult approved Stormtech drawings for dimensions and further details on overall system and Isolator Row configuration.

Isolator Row PLUS must include Flared End Ramp (FLAMP) for proper performance.

Project Name: Turner Development
Consulting Engineer: Haddad Morgan
Location: Windsor, ON

Net Annual Removal Efficiency Summary:

Rainfall Intensity(1)	Rational Equation Flowrate	Surface Loading Rate	Fraction of Rainfall(1)	Removal Efficiency	Weighted Net-Annual Removal Efficiency
mm/hr	L/s	L/min/m^2	%	%	%
2.00	0.7	9	0.0%	81.2%	0.0%
3.00	1.1	13	13.2%	81.2%	10.7%
4.00	1.5	18	9.6%	81.2%	7.8%
5.00	1.8	22	7.5%	81.2%	6.1%
6.00	2.2	27	6.0%	81.2%	4.9%
7.00	2.6	31	4.8%	81.2%	3.9%
8.00	2.9	36	4.1%	81.2%	3.3%
9.00	3.3	40	3.6%	81.2%	2.9%
10.00	3.7	45	3.2%	81.2%	2.6%
11.00	4.0	49	2.8%	81.2%	2.3%
12.00	4.4	54	2.5%	81.2%	2.0%
15.00	5.5	67	6.6%	81.2%	5.4%
20.00	7.3	89	8.3%	81.2%	6.7%
25.00	9.2	112	5.8%	81.2%	4.7%
30.00	11.0	134	4.6%	81.2%	3.7%
35.00	12.8	156	3.8%	81.2%	3.1%
40.00	14.6	179	2.9%	81.2%	2.4%
45.00	16.5	201	2.4%	81.2%	1.9%
50.00	18.3	223	1.8%	75.7%	1.4%
65.00	23.8	290	6.6%	58.2%	3.8%
				Total Net Annual Removal Efficiency:	79.7%
				Total Runoff Volume Treated:	> 90%

Notes:

(1) Removal efficiencies based on verified ETV testing results, considering maximum documented TSS removal rate of 81.2%.

(2) Rainfall data from Windsor/Essex Region Stormwater Management Standards Manual, Table 3.4.1.5.

APPENDIX "M"
Zoning Analysis

Municipal Address	Use	Age of Main Building	Lot Width (m) (Approximate)	Lot Area (m2) (Approximate)	Main Building Area (m2) (Approximate)	Total Building Area (m2) (Approximate)	Lot Coverage Main Building Only (Approximate)	Lot Coverage (Approximate)	Density (Approximate) (uph)	Density with ADU's (Approximate) (uph)
3888 Turner Road	Single Unit Dwelling	1935	15.9	550.7	124.3	154.3	22.6%	28.0%	18.2	54.5
3819 Turner Road	Single Unit Dwelling	1938	24.9	916.4	218.1	328.1	23.8%	35.8%	10.9	32.7
3861 Turner Road	Single Unit Dwelling	1942	24.4	899.6	181.6	181.6	20.2%	20.2%	11.1	33.3
3811 Turner Road	Single Unit Dwelling	1945	15.8	550.5	81.7	85.7	14.8%	15.6%	18.2	54.5
3881 Turner Road	Single Unit Dwelling	1945	15.9	550.9	80.8	120.2	14.7%	21.8%	18.2	54.5
3887 Turner Road	Single Unit Dwelling	1945	14.0	487.3	95.2	126.5	19.5%	25.9%	20.5	61.6
3898 Turner Road	Single Unit Dwelling	1945	15.9	550.7	87.3	112.2	15.8%	20.4%	18.2	54.5
3903 Turner Road	Single Unit Dwelling	1945	21.5	834.2	179.1	199.9	21.5%	24.0%	12.0	36.0
3911 Turner Road	Single Unit Dwelling	1945	21.3	741.3	171.3	180.4	23.1%	24.3%	13.5	40.5
3839 Turner Road	Single Unit Dwelling	1946	34.6	1,278.0	146.6	161.2	11.5%	12.6%	7.8	23.5
3868 Turner Road	Single Unit Dwelling	1948	21.3	741.3	159.4	159.4	21.5%	21.5%	13.5	40.5
3806 Turner Road	Single Unit Dwelling	1950	21.3	741.3	269.3	281.0	36.3%	37.9%	13.5	40.5
3850 Turner Road	Single Unit Dwelling	1950	21.3	786.8	176.8	224.4	22.5%	28.5%	12.7	38.1
3860 Turner Road	Single Unit Dwelling	1950	21.3	741.3	103.5	139.0	14.0%	18.8%	13.5	40.5
3880 Turner Road	Single Unit Dwelling	1950	21.3	786.8	226.9	243.7	28.8%	31.0%	12.7	38.1
3897 Turner Road	Single Unit Dwelling	1950	12.5	434.3	117.9	147.4	27.2%	33.9%	23.0	69.1
3818 Turner Road	Single Unit Dwelling	1953	21.3	741.3	142.6	142.6	19.2%	19.2%	13.5	40.5
3814 Turner Road	Single Unit Dwelling	1954	21.3	786.8	105.7	174.3	13.4%	22.2%	12.7	38.1
3803 Turner Road	Single Unit Dwelling	1958	16.2	593.2	129.4	244.8	21.8%	41.3%	16.9	50.6
3826 Turner Road	Single Unit Dwelling	1958	21.3	741.3	149.1	149.1	20.1%	20.1%	13.5	40.5
3975 Turner Road	Single Unit Dwelling	1967	10.7	370.7	96.3	105.7	26.0%	28.5%	27.0	80.9
3898 Byng Road	Single Unit Dwelling	1970	21.0	821.0	209.9	222.3	25.6%	27.1%	12.2	36.5
3921 Turner Road	Single Unit Dwelling	1970	32.0	1,112.0	239.1	259.1	21.5%	23.3%	9.0	27.0
3849 Turner Road	Single Unit Dwelling	1978	18.3	720.2	217.8	249.2	30.2%	34.6%	13.9	41.7
3840 Turner Road	Single Unit Dwelling	2003	21.3	741.3	250.7	250.7	33.8%	33.8%	13.5	40.5
3902 Byng Road	Semi-Detached Dwelling	2005	21.4	789.0	290.4	302.0	36.8%	38.3%	25.3	76.0
3829 Turner Road	Single Unit Dwelling	2021	15.2	562.1	227.5	227.5	40.5%	40.5%	17.8	53.4
2130 Division Road	Hotel	N/A	52.0	3,984.0	1,358.1	1,358.1	34.1%	34.1%	N/A	N/A
2250 Division Road	Restaurant	N/A	61.1	5,075.8	598.2	598.2	11.8%	11.8%	N/A	N/A
3873 Turner Road	Vacant	N/A	32.0	1,230.5	0.0	0.0	0.0%	0.0%	N/A	N/A
0 Turner Road (Subject Property)	Vacant (Proposed 17 Unit Multiple Dwelling)	N/A	42.7	1,551.6	644.7	644.7	41.6%	41.6%	109.6	N/A
0 Turner Road	Vacant	N/A	74.7	2,822.1	0.0	0.0	0.0%	0.0%	N/A	N/A
3946 Turner Road	Retail Store - Equipment & Supplies	N/A	185.7	13,378.4	7,912.8	7,912.8	59.1%	59.1%	N/A	N/A
3959 Turner Road	Retail Store - Equipment & Supplies	N/A	42.7	1,574.0	1,574.0	1,574.0	100.0%	100.0%	N/A	N/A
3981-3983 Turner Road	Retail Store - Equipment & Supplies	N/A	21.6	951.8	418.8	418.8	44.0%	44.0%	N/A	N/A
3895 Walker Road	Retail Store - Equipment & Supplies	N/A	33.5	705.1	325.0	325.0	46.1%	46.1%	N/A	N/A
3911 Walker Road	Automobile Repair Garage	N/A	33.5	1,522.1	336.8	336.8	22.1%	22.1%	N/A	N/A
Average (Excludes Subject Property)			30.8	1,439.0	483.9	503.1	26.3%	29.1%	14.0	32.9

Committee Matters: SCM 211/2024

Subject: Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9.

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

Decision Number: **DHSC 629**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the lands located on the east side of Sixth Concession Road, north side of Spago Crescent, south of Holburn Street, described as Pt Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT], from RD1.2 to RD2.3 with a holding prefix (HRD2.3); and,

II. THAT the holding (H) symbol **BE REMOVED** when the following conditions are satisfied:

a) The Owner(s) apply to remove the hold provision; and
b) Registration of a Final Plan of Subdivision; and,

III. THAT the application of 2863167 Ontario Inc. for Draft Plan of Subdivision approval for Part of Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT], **BE APPROVED** subject to the following conditions:

A. That the Draft Plan Approval shall lapse on _____ (3 years from the date of approval);

B. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-001/24-1, prepared by VERHAEGEN Land Surveyors for 2863167 Ontario Inc., showing 5 Blocks for townhome dwellings, 1 Block to be conveyed to the Corporation of the City of Windsor for storm water management pond, 2 Blocks for Road Reserves, and one proposed road allowance (Street A);

C. That the owner(s) shall enter into a subdivision agreement with the Corporation of the City of Windsor for the proposed development on the subject lands;

D. That the Owner(s) shall submit for approval of the City Planner/Executive Director of Planning & Building a final draft M-Plan, which shall include the names of all road allowances within the plan, as approved by the Corporation.

E. That the subdivision agreement between the Owner(s) and the Corporation of the City of Windsor be registered on title and shall contain, among other matters, the following provisions:

1. The Owner(s) shall include all items as set out in the Results of Circulation (Appendix D, attached hereto) with further amendments as required and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).

2. **Conveyance Requirements**: The Owner(s) shall, prior to the issuance of a construction permit, gratuitously convey to the Corporation of the City of Windsor
   i) Block 6 on Map No. SDN-001/24-1 for Storm Water Management (SWM) Facility purposes;

   ii) Block 7 *(a 0.3m wide strip of land along the entire Sixth Concession Road frontage)* and Block 8 *(0.3m wide strip of land along the dead-end of Street A*) on Map No. SDN-001/24-1, for land reserve purposes; and

   iii) A 2.5m wide strip of land along the frontage of Block 5 on Map No. SDN-001/24-1, for utilities; and all conveyances shall be to the satisfaction of the City Engineer and the City Solicitor.

3. **Cul-De-Sac**: The Owner(s) shall construct at the northerly limit of Street A a cul-de-sac bulb wide enough to accommodate a minimum boulevard width of 2.5m for utilities as stipulated by the City of Windsor Standard Drawing AS-206C. Also, the radius shall be large enough for garbage collection trucks and emergency vehicles to turn around in. All work to be to the satisfaction of the City Engineer.

4. **Sidewalks** -The owner(s) shall agree to:

   a) Pay to the Corporation, prior to the issuance of a Building Permit, the sum of $10,080.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the 6th Concession Road frontage of the subject lands.

b) Construct, at their entire expense and according to City of Windsor Standard Specifications, concrete sidewalks at the following locations, to the satisfaction of the City Engineer:
    i. New Street A – along the west boulevard
    ii. Spago Crescent - along the north boulevard from Street A to Zurich Avenue

5. **Curbs and Gutters** – The Owner(s) shall further agree to pay to the Corporation, prior to the issuance of a construction permit, the sum of $5,328.00 being the Owner's contribution towards the future construction of concrete curb & gutter on the 6th Concession Rd frontage of the subject lands.

6. **Drainage Report** - The Owner(s) shall agree to retain, at its own expense, a Consulting Engineer to provide a detailed Drainage Report in accordance with the *Drainage Act*, to the satisfaction of the City Engineer.

7. **Servicing Charges** – The Owner(s) shall note that they may be required to pay servicing charges for the existing sewers on Spago Crescent and/or sewer connection(s) owing to Sixth Concession Development Ltd. if not paid previously for this site. Proof of payment will be required prior to the issuance of a construction permit.

8. **Tree Removal & Replacement:** The Owner(s) shall pay to the Corporation, prior to the issuance of a construction permit, the sum of $3,400 being tree replacement cost for the removal of the Norway Maple (22cm DBH).

9. **Tree Protection Fencing:** The Owner(s) shall agree to install tree protection fence, prior to commencement of pre-grading activities, and shall further agree to retain a Certified Arborist to inspect the tree protection fencing prior to and during construction to ensure that the fencing remains intact and in good repair throughout the stages of development.

10. **Climate Change considerations:** The Owner(s) shall agree to compensate at caliper-per-caliper rate any trees not able to be retained on the site, in addition to the standard payment for one new tree per unit requirement at the time of building permit, to the satisfaction of the City Forester as per the Schedule of Fees.

11. **Parkland Conveyance:** The Owner(s) shall, prior to the issuance of a construction permit, pay cash-in-lieu of the 5% of lands to be developed, in accordance with By-law 12780, to the satisfaction of the Executive Director of Parks and the City Planner.

12. **Enbridge Clearance Requirements:** The Owner(s) shall agree to maintain a minimum separation of

    i) 0.6m horizontal and 0.3m vertical from all Enbridge's plants less than NPS 16;

    ii) 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines; and

    iii) 1.0m when drilling parallel to any of Enbridge's pipelines.

13. **Noise and Vibration Control:** The Owner(s) shall, at its entire expense,
    i) install a 1.8m high noise barrier fence with a minimum density of 20 kg/m2 along the westerly lot line (Sixth Con. Rd. frontage) of the subject lands in accordance with the diagram labelled *Sheet 4 – Mitigation Measures (excerpt from Appendix B to Acoustical Report)* on page 14 of Appendix E attached to this report.

14. **Noise Control Measures:** The Owner(s) shall agree to design the subject development in compliance with the following criteria:

    i) all windows leading to sensitive living areas shall have a minimum sound transmission class (STC) as noted in the diagram labelled *Sheet 4 – Mitigation Measures (excerpt from Appendix B to Acoustical Report)* on page 14 of Appendix E attached to this report, in order to meet the MOECC indoor noise level criteria;

    ii) all walls leading to sensitive living areas shall have a minimum sound transmission class (STC) as noted in the diagram labelled *Sheet 4 – Mitigation Measures (excerpt from Appendix B to Acoustical Report)* on page 14 of Appendix E attached to this report;

    iii) acoustic privacy between units in a multi-tenant building, the inter-unit wall, shall meet or exceed STC-50; and

    iv) wall separation between noisy spaces, such as refuse chutes or elevator shafts, and suites shall meet or exceed STC-55.

15. **Acoustical Consultant Review:** The Owner(s) shall, prior to the issuance of a building permit, and at their entire expense, engage the services of an acoustical consultant to review the sound transmission class (STC) for the proposed development's walls, windows, and doors to ensure they conform to the recommendations outlined in the February 20, 2024, Acoustical Report prepared by BAIRD AE.

16. **Warning Clause(s):** The Owner(s) shall agree to place the following warning clause in all Offers to Purchase, and Agreement of Purchase or Sale or lease between the Owner(s) and all prospective home buyers, and in the title of each dwelling unit within the subject plan of subdivision [Map No. SDN-001/24-1].

    a) Noise Warning -
    "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."

    b) Vibration Warning -
    "Purchasers/tenants are advised that due to the proximity of the adjacent roadway, vibration from the roadway may be felt."

17. The Owner(s) shall agree to:

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

    ii) contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development; and, where the required infrastructure is unavailable, the owner(s) shall agree to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure or demonstrate to the satisfaction of the City Engineer and Chief Building officer that sufficient alternative communication/telecommunication will be provided to enable the effective delivery of communication/telecommunication services for emergency management services

    .

NOTES TO DRAFT APPROVAL (File # SDN-001/24)

1. *The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Local Planning Appeal Tribunal. Appeals are to be directed to the City Clerk of the City of Windsor.*

2. *It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the City Planner / Executive Director of Planning and Development, quoting the above-noted file number.*

3. *Required agreements with the Municipality will be prepared by the City Solicitor.*

4. *The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.*

5. *The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.*

6. *All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.*

7. *Where agency conditions are included in the City's Subdivision Agreement, the Applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan; and,*

IV. THAT the City Clerk **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The *Planning Act*; and,

V. THAT the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision; and,

VI. THAT prior to the final approval by the Corporation of the City of Windsor, the City Planner / Executive Director of the Planning and Development shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied; and,

VII. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor
Carried.
Councillor Mark McKenzie and Member Anthony Arbour voting nay.

Report Number: S 71/2024
Clerk's File: Z/14781 & Z/14544

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 Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Council Report: S 71/2024

Subject: Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9.

Reference:

Date to Council: July 2, 2024
Author: Justina Nwaesei, MCIP, RPP
Planner III - Development
519-255-6543, ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: May 31, 2024
Clerk's File #: Z/14781 & Z/14544

To: Mayor and Members of City Council

Recommendation:

I THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the lands located on the east side of Sixth Concession Road, north side of Spago Crescent, south of Holburn Street, described as Pt Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT], from RD1.2 to RD2.3 with a holding prefix (HRD2.3).

II THAT the holding (H) symbol **BE REMOVED** when the following conditions are satisfied:

a) The Owner(s) apply to remove the hold provision; and
b) Registration of a Final Plan of Subdivision.

III THAT the application of 2863167 Ontario Inc. for Draft Plan of Subdivision approval for Part of Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT], **BE APPROVED** subject to the following conditions:

A. That the Draft Plan Approval shall lapse on _____ (3 years from the date of approval);

B. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-001/24-1, prepared by VERHAEGEN Land Surveyors for 2863167 Ontario Inc., showing 5 Blocks for townhome dwellings, 1 Block to be conveyed to the Corporation of the City of Windsor for storm water management pond, 2 Blocks for Road Reserves, and one proposed road allowance (Street A);

C. That the owner(s) shall enter into a subdivision agreement with the Corporation of the City of Windsor for the proposed development on the subject lands;

D. That the Owner(s) shall submit for approval of the City Planner/Executive Director of Planning & Building a final draft M-Plan, which shall include the names of all road allowances within the plan, as approved by the Corporation.

E. That the subdivision agreement between the Owner(s) and the Corporation of the City of Windsor be registered on title and shall contain, among other matters, the following provisions:

1. The Owner(s) shall include all items as set out in the Results of Circulation (Appendix D, attached hereto) with further amendments as required and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).

2. **Conveyance Requirements**: The Owner(s) shall, prior to the issuance of a construction permit, gratuitously convey to the Corporation of the City of Windsor

   i) Block 6 on Map No. SDN-001/24-1 for Storm Water Management (SWM) Facility purposes;

   ii) Block 7 *(a 0.3m wide strip of land along the entire Sixth Concession Road frontage)* and Block 8 *(0.3m wide strip of land along the dead-end of Street A*) on Map No. SDN-001/24-1, for land reserve purposes; and

   iii) A 2.5m wide strip of land along the frontage of Block 5 on Map No. SDN-001/24-1, for utilities; and all conveyances shall be to the satisfaction of the City Engineer and the City Solicitor.

3. **Cul-De-Sac**: The Owner(s) shall construct at the northerly limit of Street A a cul-de-sac bulb wide enough to accommodate a minimum boulevard width of 2.5m for utilities as stipulated by the City of Windsor Standard Drawing AS-206C. Also, the radius shall be large enough for garbage collection trucks and emergency vehicles to turn around in. All work to be to the satisfaction of the City Engineer.

4. **Sidewalks** -The owner(s) shall agree to:

   a) Pay to the Corporation, prior to the issuance of a Building Permit, the sum of $10,080.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the 6th Concession Road frontage of the subject lands.

   b) Construct, at their entire expense and according to City of Windsor Standard Specifications, concrete sidewalks at the following locations, to the satisfaction of the City Engineer:
      i. New Street A – along the west boulevard
      ii. Spago Crescent - along the north boulevard from Street A to Zurich Avenue

5. **Curbs and Gutters** – The Owner(s) shall further agree to pay to the Corporation, prior to the issuance of a construction permit, the sum of $5,328.00 being the Owner's contribution towards the future construction of concrete curb & gutter on the 6th Concession Rd frontage of the subject lands.

6. **Drainage Report** - The Owner(s) shall agree to retain, at its own expense, a Consulting Engineer to provide a detailed Drainage Report in accordance with the Drainage Act, to the satisfaction of the City Engineer.

7. **Servicing Charges** – The Owner(s) shall note that they may be required to pay servicing charges for the existing sewers on Spago Crescent and/or sewer connection(s) owing to Sixth Concession Development Ltd. if not paid previously for this site. Proof of payment will be required prior to the issuance of a construction permit.

8. **Tree Removal & Replacement:** The Owner(s) shall pay to the Corporation, prior to the issuance of a construction permit, the sum of $3,400 being tree replacement cost for the removal of the Norway Maple (22cm DBH).

9. **Tree Protection Fencing:** The Owner(s) shall agree to install tree protection fence, prior to commencement of pre-grading activities, and shall further agree to retain a Certified Arborist to inspect the tree protection fencing prior to and during construction to ensure that the fencing remains intact and in good repair throughout the stages of development.

10. **Climate Change considerations:** The Owner(s) shall agree to compensate at caliper-per-caliper rate any trees not able to be retained on the site, in addition to the standard payment for one new tree per unit requirement at the time of building permit, to the satisfaction of the City Forester as per the Schedule of Fees.

11. **Parkland Conveyance:** The Owner(s) shall, prior to the issuance of a construction permit, pay cash-in-lieu of the 5% of lands to be developed, in accordance with By-law 12780, to the satisfaction of the Executive Director of Parks and the City Planner.

12. **Enbridge Clearance Requirements:** The Owner(s) shall agree to maintain a minimum separation of

    i) 0.6m horizontal and 0.3m vertical from all Enbridge's plants less than NPS 16;

    ii) 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines; and

    iii) 1.0m when drilling parallel to any of Enbridge's pipelines.

13. **Noise and Vibration Control:** The Owner(s) shall, at its entire expense,

    i) install a 1.8m high noise barrier fence with a minimum density of 20 kg/m2 along the westerly lot line (Sixth Con. Rd. frontage) of the subject lands in accordance with the diagram labelled *Sheet 4 – Mitigation Measures (excerpt from Appendix B to Acoustical Report)* on page 14 of Appendix E attached to this report.

14. **Noise Control Measures:** The Owner(s) shall agree to design the subject development in compliance with the following criteria:

    i) all windows leading to sensitive living areas shall have a minimum sound transmission class (STC) as noted in the diagram labelled *Sheet 4 – Mitigation Measures (excerpt from Appendix B to Acoustical Report)* on page 14 of Appendix E attached to this report, in order to meet the MOECC indoor noise level criteria;

    ii) all walls leading to sensitive living areas shall have a minimum sound transmission class (STC) as noted in the diagram labelled *Sheet 4 –*

Mitigation Measures (excerpt from Appendix B to Acoustical Report) on page 14 of Appendix E attached to this report;

iii) acoustic privacy between units in a multi-tenant building, the inter-unit wall, shall meet or exceed STC-50; and

iv) wall separation between noisy spaces, such as refuse chutes or elevator shafts, and suites shall meet or exceed STC-55.

15. **Acoustical Consultant Review:** The Owner(s) shall, prior to the issuance of a building permit, and at their entire expense, engage the services of an acoustical consultant to review the sound transmission class (STC) for the proposed development's walls, windows, and doors to ensure they conform to the recommendations outlined in the February 20, 2024, Acoustical Report prepared by BAIRD AE.

16. **Warning Clause(s):** The Owner(s) shall agree to place the following warning clause in all Offers to Purchase, and Agreement of Purchase or Sale or lease between the Owner(s) and all prospective home buyers, and in the title of each dwelling unit within the subject plan of subdivision [Map No. SDN-001/24-1].

a) Noise Warning -
"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."

b) Vibration Warning -
"Purchasers/tenants are advised that due to the proximity of the adjacent roadway, vibration from the roadway may be felt."

17. The Owner(s) shall agree to:

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

ii) contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development; and, where the required infrastructure is unavailable, the owner(s) shall agree to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure or demonstrate to the satisfaction of the City Engineer and Chief Building officer that sufficient alternative communication/telecommunication will be provided to enable the effective delivery of communication/telecommunication services for emergency management services.

NOTES TO DRAFT APPROVAL (File # SDN-001/24)

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

3. *Required agreements with the Municipality will be prepared by the City Solicitor.*
4. *The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.*
5. *The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.*
6. *All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.*
7. *Where agency conditions are included in the City's Subdivision Agreement, the Applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.*

IV THAT the City Clerk **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The Planning Act.

V THAT the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.

VI THAT prior to the final approval by the Corporation of the City of Windsor, the City Planner / Executive Director of the Planning and Development shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.

VII THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor

Executive Summary:

On April 9, 2024, applications were received for zoning by-law amendment and plan of subdivision approval for the properties known as 4170 and 4190 Sixth Concession Road in electoral Ward 9. The applicant is a numbered company, **2863167 Ontario Inc.** The planning department assigned file numbers SDN-001/24 and Z-012/24 to the applications. Following a preliminary review of the applications and studies submitted by the applicant, the applications were found to be ready for payment and the applicant was advised accordingly. Application fees were processed on April 19, 2024, and the applications were deemed to be complete same day, following the fee payment. A 'Notice of Complete Application' was placed in the Windsor Star.

Materials received for the proposed development applications (SDN-001/24 and Z-012/24) were uploaded on the city's website, and the Planning Department circulated the applications to municipal departments and external agencies for comment. The comments received from those who were consulted are attached as APPENDIX D to this report; those comments were considered in the preparation of this planning report. Also, required support studies were reviewed and considered in the preparation of this report; excerpts from some of the support studies are hereto attached as Appendix E.

This planning report contains different sections and subsections (headings and subheadings). The intent of this executive summary is to assist the reader in understanding the contents of this report. It is important to note that this planning report has been prepared in the standard format for all reports being submitted for the consideration of the City of Windsor Council and the

Development & Heritage Standing Committee. Therefore, this planning report contains the following headings (sections):

- RECOMMENDATION pages 1 - 5
- EXECUTIVE SUMMARY pages 5 - 7
- BACKGROUND pages 8 - 15
- DISCUSSION pages 15 - 24
- RISK ANALYSIS page 24
- CLIMATE CHANGE RISKS page 24
- FINANCIAL MATTERS page 24
- CONSULTATIONS pages 24 - 26
- CONCLUSIONS page 26 - 27
- APPROVALS page 27
- APPENDICES page 27

Below is a synopsis of the content of each section in this report:

The **RECOMMENDATION** SECTION of this report contains the planner's recommendation to Council. The recommendations outline the conditions of approval for the draft plan of subdivision and the zoning by-law amendment. A holding prefix on the Zoning by-law amendment can only be removed following the registration of Final Plan of subdivision.

The **BACKGROUND** SECTION of this report provides the following:

1. Key Map – showing the location of the subject lands.
2. Planning Activities leading to the subject Applications – the consultations with the planning department resulted in revisions to the applicant's original development concept plan for the subject lands. The revisions resulted in a change in design concept from a proposed construction of five off-street townhouse dwellings containing a total of 73 dwelling units to the current proposal to construct five on-street townhouse dwellings with a total of 27 dwelling units.
3. Application Information – such as a description of the location of the subject land, applicant's name, agent's name, registered owner's name, applicant's proposal, and materials submitted by the applicant.
4. Site Information – (i) OP designation, (ii) zoning category, (iii) zoning district map number; (iv) current and previous uses, (v) size, and (vi) shape, of the subject lands.
5. Rezoning Map – an excerpt from the City's Zoning District Map, showing current zoning of the subject lands and surrounding lands.
6. Neighbourhood characteristics – Neighbourhood Map, Surrounding land uses and existing Municipal infrastructure.

The **DISCUSSION** SECTION of this report contains planning analysis, which is a review and analysis of the following policies, by-law(s), and matters affecting the subject land:

1. Planning Act
2. Provincial Policy Statement 2020
3. Official Plan – [Volumes I and II]
4. Zoning By-law [B/L 8600]
5. Holding Provision
6. Site Plan Control

The **RISK ANALYSIS** SECTION is noted as 'not applicable' given that this is a Planning Act matter.

The **CLIMATE CHANGE RISKS** SECTION addresses Climate Change Mitigation and Adaptation pertaining to the proposed development on the subject lands.

The **FINANCIAL MATTERS** SECTION is noted as 'not applicable' given that this is a Planning Act matter.

The **CONSULTATION** SECTION provides a brief summary of Public consultations that have either occurred, or will occur later (as in the case of the statutory Public meeting that will occur later). This section also includes consultation with municipal departments and external agencies and some highlights of their comments.

The **CONCLUSION** SECTION contains a summary of the planning opinion on the subject rezoning.

The **APPROVALS** SECTION contains names and titles of Administration with approval authority over the subject report. This list includes the Manager of Development and the City Planner, who are both Registered Professional Planners.

The **APPENDICES** SECTION contains the following list of appendices attached to this report:

1. Appendix A - Site Photos (taken June 3, 2024)
2. Appendix B - Draft Plan of Subdivision, SDN-001/24-1
3. Appendix C - Site Layout Plan (Development Concept Plan), SDN-001/24-2
4. Appendix D - Consultations – Results of Circulation
5. Appendix E - Excerpts from Planning Justification Report & other Required Support Studies
6. Appendix F - Draft Zoning By-law Amendment for Z-012/24

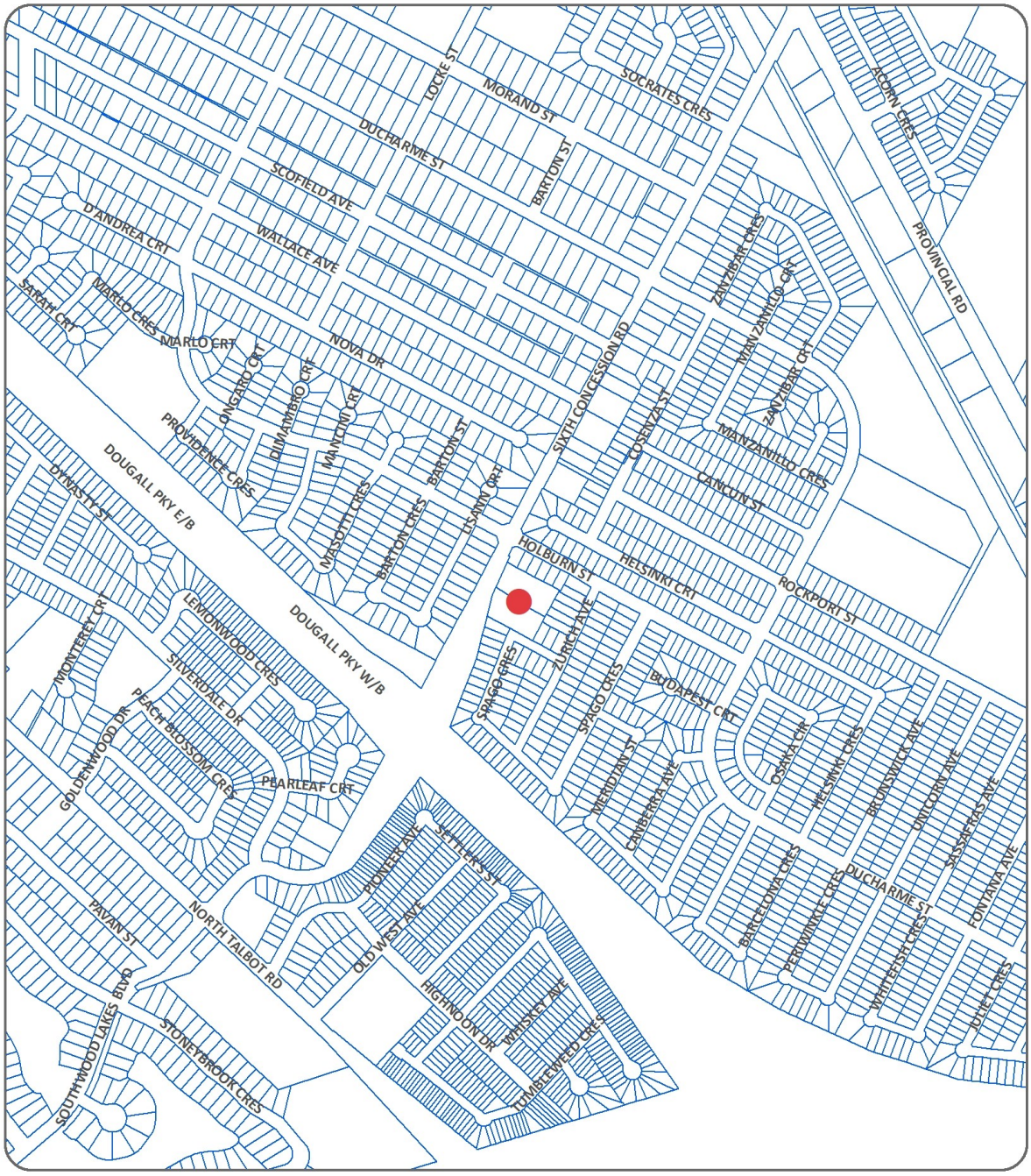
This report references those supporting materials submitted by the applicant for this rezoning and subdivision applications and made available at https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/4170-4190-sixth-concession-road for public review.

In addition, this planning report is supported by some documents included and/or referenced in the Appendices attached. This planning report provides sufficient evidence that the recommended amendment and draft plan approval are consistent with the Provincial Policy Statement 2020 and are in conformity with the applicable policies of Official Plan Volume I and the North Roseland Secondary Plan in Official Plan Volume II.

This report recommends approval of the applicant's request for rezoning and draft plan approval. A holding prefix is recommended for the zoning by-law amendment.

Background:

1. KEY MAP:



KEY MAP - SDN-001/24, SDN-7194 & Z-012/24, ZNG-7195

SUBJECT LANDS

2. PLANNING ACTIVITIES LEADING TO THE SUBJECT APPLICATIONS

In October 2021, a presubmission application was received from Avani Homes Inc. to change the zoning of the parcels known as 4170 & 4190 Sixth Concession Road from Residential District 1.2 to an appropriate Residential District to allow the construction of five townhouse dwellings containing a total of 73 dwelling units, with access from Spago Crescent and Sixth Concession Road. The planning department processed the applicant's request under file PS-116/21 and issued a letter in January 2022, summarizing next step(s) in the planning process. Comments received from municipal departments and external agencies were noted in the letter. An Official Plan Amendment would have been required for the proposed concept plan with 73 dwelling units.

As a result of the content of the January 2021 planning letter, the applicant made drastic changes to the development proposal and held a public open house / public information centre (PIC) on November 9, 2022, to discuss a revised concept plan containing five townhome dwellings with a total of 27 townhome dwelling units on the subject lands, plus the request to rezone the subject land to permit townhomes. The proponent-driven PIC allowed area residents to receive information, and provide their input, regarding the proposed development. Area residents in attendance voiced their concerns as noted in the PJR excerpts in Appendix E attached hereto.

In December 2022, the planning department received a rezoning application package to change the zoning of the subject lands from RD1.2 to RD2.2 to permit townhome dwellings. The Applicant was 2863167 ONTARIO INC. and file number Z-001/23 was assigned. The contact person and agent were the same as in the previous application (PS-116/21.) There was no concurrent subdivision application.

On February 22, 2023, the application fee was processed, and the application (Z-001/23) was deemed complete same day. On May 3, 2023, the applicant's agent requested putting the application on hold to allow them time to submit the subdivision application concurrently with the Zoning By-law Amendment (ZBA).

On July 31, 2023, the Stage 1 Planning Consultation (PC-011/23) was received for the subdivision application. On September 1, 2023, Stage 1 PC letter was emailed to the applicant and agent. On September 25, 2023, Stage 2 PC was received and processed. Following a couple of revisions to the required support studies/reports, the Stage 2 PC response letter was finalized and emailed on March 13, 2024.

On April 9, 2024, the current application package for zoning by-law amendment and plan of subdivision was assigned to staff for processing under file numbers SDN-001/24 and Z-012/24. Application fees were processed on April 19, 2024. Following a review of the applications and studies submitted by the applicant, the application package was deemed to be complete on April 19, 2024. A 'Notice of Complete Application' was placed in the Windsor Star, and the Planning Department circulated the applications to municipal departments and external agencies for their review and comment.

3. APPLICATION INFORMATION

LOCATION: 4170 & 4190 Sixth Concession Road (east side of Sixth Concession Road, between Spago Crescent & Holburn Street)

APPLICANT: 2863167 ONTARIO INC. (C/O PAWAN KHICHI)

AGENT: STOREY SAMWAYS PLANNING LTD, (C/O DAVID FRENCH)

REGISTERED OWNER: SAME AS APPLICANT

PROPOSAL:

The applicant is proposing to develop a residential subdivision with five (5) townhome dwellings containing a total of 27 townhome dwelling units at the above noted location. The proposed dwelling units will front on a proposed new roadway allowance (Street A). Access to Street A is from Spago Crescent.

The subject lands are designated *Low Profile Residential* on Schedule NR2-7 – Land Use Designations & Concept Plan, North Roseland Planning Area, OP. Vol.2, and zoned *RD1.2* by Zoning By-Law 8600. The RD1.2 zoning category does not permit townhome dwellings.

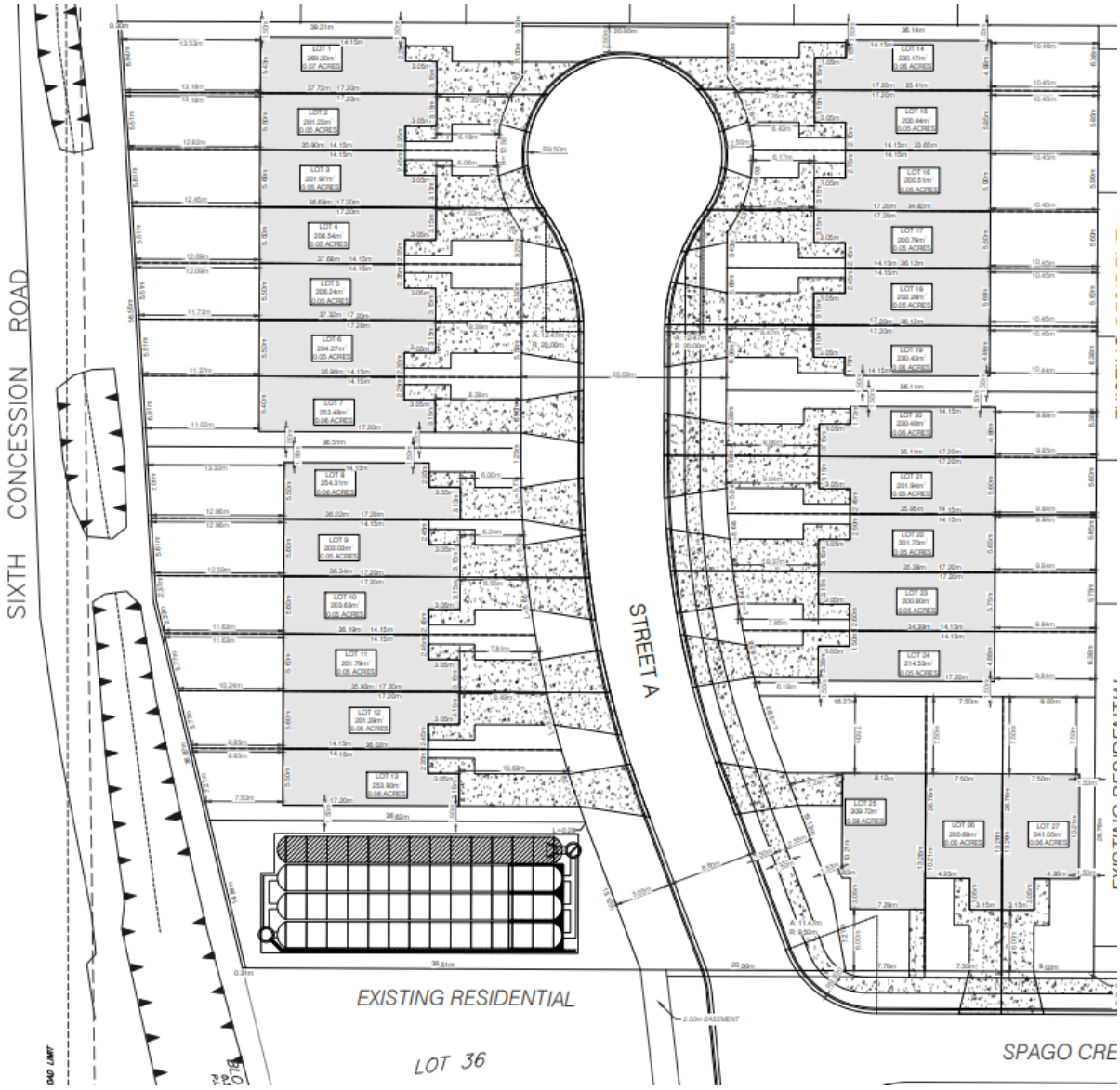
Consequently, the applicant is also requesting an amendment to the zoning by-law 8600 to change the zoning of the subject lands ***from RD1.2 to RD2.3*** to permit the proposed townhome dwellings. Official Plan Amendment is not required.

SUBMISSIONS BY APPLICANT:

- Plan of Subdivision Application Form
- Zoning By-law Amendment Application Form
- Draft Plan, dated Feb. 16, 2024, by Verhaegen Land Surveyors
- Concept Development Plan, dated Feb. 1, 2024, by BAIRD AE
- Planning Justification Report, dated March 18, 2024, by Storey Samways Planning Ltd.
- Traffic Impact Study, dated Aug 19, 2022, revised Feb. 20, 2024, by BAIRD AE
- Acoustical Report, dated Dec. 8, 2023, revised Feb. 20, 2024, by BAIRD AE
- Functional Servicing Report, dated Sep 8, 2022, revised Feb. 20, 2024, by BAIRD AE
- Functional Servicing Report Drawings and Appendices A, B & C, by BAIRD AE
- Vibration Study, dated Feb. 20, 2024, by BAIRD AE
- Tree Preservation Plan, dated Feb.16, 2024, by BAIRD AE
- Tree Inventory & Preservation Plan Report, dated Feb. 20, 2024, by Jackson Arboriculture Inc. for Goodban Ecological Consulting
- Avani Homes 6th Concession Road Public Information Centre (PIC) Invitation
- Avani Homes PIC Comment Summary
- Property deed
- Topographic Survey, dated Sep. 30, 2021
- Energy Strategy, dated Dec. 20, 2022, by BAIRD AE

Copy the link below to access the above materials located on the City's website:
https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/4170-4190-sixth-concession-road

CONCEPT DEVELOPMENT PLAN



4. SITE INFORMATION

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	*PREVIOUS USE(S)*
LOW PROFILE RESIDENTIAL: Land Use Designation, North Roseland Planning Area, OP Volume II	RESIDENTIAL DISTRICT 1.2 (RD1.2); ZDM13	4170 Sixth Con. - Single unit dwelling; 4190 sixth Con. - Single unit dwelling	unknown
FRONTAGE	**DEPTH**	**AREA**	**SHAPE**
93.363 m *(44.266 m + 49.097 m)*	irregular	8,413.414sq.m. [2.079 acres]	irregular
Note: All measurements are in accordance with Plan 12R-12694approximate			

5. REZONING MAP

PART OF ZONING DISTRICT MAP 13

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Storey Samways Planning Ltd.

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : APRIL, 2024
FILE NO. : Z-012/24, ZNG/7195

6. NEIGHBOURHOOD CHARACTERISTICS

NEIGHBOURHOOD MAP

NEIGHBOURHOOD MAP - SDN-001/24, SDN-7194 & Z-012/24, ZNG-7195

SUBJECT LANDS

The subject neighbourhood lies on the north side of Dougall Parkway and characterized by low profile residential subdivisions containing single detached dwellings. The subject area is made up of, and currently zoned to accommodate, one low profile residential housing type (single unit dwellings) per lot; whereas, the neighbourhood south of Dougall Parkway (outside the North Roseland Planning Area) is made up of, and zoned to accommodate, a mix of low profile residential housing types (single unit dwellings, semi-detached dwellings and townhome dwellings) per lot/block.

SURROUNDING LAND USE

North, East, and South sides of the subject lands – Low Profile Residential use of the single detached form of housing. Take note that the applicable zoning district (RD1.2) permits single unit dwellings, existing duplexes and existing semi-detached dwellings.

West side of the subject lands – Sixth Concession Road R.O.W, followed by Low Profile Residential use of the single detached form of housing under RD1.1 zoning category.

Further north, east, west and south of the subject lands, within 850m to 1.3km distance, are Municipal Parks and schools.

- Schools - Talbot Trail Public School (900m distance) and First Lutheran Christian Academy (1.3km distance).
- Municipal Parks - Holburn Park (900m distance), Captain John Wilson Park and Talbot Wilson Park (both 1km distance), Stoney brook Park (850m distance), Golden Park (1.2km distance) and North Talbot Park (1.3km distance).

Attached to this report as **Appendix A** are site photos taken on June 3, 2024**.** The site photos show some of the surrounding land uses and the character of the neighbourhood.

MUNICIPAL INFRASTRUCTURE

- The City's records show there is a 250 mm diameter PVC sanitary sewer and a 525 mm diameter RCP storm sewer along Spago Crescent available to service the subject lands. In addition, there is a 315.6m long 5th Concession Drain along the Sixth Concession Road frontage.
- There is an existing 150mm PVC watermain located on the south of the property at Spago Crescent.
- Municipal watermains and fire hydrants are available on Spago Crescent, Zurich Avenue and Holburn Street and Sixth Concession Road north of the subject lands.
- LED streetlights are available within abutting roadways and there are overhead pole lines with street lights along Sixth Concession Road.
- There are concrete sidewalks along the east side of Zurich Avenue, both sides of Holburn Street, and both sides of the portion of Sixth Concession Road from the south limit of the subject lands southerly to North Talbot Road. Gravel shoulders exist on the portion of Sixth Concession Road from the south limit of the subject lands northerly to Provincial Road.
- There are concrete curbs and gutters within Holburn Street, Spago Crescent, Zurich Avenue rights-of-way, but there is no curb and gutter and no sidewalk along that portion of Sixth Concession Road fronting the subject lands and all the way to Provincial Road.
- There are bike lanes on Sixth Concession Road right-of-way, from the south limit of the subject lands southerly to North Talbot Road.
- Transit Windsor Bus routes (Walkerville 8 and School Route Extras) are available to service the subject lands and neighbourhood. Walkerville 8 buses and Massey School Route Extras run along Sixth Concession Road and Holburn Street by the subject lands. The

closest existing bus stop to the subject lands is located on Holburn Street, between Sixth Concession and Zurich Avenue, approximately 120m from the subject properties.

- Sixth Concession Road is classified as Class I Collector Road and Spago Crescent is classified as local road. Holburn Street is classified as Class II Collector Road and is a nearby collector road accessible to the subject lands through Spago Crescent or Zurich Avenue (local roads).

Discussion:

PLANNING ANALYSIS:

1. PLANNING ACT

Section 51, subsection (17) of the Planning Act requires the applicant to provide the approval authority (being the City) with the prescribed information and material and as many copies as may be required by the approval authority of a draft plan of the proposed subdivision drawn to scale and showing several items listed from (a) to (l) inclusive. A review of the applicant's submission shows compliance with s.51(17) of the Planning Act. Further, the submission has regard to matters of Provincial interest set out in section 2 of the Planning Act and criteria for consideration of a draft Plan of subdivision set out in section 51(24) of the Act.

2. PROVINCIAL POLICY STATEMENT (PPS) 2020

A. Excerpts from PARTS I, II, and IV of the PPS 2020

PART I - PREAMBLE: The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement sets the policy foundation for regulating the development and use of land.

PART II – LEGISLATIVE AUTHORITY: The Provincial Policy Statement 2020 was issued under the authority of section 3 of the Planning Act and came into effect May 1, 2020.

In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government "shall be consistent with" this Provincial Policy Statement.

PART IV – VISION FOR ONTARIO'S LAND USE PLANNING SYSTEM: The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

B. PPS 2020 Policies relevant to the subject Planning Act matter under consideration

The following PPS 2020 policies are applicable to the subject planning matters (Zoning By-law Amendment and Plan of Subdivision applications):

- ✓ 1.0 Building Strong Healthy Communities
- ✓ 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns [policies 1.1.1 and 1.1.3]
- ✓ 1.4 Housing (policy 1.4.3).
- ✓ 1.6 Infrastructure and Public Service Facilities (policies 1.6.6.2 and 1.6.6.7)
- ✓ 1.7 Long-Term Economic Prosperity (policy 1.7.1)

The applicant's planning consultant has analyzed these PPS policies (excluding policy 1.6) in their Revised Planning Justification Report (PJR) dated March 18, 2024. I have reviewed the planning analysis in the March 18, 2024, revised PJR and can confirm that the Planning Consultant's analysis is acceptable.

This report provides additional analysis of the relevant PPS 2020 Policies applicable to the subject planning matters.

1.0 Building Strong Healthy Communities:

Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

The PPS points to the important role of land use planning in achieving strong healthy communities, a healthy environment and economic growth.

Policy 1.1.1 states that *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;*
> *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;*

With respect to 1.1.1(a) – The current use and zoning of the subject lands is for single detached dwellings (one on each lot). The recommended zoning by-law amendment will facilitate the redevelopment of the subject lands for a more compact development (townhome dwelling units), which is a more efficient use of the subject lands. Furthermore, the subject lands are within an established residential neighbourhood and, as such, can be readily serviced by available municipal sewers. Consequently, the recommended amendment and draft plan of subdivision

will result in a redevelopment that is cost effective and will sustain the financial well-being of the City and Province.

With respect to 1.1.1(b) – The North Roseland Planning Area is proposed to be primarily a low profile residential Community and the lands are predominantly designated Low Profile Residential. Therefore, only single detached, semi-detached and on-street townhouses are permitted on most of the lands in the area. The current residential zoning category (RD1.2) in the subject area permits single detached dwellings, plus existing duplexes and existing semi-detached dwellings. Consequently, the lands within the subject Planning Area are mostly occupied by single detached dwellings.

This amendment will promote a mix of housing types without an Official Plan Amendment. The recommended amendment from RD1.2 to RD2.3 will complement the existing residential use in the area by allowing semi detached and townhouse types to be built in the subject area.

With respect to 1.1.1(c) – No environmental or public health and safety concern is triggered by the recommended amendment. The Noise study submitted by the applicant identifies some noise concerns from Sixth Concession Road. The Study indicates that monitored noise levels exceed MOECC Noise Level Criteria and, as a result, mitigation measures such as acoustic fencing, building components and warning clauses are recommended to meet the Ministry's criteria.

With respect to 1.1.1(e) – The amendment would promote a more compact development because more units can be built together under one roof; thereby, eliminating additional side yard requirements, which in turn helps minimize land consumption and servicing costs. Each of the proposed townhome dwellings contain two or more common vertical interior walls, which reduces exterior walls in within the development; thereby, making the dwellings more energy efficient and more cost effective.

The subject zoning by-law amendment and draft plan of subdivision will bring about an efficient development with no adverse impact on the financial well-being of the City of Windsor, land consumption, and servicing costs, and will not cause any environmental or public health and safety concerns.

The recommended zoning by-law amendment and draft plan of subdivision are consistent with Policy 1.1.1 of the PPS.

Policy 1.1.3 Settlement Areas

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

The subject parcel is located within a settlement area (City of Windsor) and the subject amendment creates opportunity for growth and development within the City of Windsor settlement area; thereby, promoting the vitality of the settlement area.

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

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

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

This amendment and plan of subdivision will facilitate the development of townhome dwellings that can be designed to complement the existing building stock in the subject area. The applicant's proposal is an infill residential development with increase in the number of dwelling units from 2 to 27 on the subject lands resulting in an increase in density; therefore, the recommended amendment and draft plan of subdivision promote residential intensification.

The subject amendment and plan of subdivision will achieve a more compact low profile residential development that will efficiently use land, resources, and existing infrastructure, including existing and planned active transportation options such as sidewalks and bike lanes. The amendment and plan of subdivision will also support the use of available public transit in the area. The amendment will facilitate the construction of a housing type (townhome dwellings) with dwelling units that have reduced number of exterior walls; thereby, promoting energy efficiency in the proposed buildings.

The subject amendment and plan of subdivision are consistent with Policies 1.1.3.1, 1.1.3.2 and 1.1.3.3 of the PPS.

As noted in Part IV of PPS 2020 – *Vision for Ontario's Land Use Planning System*, "Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs."

Policy 1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area 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, …; 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;

This amendment and plan of subdivision will

- promote a higher density than currently exists on the subject lands;
- create an opportunity for a more compact development in an established residential area containing low density developments that are mostly single unit dwellings;
- facilitate a net increase in residential units or accommodation;
- result in intensification of the subject site and area;

- facilitate the municipality's ability to accommodate residential growth through intensification;
- provide a form of housing that is appropriate in terms of range and mix, and
- meet the social, health and well-being of current and future residents.

Appropriate level of infrastructure, active transportation and transit services are available or will be available in the subject area. The recommended amendment and plan of subdivision are consistent with policy 1.4 of the PPS.

Policy 1.6 Infrastructure and Public Service Facilities

> *1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

The subject lands are within an area that is serviced by municipal sewage services and municipal water services. The applicant's Functional Servicing Report, dated Sep 8, 2022, confirms that "*the sanitary service and water supply for the proposed development are through existing infrastructure along Spago Crescent*." The recommended zoning by-law amendment and plan of subdivision are consistent with policy 1.6.6.2 of the PPS.

> *1.6.6.7 Planning for stormwater management shall:*
> *f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

The applicant's Functional Servicing Report, dated Sep 8, 2022, confirms that "*the stormwater management criteria for this development are based on the City of Windsor and ERCA requirements*." The report demonstrates that approximate stormwater management measures will be provided to satisfy water quality treatment and quantity attenuation criteria. Consequently, the recommended amendment and plan of subdivision promote stormwater management best practices; therefore, are consistent with policy 1.6.6.7 (f) of the PPS.

Policy 1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.

The recommended amendment and proposed residential plan of subdivision will facilitate the supply of more housing and housing options in the immediate area; thereby, helping to support long-term economic prosperity for the city, region, and province.

In summary, the above planning analysis demonstrates that the recommended zoning by-law amendment and plan of subdivision are consistent with the relevant Policies of PPS 2020.

It should also be noted that the planning analysis provided in the applicant's Planning Justification Report (PJR) also demonstrates that the subject zoning by-law amendment is consistent with the relevant Policies of the PPS. See excerpts from the Planning Justification Report attached as **Appendix E** to this planning report. The applicant's planning consultant's conclusion in their PJR is as follows: *In consideration of the above PPS policy discussion, it is my opinion that the proposed townhouse dwelling development is consistent with, and implements, the relevant policies of the Provincial Policy Statement.*

3. OFFICIAL PLAN:

LAND USE DESIGNATION: Low Profile Residential, Schedule NR2-7: Land Use Designations & Concept Plan, North Roseland Planning Area, OP Vol. II. The North Roseland Planning Area is proposed to be primarily a low profile residential Community, (section 3.4, OP Vol. II).

One of the development concept goals in the North Roseland Planning Area is to *"promote land use patterns, residential profiles and building forms that make efficient use of existing resources, services and infrastructure" (SECTION 3.5.1, OP VOL. II*). This townhome development proposal will make efficient use of existing resources, services and infrastructure in the subject area, as discussed already in the PPS section of this report.

Another development concept goal in the North Roseland Planning Area is to "*Facilitate noise/vibration reduction from roads and rail and protect future residents from unacceptable levels of noise/vibrations*" *(SECTION 3.5.2, OP VOL. II*). See discussion under 3.6.10 and 3.7.1.2 below.

SECTION 3.6.3, OP VOL. II states *"Location of low profile residential lot frontages on the collector roads should be avoided."* The proposed development backs unto Sixth Concession and does not front any collector road.

SECTION 3.7.2.1, OP VOL. II states *"For the purposes of this plan, Low Profile Residential development comprises the following types of dwelling: (a) single detached; (b) semi-detached; and (c) on-street townhouses.*" On-street townhouses are proposed on the subject lands.

SECTION 3.7.2.2, OP VOL. II states *"On-street townhouses shall only be permitted along Local Roads."* The proposed on-street townhouses/townhomes front on the proposed Street A and Spago Crescent. Both Street A and Spago Crescent are classified as local roads.

The applicant's recommended zoning amendment and plan of subdivision will result in a townhome development that conforms with the above policies of the North Roseland Secondary Plan.

With respect to Noise Control, *SECTION 3.6.10, OP VOL. II* states, *"Provide adequate noise control measures to reduce noise pollution, vibrations from railway tracks and highways by utilizing minimum intrusive features and appropriate subdivision designs/site plan layouts."*

This planning report highlights the noise control measures recommended by the applicant's Noise and Vibration consultant, BAIRD AE. See Appendix E attached to this planning report.

SECTION 3.7.1.2, OP VOL. II addresses Noise & Vibration Study requirements and states, *"A noise and vibration study(s) shall be required for residential developments and subdivision plans within 300 meters of railway tracks, Sixth Concession Road, Highway #401 and Walker Road. Such noise/vibration study(s) shall identify all noise sources and their impact on residential development. It shall recommend noise/vibration control measures for implementation...*"

As noted already in this report, the applicant submitted an Acoustical Report and a Vibration Study, prepared by BAIRD AE. Recommendations and conclusions from both studies are noted in Appendix E attached to this report.

Noise control measures and warning clauses are recommended by BAIRD AE and have been included in Recommendation III of this planning report. Vibration warning clause is also recommended by BAIRD AE and have been included in Recommendation III of this report.

In summary, the recommendations contained in this report will lead to the implementation of appropriate noise and vibration mitigation measures in the site and building design for the subject development, in accordance with the BAIRD AE's recommendations.

SECTION 6.3.1 OF OP VOL. 1 – RESIDENTIAL OBJECTIVES

The Residential objectives of the Official Plan include the following: (i) to support a complementary range of housing forms, (ii) to promote compact residential form for new developments, and (iii) to promote residential redevelopment, infill and intensification initiatives in locations in accordance with the City of Windsor Official Plan. (Sections 6.3.1.1, 6.3.1.2 and 6.3.1.3, OP Vol.1.)

The above noted objectives of the OP are satisfied by the proposed development on the subject lands. The amendment and plan of subdivision support a complementary housing form in the subject neighbourhood. The amendment also provides opportunity for residential redevelopment, infill and intensification; thereby, promoting a compact neighbourhood as shown in the concept plan SDN-001/24-2, attached as Appendix C to this report.

SECTION 11.6.3 OF OP VOL. 1 – ZONING BY-LAW AMENDMENT POLICIES

The recommended zoning by-law amendment and the draft plan of subdivision are consistent with the relevant policies of the PPS noted in this report and conform with the relevant policies of OP Vol. II as discussed already in this report.

Support studies were received as noted earlier in this report and those studies were considered in the preparation of this report. The requirements, comments and recommendations from municipal departments and circularized agencies have been considered as noted in this report, particularly, in the CONSULTATION section of this report.

The zoning by-law amendment promotes opportunity for residential redevelopment, infill and intensification, which creates a compact form of neighbourhood and ensures continuation of an orderly development pattern in the subject area. The zoning by-law amendment and draft plan of subdivision will provide additional housing supply / opportunities in the area with no adverse impact on the adjacent properties.

Based on the above analysis in this report, the recommended Zoning By-law Amendment maintains conformity with the Official Plan per section 11.6.3.1 and meets the criteria set out above under section 11.6.3.3 of the OP Vol. 1.

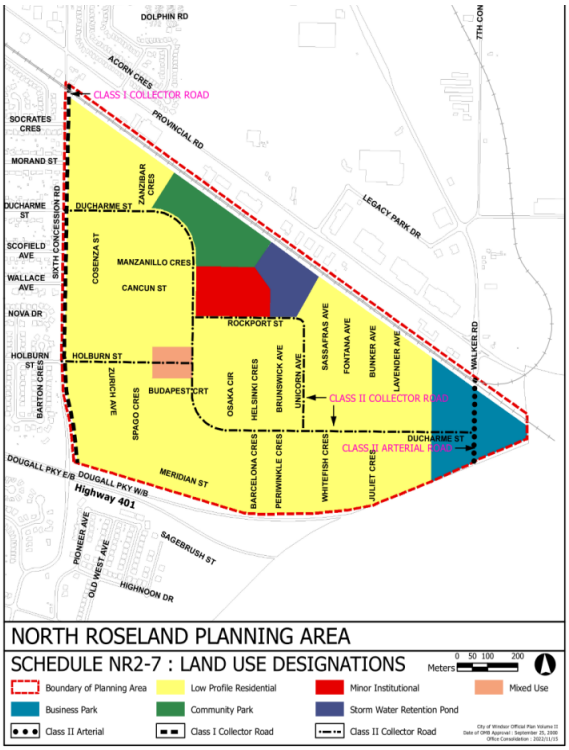
4. ZONING

The subject lands are zoned Residential District 1.2 (RD1.2) by City of Windsor Zoning By-law 8600. This zoning by-law amendment application provides an opportunity to redevelop the underutilized lands currently occupied by two single unit dwellings and accessory structures to achieve five townhome dwellings with 27 townhome dwelling units.

The Zoning District Map shows that currently, the RD1.2, RD1.4 and DRD1.1 zoning categories are the residential zoning categories intended to permit low profile residential developments in the North Roseland Planning Area. However, these zoning categories (RD1.2, RD1.4 and DRD1.1) encourage only one type of low profile residential development out of the three forms of low profile residential developments permitted / listed in *S.3.7.2.1, OP VOL. II*.

The Maps below are meant to help the reader understand the gap between the current zoning categories in the subject area and the land use designation that should be implemented. This

amendment and plan of subdivision will result in the implementation of policy 3.7.2.1, OP Vol. II, in a manner that is consistent with the Provincial Policy Statement 2020.



Land Use Schedule - North Roseland Planning Area

Zoning District Map 13

The recommended new zoning is Residential District 2.3 (RD2.3), and uses permitted in the RD2.3 zoning category are as follows:

- One Semi-detached Dwelling
- *One Single Unit Dwelling*
- *Townhome Dwelling*
- *Any use accessory to the preceding uses*

A review of Zoning By-law 8600 shows that Residential District 2.3 (RD2.3) is an appropriate zoning category for the subject lands because it permits the three types of low profile residential developments permitted in the North Roseland Planning Area. The RD2.3 zoning category implements *SECTION 3.7.2.1*, OP Volume II, which states *"For the purposes of this plan, Low Profile Residential development comprises the following types of dwelling: (a) single detached; (b) semi-detached; and (c) on-street townhouses."* The *"on-street"* component of the townhouse dwellings is a matter of design and can be achieved, as evidenced in the applicant's concept plan Map SDN-001/24-2 attached as Appendix C to this report. The RD2.3 zoning category also encourages a range and mix of low profile residential housing options in the subject area, which is consistent with the PPS 2020.

As noted in pages 2 to 4 of the attached Appendix E, area residents expressed concerns about the proposed townhouse development on the subject lands. The proposed density for the subject development was noted as a concern.

DENSITY: The current RD1.2 zoning category permits a single unit dwelling on a parcel with a minimum lot area of 360m^2, which results in a density of 27.78 units per hectare. Similarly, the RD2.3 zoning category permits a single unit dwelling on a parcel with a minimum lot area of

360m^2. Therefore, density remains the same for single unit dwellings on the existing and proposed zoning categories.

However, the RD2.3 zoning permits additional forms of low profile developments and higher densities, making it a more appropriate zoning category to use in implementing the North Roseland Planning Area objective for lands designated low profile residential. In the RD2.3 zoning, the minimum lot area requirement for a semi-detached dwelling is 450m^2, resulting in a density of 44.44 units per hectare; while the minimum lot area requirement for a townhome dwelling is 200m^2 per unit, which amounts to a density of 50 units per hectare.

Tables 1 and 2 below would help the reader understand the density discussion in the subject area. As shown below, the proposed densities in Table 2 are appropriate for townhome dwellings in the North Roseland Planning Area.

TABLE 1	SINGLE UNIT DWELLING		SEMI-DETACHED DWELLING	TOWNHOME DWELLING
By-law 8600	RD1.2	RD2.3	RD2.3	RD2.3
Lot Area - minimum required	360m^2	360m^2	450m^2	200m^2 per unit
Density (maximum permitted)	27.78 units per ha	27.78 units per ha	44.44 units per ha	50 units per ha

TABLE 2	PROPOSED DENSITIES FOR THE PROPOSED TOWNHOME DEVELOPMENT				
SDN-001/24-1 (APPENDIX B)	Block 1	Block 2	Block 3	Block 4	Block 5
Proposed Lot Area	1317.96m^2	1542.92m^2	1264.62m^2	1049.36m^2	751.46m^2
Proposed Number of dwelling units	6	7	6	5	3
Minimum Lot Area per unit	219.66m^2	220.42m^2	210.77m^2	209.87m^2	250.49m^2
Density (proposed)	45.52 units per ha	45.37 units per ha	47.44 units per ha	47.65 units per ha	39.92 units per ha

PARKING: Parking requirement for the proposed townhome dwellings is as follows:

Townhome Dwelling

- having an attached garage or carport — 1 parking space for each dwelling unit
- without an attached garage or carport — 1.25 parking spaces for each dwelling unit

A minimum setback of 6.0m is required from the exterior lot line to a garage wall (section 5.11.1, By-law 8600). Therefore, Lot 25 in Block 5, will not comply with by-law 8600, if it has a garage door facing the west exterior lot line). Also, if Lot 25 does not have a garage, the parking space provided is too small (per section 24.20.10, By-law 8600). The applicant is advised to adjust the design of Lot 25 to comply with the noted sections of By-law 8600.

5. HOLDING PROVISION

A hold provision is recommended for this zoning by-law amendment to ensure that construction permit is not issued for any of the permitted uses in the RD2.3 zoning district (save & except the single unit dwelling, which is currently permitted in the RD1.2 zoning category) until such time when the final plan of subdivision is registered. This holding provision also creates the opportunity for the City and the applicant to address outstanding planning issue(s) through a subdivision agreement, which will be executed and registered on title before a final plan of subdivision can be registered. The holding provision can be removed when an application is made for the removal of the H symbol and all applicable conditions are satisfied.

A draft by-law is attached as **Appendix F.**

6. SITE PLAN

The proposed amendment is NOT a "development" as defined in section 41(1) of the Planning Act and the City of Windsor By-law 1-2004. Therefore, the applicant is NOT required to submit application for Site Plan Approval.

Risk Analysis: N/A. See Climate Change risk analysis below.

Climate Change Risks

Climate Change Mitigation:

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods use available infrastructure such as sewers, sidewalks, and public transit and, as such, help to mitigate development impact. Although there are currently no sidewalks on the section of Sixth Concession Road from the subject lands northerly towards Provincial Avenue; it is expected that the existing sidewalks in the subject neigbhourhood, planned future sidewalks, existing bicycle lanes in and around the subject area will facilitate active transportation and positively impact climate change. The proposed residential intensification on the subject lands will encourage the use of existing and planned transit and active transportation in the neighbourhood, which will help to minimize the City's carbon footprint.

Climate Change Adaptation:

Trees and other landscaping features help create better living conditions and support climate change adaptation. Implementation of the lot-grading plan for this proposed development would help mitigate adverse impacts on climate change. Stormwater management facilities also help to support climate change adaptation.

Financial Matters: N/A

Consultations:

1. PUBLIC OPEN HOUSE [Developer-led Public Information Centre (PIC)]

   DATE: November 9, 2022.

   VENUE: Signature Tributes Event Centre, 3310 Dougall Avenue, Windsor.

   TIME: 7 pm (ended at 9 pm)

   NEIGHBOURHOOD PARTICIPATION: Attended by 15 members of the public (neighbours). It is noted that 135 invitations were mailed to those landowners within a 120 m buffer of the subject lands.

Summary of comments/concerns/input from the area residents and the response from the applicant's planning consultant can be found in Appendix E attached to this report.

Key issues include:

- Increase in Density (proposed number of dwelling units is high for the land area),
- Increase in traffic volume, traffic speed, and on-street parking,
- Privacy concerns for the rear yards of abutting existing homes,
- Existing storm and sanitary sewer capacity.

Density has been discussed in the zoning section of this report, as well as in the PJR portion of Appendix E attached to this report.

Aside from the response provided by the applicant's planning consultant with respect to increase in traffic volume and speed, the applicant's Traffic Impact Study confirmed that *"upgrades are required for the existing intersection of 6th Concession Road with Holburn Street infrastructure in 2030 and 2035 background conditions. These upgrades are **not** due to the proposed development as the development's traffic will have minimum impact on the operation of existing intersections*."

The PJR portion of Appendix E contains the applicant's planning consultant's response to Privacy concerns, the existing storm, and sanitary sewer capacity. Also, excerpts from the Functional Servicing Report (see Appendix E) confirm that the existing sanitary sewer from Spago Crescent has enough capacity to accommodate the proposed development of 27 dwelling units. The FSR also states that stormwater measures will be provided to satisfy water quality treatment and quantity attenuation criteria.

2. DEPARTMENT AND AGENCIES

Attached as **Appendix D,** to this report, are comments from the municipal departments and external agencies. There are no objections; however, some comments include conditions and/or recommendations for the approval of the rezoning application and plan of subdivision. This report takes into consideration those conditions and recommendations found in Appendix D, and the recommendations within the required studies and reports submitted by the applicant.

The following items/issues, found in the attached Appendix D, are best addressed within a subdivision agreement. Consequently, this report recommends inclusion of those issues and other conditions of approval within a subdivision agreement for the proposed development on the subject lands.

Development, Projects & ROW has the following requirements:

Plan of Subdivision Agreement - The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Plan of Subdivision Agreement for the Engineering Department.

Sidewalks -The owner(s) agrees, to:

- Pay to the Corporation, prior to the issuance of a Building Permit, the sum of $10,080.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the 6th Concession Road frontage of the subject lands.
- Construct at their expense and according to City of Windsor Standard Specifications, concrete sidewalks constructed to the satisfaction of the City Engineer. Sidewalks are to be constructed at the following locations:
  - New Street A – along the west boulevard
  - Spago Crescent - along the north boulevard from Street A to Zurich Avenue

Curbs and Gutters – The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, the sum of $5,328.00 being the Owner's contribution towards the future construction of concrete curb & gutter on the 6th Concession Rd frontage of the subject lands.

Drainage Report - The Owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed Drainage Report in accordance with the Drainage Act.

Servicing Charges – The applicant(s) shall note that they may be required to pay servicing charges for the existing sewers on Spago Crescent and/or sewer connection(s) owing to Sixth Concession Development Ltd. if not paid previously for this site. Proof of payment will be required prior to the issuance of a construction permit.

Other requirements:

- Parkland dedication
- Tree Protection Plan
- ENWIN minimum separation requirement: to ensure adequate clearances are achieved and maintained.
- Enbridge Gas has active infrastructure in the proposed area and requires a minimum separation of 0.6m horizontal and 0.3m vertical from all Enbridge's plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. Furthermore, Enbridge requires a minimum separation of 1.0m when drilling parallel to any of their pipelines.
- ERCA's requirement for stormwater management analysis is addressed in the City of Windsor Subdivision Agreement General Provisions G-2 (4).
- Canada Post Developer requirements are addressed in the City of Windsor Subdivision Agreement General Provisions G-2 (11) (a) to (e)

3. PUBLIC NOTICE

The Corporation of the City of Windsor will advertise the official notice in the Windsor Star Newspaper as prescribed by the Planning Act.

The City will mail courtesy notice to all properties within 200 m of the subject parcel, prior to the Development & Heritage Standing Committee (DHSC) meeting.

Conclusion and Planner's Opinion:

The applicant's request to change the zoning of the subject lands from Residential District 1.2 to Residential District 2.3 will facilitate the proposed townhome residential subdivision development on the subject lands and positively impact housing supply in the city.

The applications have been processed and evaluated considering the Provincial Policy Statement, Planning Act, City of Windsor Official Plan policies, and comments received from municipal staff and outside agencies.

The Planning Justification Report submitted by the applicant explains salient details of the applications and provides salient information and supporting reasons why the draft plan of subdivision and the zoning by-law amendment applications should be considered and approved. As part of this report, I have provided additional planning analysis in support of the proposed Plan of Subdivision and the Zoning By-law Amendment, based on relevant provincial legislation and Official Plan policies.

In my professional opinion, both the recommended Zoning By-law Amendment and Draft Plan of Subdivision are consistent with the policies of the Provincial Policy Statement 2020 and maintain conformity with the City of Windsor Official Plan.

The proposed Draft Plan of Subdivision meets the requirements under section 51(17) of the Planning Act and can be designed in compliance with the Zoning By-law 8600 (as amended). The Draft Plan of Subdivision will provide housing opportunities in an established area.

Administration is recommending that the Draft Plan of Subdivision be approved subject to the conditions as in Recommendations III to VII (inclusive) of this report and the Zoning By-law Amendment be approved as in Recommendation I of this report, subject to a holding prefix

removal in accordance with Recommendation II of this report. The recommended zoning by-law amendment and plan of subdivision constitute good planning.

A decision to approve this zoning by-law amendment and the draft plan of subdivision is consistent with the PPS 2020.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP
Manager of Development/Deputy City Planner

Thom Hunt, MCIP, RPP
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
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Abutting property owners, tenants/ occupants within 200 meters (400 feet) radius of the subject lands		

Appendices:

1 Appendix A - Site Photos (taken June 3, 2024)
2 Appendix B - Draft Plan of Subdivision, SDN-001/24-1
3 Appendix C - Development Concept Plan, SDN-001/24-2
4 Appendix D - Consultations – Results of Circulation
5 Appendix E - Excerpts from Planning Justification Report & other Required Support Studies
6 Appendix F - Draft By-law for Z-012/24

Appendix A, Site Photos (taken June 3, 2024)

View of existing buildings on the subject lands, looking north from Spago Crescent, in front of the property known as 4411 Spago Crescent

View of abutting property (4411 Spago Cres.) south side of the subject lands, looking west from Spago Crescent

Partial view of the driveway on 4411 Spago Crescent and existing buildings on 4190 Sixth Concession Rd.

Appendix A, Site Photos (taken June 3, 2024)

View of Spago Cres., looking east towards Zurich Ave., from the south side of the subject lands, at 4411 Spago Cres.

View of Spago Cres., looking west towards 4411 Spago Cres., from the intersection of Spago Cres. and Zurich Ave.

View of Zurich Avenue, looking north towards Holburn St., from the intersection of Spago Cres. and Zurich Ave.

Appendix A, Site Photos (taken June 3, 2024)

View of Holburn Street looking west towards Sixth Concession, from the intersection of Holburn and Zurich

A close view of Holburn Street looking west towards Sixth Concession, from the intersection of Holburn and Zurich

Appendix A, Site Photos (taken June 3, 2024)

Street view of Sixth Con. Rd., looking north from the intersection of Sixth Concession Road and Holburn Street

View of southeast corner of Holburn and Sixth Con. from Sixth Con. Rd and Holburn St. intersection, looking at properties abutting the north limit of the proposed development

Street view of Holburn Street, looking east from the intersection of Sixth Concession Road and Holburn Street

Appendix A, Site Photos (taken June 3, 2024)

View of east and west sides of Sixth Concession Road in front of the subject lands, looking south

View of Sixth Con. Rd showing the end of the existing concrete sidewalks south of the subject lands, looking south

View of Sixth Concession Road from the subject lands, looking north towards Holburn St.

Appendix A, Site Photos (taken June 3, 2024)

FRONT/WEST VIEW 4190 SIXTH CON. RD. AND NORTH WALL OF 4411 SPAGO CRESC., LOOKING EAST FROM SIXTH CON. RD

FRONT/WEST VIEW 4170 & 4190 SIXTH CONCESSION ROAD, LOOKING EAST FROM SIXTH CONCESSION ROAD

Photo showing existing driveway for 4170 Sixth Concession Road

Photo showing existing driveway for 4190 Sixth Concession Road

PHOTOS OF EXISTING DRIVEWAYS OFF SIXTH CONCESSION ROAD, LOOKING EAST AT THE SUBJECT LANDS

SCHEDULE OF LAND USE				
LOTS/BLOCKS	LAND USE	UNITS	AREA	PERCENTAGE AREA
BLOCK 1-5	TOWNHOMES	27	5,926.31	70.34%
BLOCK 6	STORMWATER MANAGEMENT (TO BE DEDICATED TO THE CITY)		540.97	6.42%
BLOCK 7-8	ROAD RESERVE		34.03	0.40%
STREET A	ROAD		1,923.54	22.83%
TOTAL		27	8,424.850	100.00%

ADDITIONAL INFORMATION IN ACCORDANCE WITH SECTION 51(17) OF THE PLANNING ACT

A) BOUNDARIES OF THE LANDS PROPOSED TO BE SUBDIVIDED: AS SHOWN ON DRAFT PLAN
B) HIGHWAYS: AS SHOWN ON DRAFT PLAN
C) KEY PLAN: AS SHOWN ON DRAFT PLAN
D) PROPOSED USES: THE LAND IS TO BE USED ACCORDING TO SCHEDULE OF LAND USE
E) EXISTING USES OF ADJOINING LAND: AS SHOWN ON DRAFT PLAN
F) APPROXIMATE DIMENSIONS AND LAYOUT THE PROPOSED LOTS: AS SHOWN ON DRAFT PLAN
F1) AFFORDABLE HOUSING: NONE PROPOSED
G) NATURAL AND ARTIFICIAL FEATURES: AS SHOWN ON DRAFT PLAN
H) AVAILABILITY AND NATURE OF DOMESTIC WATER SUPPLIES: MUNICIPAL WATER SUPPLY AVAILABLE
I) SOIL TYPE: BROOKSTON CLAY LOAM
J) EXISTING CONTOURS: AS SHOWN ON DRAFT PLAN
K) MUNICIPAL SERVICES AVAILABLE OR TO BE AVAILABLE: ALL MUNICIPAL SERVICES AVAILABLE, INCLUDING SANITARY SERVICES
L) RESTRICTIONS AFFECTING THE LAND: AS SHOWN ON DRAFT PLAN

KEY PLAN
SCALE 1:5000

DRAFT PLAN OF SUBDIVISION
OF PART OF
PART OF LOT 13, CONCESSION 6
(GEOGRAPHIC TOWNSHIP OF SANDWICH EAST)
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO

APPENDIX B - DRAFT PLAN OF SUBDIVISION, SDN-001/24-1

NOTE : FOR INFORMATION ONLY. SEE LARGE SCALE DRAWINGS FOR FURTHER DETAILS.

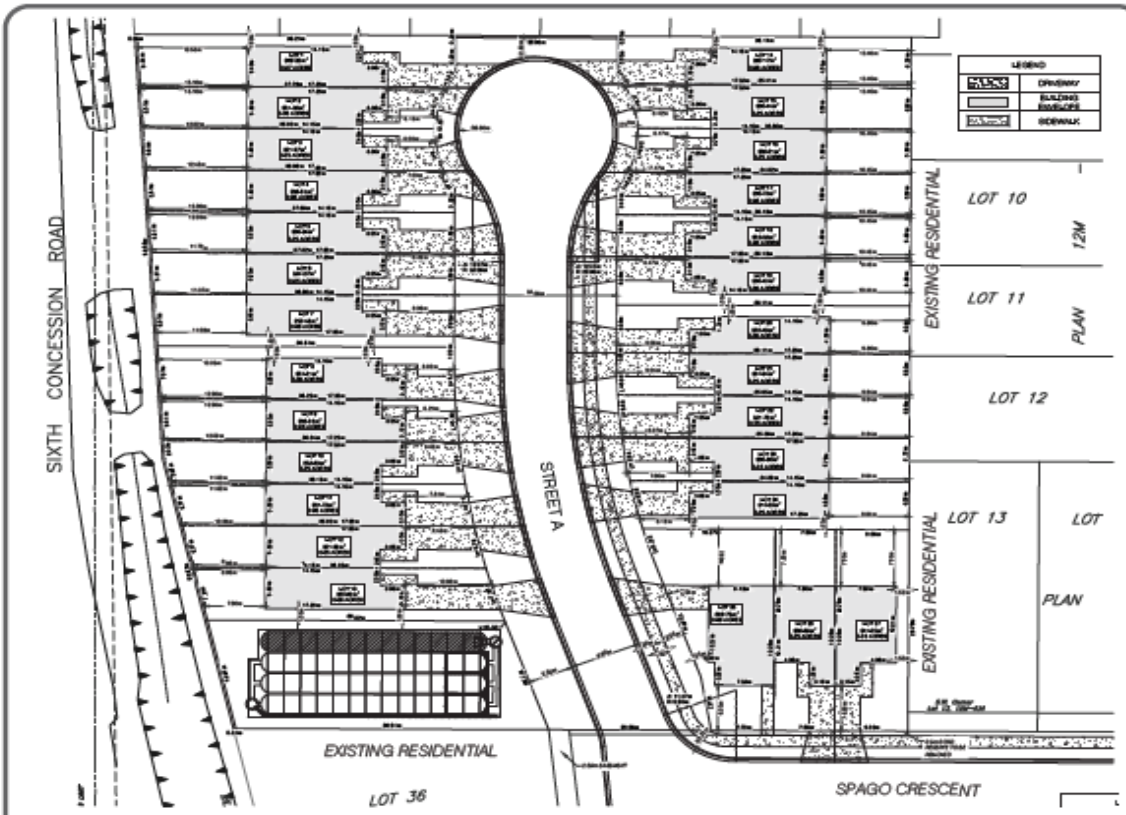
DRAFT PLAN OF SUBDIVISION

MAP NO : SDN-001/24-1 (DRAFT PLAN)

APPLICANT : 2863167 ONTARIO INC.

DATE: APRIL, 2024

CITY OF WINDSOR PLANNING DEPARTMENT



TOWNHOME DWELLING DETAILS								
LOT NO.	PROPOSED							ZONING COMPLIES
	FRONT YARD (m)	REAR YARD (m)	SIDE YARD (m)	LOT WIDTH (m)	LOT COVERAGE	FRONT YARD PAVING		
						REQUIRED	PROPOSED	
LOT 1	7.46	43.00	4.50	6.00	60.43 m² (32.41%)	60.00%	46.55%	COMPLIES
LOT 2	6.30	42.70		5.50	57.43 m² (43.40%)	60.00%	66.29%	COMPLIES
LOT 3	6.47	42.34		5.50	60.86 m² (43.86%)	60.00%	64.91%	COMPLIES
LOT 4	7.44	41.88		5.50	57.43 m² (42.33%)	60.00%	63.70%	COMPLIES
LOT 5	6.30	41.42		5.50	57.43 m² (42.38%)	60.00%	62.17%	COMPLIES
LOT 6	6.30	43.76		5.50	57.43 m² (42.84%)	60.00%	62.11%	COMPLIES
LOT 7	6.30	43.44	4.50	6.00	60.32 m² (33.94%)	60.00%	46.58%	COMPLIES
LOT 8	6.30	42.88	4.50	7.00	60.86 m² (34.42%)	60.00%	50.38%	COMPLIES
LOT 9	6.49	42.88		5.50	60.86 m² (43.70%)	60.00%	63.27%	COMPLIES
LOT 10	6.49	41.89		5.50	60.86 m² (43.87%)	60.00%	63.41%	COMPLIES
LOT 11	6.54	41.32		5.50	60.86 m² (44.27%)	60.00%	62.00%	COMPLIES
LOT 12	7.22	40.43		5.50	60.86 m² (44.44%)	60.00%	58.00%	COMPLIES
LOT 13	6.86	41.24	4.50	7.00	57.43 m² (34.42%)	60.00%	46.28%	COMPLIES
LOT 14	7.76	40.46	4.50	6.38	70.86 m² (34.47%)	60.00%	53.49%	COMPLIES
LOT 15	6.42	40.46		5.50	62.36 m² (45.32%)	60.00%	62.94%	COMPLIES
LOT 16	6.47	40.46		5.50	63.22 m² (45.42%)	60.00%	64.02%	COMPLIES
LOT 17	7.47	40.46		5.50	60.86 m² (44.27%)	60.00%	58.68%	COMPLIES
LOT 18	6.30	42.82		5.50	60.86 m² (43.82%)	60.00%	60.95%	COMPLIES
LOT 19	6.30	42.82	4.50	6.38	70.54 m² (34.27%)	60.00%	53.94%	COMPLIES
LOT 20	6.42	42.79	4.50	6.38	70.69 m2 (34.44%)	60.00%	53.24%	COMPLIES
LOT 21	6.49	42.79		5.50	60.86 m² (44.32%)	60.00%	60.91%	COMPLIES
LOT 22	6.87	41.28		5.50	60.86 m² (44.32%)	60.00%	58.94%	COMPLIES
LOT 23	6.46	41.24		5.75	60.07 m²(45.20%)	60.00%	64.33%	COMPLIES
LOT 24	6.49	9.84	4.50	6.38	70.36 m² (35.80%)	60.00%	55.03%	COMPLIES
LOT 25	6.30	7.50m	4.50	11.00	103.12 m² (33.94%)	60.00%	49.40%	COMPLIES
LOT 26	6.30	7.50m		7.50	60.17 m² (42.94%)	60.00%	47.03%	COMPLIES
LOT 27	6.30	7.50m	4.50	8.00	60.24 m² (33.76%)	60.00%	39.03%	COMPLIES

SITE PLAN			
EXISTING ZONING	RESIDENTIAL DISTRICT 4.2 (RD4.2) ZONE		
PROPOSED ZONING	RESIDENTIAL DISTRICT 3.3 (RD3.3) ZONE		
PERMITTED ZONING	TOWNHOME DWELLING, AMONG OTHER USES PERMITTED WITHIN THE RESIDENTIAL DISTRICT 3.3 ZONE		
PROPOSED USE	TOWNHOME DWELLING		
DESCRIPTION	REQUIRED	PROVIDED	ZONING COMPLIANCE
MIN. FRONTAGE WIDTH	20.00m (65.62 ft)	20.00m (65.62 ft)	COMPLIES
MIN. LOT AREA	200.00m²	≥ 208.03m² (2,239.79 sq.ft)	COMPLIES
MIN. FRONT YARD	6.00m	SEE ABOVE TABLE	
MIN. REAR YARD	7.50m	SEE ABOVE TABLE	
MIN. SIDE YARD	4.50m	SEE ABOVE TABLE	
MIN. LOT WIDTH	EQUAL TO THE WIDTH OF THE DWELLING UNIT PLUS ANY EXTERIOR SIDE YARD AS EXISTING AT THE TIME OF THE LOT SEVERANCE	SEE ABOVE TABLE	
MAX. LOT COVERAGE (ZBL 5,713)	40% OF LOT AREA, AND 50% OF LOT AREA FOR TOWNHOME DWELLING SEVERED BY A COMMON INTERIOR LOT LINE THAT SEPARATES THE DWELLING UNITS	SEE ABOVE TABLE	
MAIN BUILDING HEIGHT	MAX 8.00m	8.00m	COMPLIES
FRONT YARD PAVING	60% OF THE REQUIRED FRONT YARD AREA PLUS 5% PER METER DECREASE IN LOT WIDTH BELOW 9M TO A MAXIMUM OF 75% OF THE REQUIRED FRONT YARD AREA	SEE ABOVE TABLE	
ACCESS AREA WIDTH	MIN 3.00m TO MAX 4.00m	3.00m	COMPLIES
PARKING FOR TOWNHOME DWELLINGS	1 SPACE FOR EACH DWELLING OF TOTAL 27 DWELLINGS = 27 SPACE	27 SPACES PROVIDED	COMPLIES
LOT BUILDING INFO			
TOTAL LOT AREA	5,277.03m² (56,34.59 sq. ft) 0.527 ha (1.47 ha)		
TOTAL BUILDING AREA	2,366.54m² (25,473.22 sq. ft)		
TOTAL RESIDENTIAL DWELLING UNITS	27 UNITS		
HEIGHT OF BUILDING / NO. OF STOREYS	8.00m / 1.5 STOREY		
BUILDING USE & OCCUPANCY	RESIDENTIAL		

NOTE : FOR INFORMATION ONLY. SEE LARGE SCALE DRAWINGS FOR FURTHER DETAILS.

DRAFT PLAN OF SUBDIVISION

MAP NO : SDN-001/24-2 (CONCEPT DEVELOPMENT PLAN)

APPLICANT : 2863167 ONTARIO INC.

DATE: APRIL, 2024

CITY OF WINDSOR PLANNING DEPARTMENT

BELL CANADA – JUAN CORVALAN

Bell Canada will provide a response should any comments / input be required on the information included in the circulation received. Bell Canada kindly requests that even if a specific comment is not provided at this time that you continue to circulate us at circulations@wsp.com on any future materials related to this development project or infrastructure / policy initiative so that we can continue to monitor its progress and are informed of future opportunities for engagement.

1) Bell Canada Responses to Pre-Consultation & Complete Development Application Circulations:

Pre-consultation Circulations
Please note that Bell Canada does NOT generally comment on pre-consultation circulations unless the information provided identifies that a future draft plan of subdivision, draft plan of condominium and/or site plan control application will be required to advance the development proposal.

Complete Application Circulations & Recirculations
Please note that Bell Canada does NOT generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

Bell Canada will generally comment on recirculations where the change modifies the proposed residential dwelling unit count and/or non-residential gross floor area in a draft plan of subdivision, draft plan of condominium and/or site plan control application.

2) Bell Canada Responses to Infrastructure and Policy Initiative Circulations:
If required, a follow-up email will be provided by Bell Canada to outline any input to be considered on the infrastructure / policy initiative circulation received at this time.

Concluding Remarks:
If you have any other specific questions, please contact planninganddevelopment@bell.ca directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP**. WSP is not responsible for the provision of comments or other responses.

CANADA POST – BRUNO DESANDO

Thank you for contacting Canada Post regarding plans for a new subdivision in the City of Windsor. Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see *Appendix A* for any additional requirements for this developer.

***Appendix A* - Additional Developer Requirements:**

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
  - Any required walkway across the boulevard, per municipal standards
  - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
  - A Community Mailbox concrete base pad per Canada Post specifications.

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Walkerville 8. The closest existing bus stop to this property is located on Holburn at Sixth Concession Southeast Corner. This bus stop is approximately 120 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. Transit Windsor's City Council approved Transit Master Plan has a new local route replacing the Walkerville 8 in this area that will further enhance transit service by introducing two way conventional transit service versus the existing one way loop.

ASSESSMENT MANAGEMENT – JOSE MEJALLI

No objection to the amended zoning to allow the proposed new residential subdivision with five (5) townhome dwellings containing a total of 27 townhome dwelling units at the above noted location.

ENVIRONMENTAL SERVICES – ANNE MARIE ALBIDONE

So long as the cul-de-sac radius is the standard the City uses, then I have no objections. The radius needs to be large enough for our collection trucks to turn around in (as well as emergency vehicles).

ENBRIDGE – JOSE DELLOSA

After reviewing the provided drawing at Sixth Concession Rd & Holburn St and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. Two (2) services at 4170 and 4190 Sixth Concession Rd as well as the gas main on Spago Cres. 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

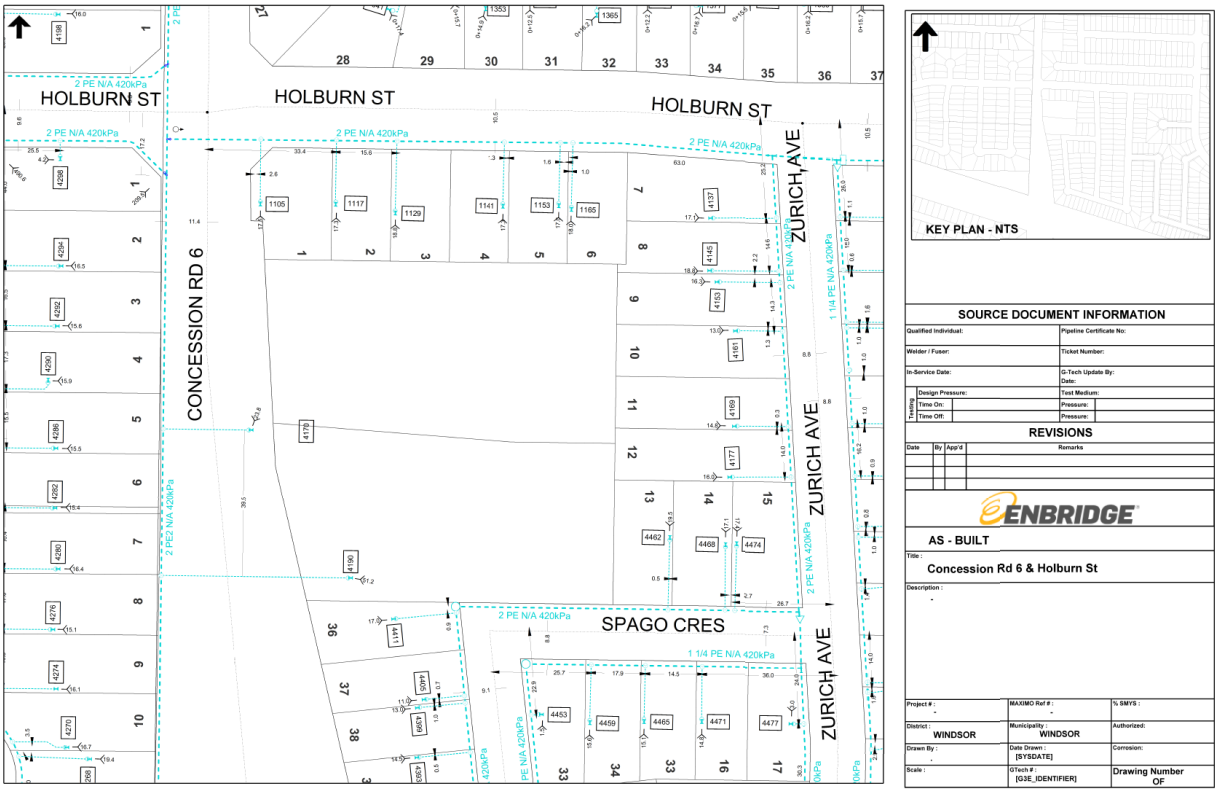
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

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

Concession Rd 6 & Holburn St. As-Built Diagram



ERCA – ALICIA GOOD

The City of Windsor has received Application for Draft Plan of Subdivision Approval SDN-001-24 for the above noted subject lands, which proposes to construct five (5) townhouses with twenty-seven (27) units, with frontage on a new local street, on two existing lots of record, totalling 8,422.52 sq m (90,662.22 sq ft).

The City of Windsor has also received Application for Zoning By-Law Amendment Z-012-24 to support the Application for Draft Plan of Subdivision Approval.

The subject lands are designated *Low Profile Residential* on Schedule NR2-7 – Land Use Designations & Concept Plan, North Roseland Planning Area, OP. Vol.2, and zoned *RD1.2* by Zoning By-Law 8600.

The RD1.2 zoning category does not permit townhome dwellings; therefore, the applicant is also requesting an amendment to the zoning by-law 8600 to change the zoning of the subject lands from RD1.2 to RD2.3 to permit the proposed townhome dwellings. An Official Plan Amendment is not required.

The following is provided as a result of our review of Notice of Public Meeting to Consider Draft Plan of Subdivision SDN-001-24, and Zoning By-Law Amendment Z-012-24.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under 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 (Ontario Regulation 41/24 under 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.*

ERCA has concerns with the potential impact to the quantity and quality of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that both the quantity and quality of excess runoff be adequately controlled to avoid any adverse impacts to the downstream watercourse. We further recommend that this analysis be completed to the satisfaction of the municipality. We do not require further consultation on this file with respect to excess runoff from the proposed development.

Our office continues to uphold our previous comments for Z-012-24, labelled as Z-001-23 (dated March 27, 2023).

2023 ERCA COMMENTS FOR Z-001/24 (6TH CONCESSION RD).

The City of Windsor has received an Application for Zoning By-Law Amendment for the subject property. The applicant is requesting the amendment to permit townhouses. There is provision for onsite storm servicing. In addition, the applicant requests site-specific zoning provisions to permit interior side yard of 1.2m for lots 23 & 24, and 75% front yard paving for Lot 24. Five (5) townhouses with 27 townhouse dwelling units are shown on the development concept plan. The applicant intends to submit a separate application for approval of a draft plan of subdivision on the subject lands.

The following is provided as a result of our review of Zoning By-Law Amendment Z-001/23.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF 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).

Stormwater Management

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. We do not require further consultation on this file with respect to stormwater management.

FINAL RECOMMENDATION
We therefore request the following draft condition for inclusion in the Notice of Decision and implementing Subdivision Agreement:

1. That a stormwater management plan be designed and implemented to the satisfaction of the City of Windsor.

WINDSOR FIRE – MICHAEL COSTE

No issues with fire

LANDSCAPE & URBAN DESIGN – STEFAN FEDIUK

Please have the applicant's Arborist provide the tree inventory in digital form (ie. MSExcel) so we can calculate the loss to the urban tree canopy, and calculate what requirements there are for tree planting's related to the proposed subdivision.

Previous comments from Stefan Fediuk

August 16, 2023 – *Stage 1 PC-011/23*:

No additional Studies are required from a landscape architectural or urban design perspective. Comments related to Z001-23 still apply as requirements for the fulfillment of the application as both the zoning and subdivision applications will be processed concurrently.

Per the subdivision application, the applicant is to be aware that there is a requirement for one municipal boulevard trees per unit to be planted. Payment as cash-in-lieu can be paid at the time of building permit for the City Forester to plant those trees.

March 24, 2023 – *comments related to Z-001/23:*

Pursuant to the application for a zoning amendment (Z 001/23) to permit TOWNHOUSES on the subject, by rezoning from RD1.2 to RD2,2 please note no objections. Please also note the following comments:

Zoning Provisions for Parking Setback:
There are no objections to the requested side yard reductions for Lot 23 & 24 and the front yard paving increase to 75% for lot 24. The irregular shaped corner lot created by lot 24 allows for a greater enhancement to the landscape area abutting Street 'A.

Tree Preservation & Climate Change:
The applicant has provided a Tree Inventory recognizing 65 existing trees, with 10 of those trees (No. 1, 2, 3, 51, 52, 53, 54 60, 61, 62, 64, and 65) situated within the municipal or considered 'Shared Trees' which straddle the property line between private and public

ownership. The Planning Justification Report and the Energy Strategy do not make reference to the existing trees nor their preservation.

Issues of privacy have been cited by abutting residences, which could be alleviated with the preservation of as many of the existing trees as possible, especially those situated along the periphery of the development site (potentially trees no. 4 thru 32 (9 of which are abutting residential properties). Preservation of these trees will also assist in storm water management and help to reduce potential flooding of the existing and proposed residences.

As part of the development, the applicant is required to provide a tree protection plan to the satisfaction of the Landscape Architect and City Forester, identifying which trees are to be retained and proposed preservation techniques to be implemented.

As a response to climate change and impacts to urban forest canopy, in addition to the standard payment for one new tree per unit requirement at the time of building permit, any trees not able to be retained on the site, will require to be compensated at caliper-per-caliper rate, satisfactory to the City Forester as per the Schedule of Fees.

Urban Design:
Townhouses can take many forms. The applicant provided precedent imagery that was displayed at the Open House Information Session. The styles presented in images 5 thru 8 align with architectural characteristics of the surrounding single-family residential neighbourhood context. Precedent Image 8 is the most compatible as it emulates the split-ranch styles of the neighbourhood.

Parkland Dedication:
There are no parkland implications beyond the usual requirement for cash-in-lieu of 5% parkland dedication.

HERITAGE – TRACY TANG

Tracy Tang, Planner on behalf of Kristina Tang, Heritage Planner

No supporting information required.

There is no apparent built heritage concern with these properties and they are located on an area of low archaeological potential.
Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism 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 Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

<u>Contacts</u>:

Windsor Planning & Building Department:
519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca
Windsor Manager of Culture and Events (A):
Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca
Ontario Ministry of Citizenship and Multiculturalism
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

ZONING – CONNOR O'ROURKE

1. Lot 2 front yard paving percentage is incorrectly calculated in table. 66.28% Provided | 61.15% Actual. Complies. (24.28.1)
2. If Lot 25 has a garage facing the driveway it has to have a minimum setback of 6.0m from the exterior lot line to the garage wall (5.11.1); if Lot 25 does not have a garage the parking space provided is too small. (24.20.10)

FORESTRY - Yemi Adeyeye

Forestry has following comments on this property.
After reviewing the tree inventory the developer is requesting to remove one healthy city owned Norway Maple. This MANO 22DBH is listed as tree #62 on the tree inventory.
The developer is required to pay a tree replacement cost of $3,400, for the requested removal of the Norway Maple (22cm DBH).

NATURAL AREAS - Karen Alexander

Natural Areas has following comments on this liaison.
No removal or disturbance of active bird nests (Migratory Bird Act)

PARKS - Hoda Kameli

Parks D&D has no objection to this Liaison.

TRANSPORTATION PLANNING – ELARA MEHRILOU

- Transportation Planning has reviewed the Transportation Impact Study submitted for the above-noted application, titled, "TRAFFIC IMPACT ASSESSMENT RESIDENTIAL DEVELOPMENT 6TH CONCESSION ROAD WINDSOR, ONTARIO" dated August 19, 2022 Revised February 20, 2024 with project number "21-150" by Shurjeel Tunio, P.Eng. Lead Engineer of Baird AE.

- The report is satisfactory in its current form. Overall, the TIS establishes that the traffic impacts are not due to the proposed development as the development's traffic will have minimum impact on the operation of existing intersections.

ENWIN

HYDRO ENGINEERING: **Jeremy Allossery**
No objection provided adequate clearances are achieved and maintained. Take note of the ENWIN owned hydro poles at the western edges of the property, carrying overhead and lateral secondary and communication conductors. Also be advised of the overhead and underground secondary conductors servicing the currently existing buildings on the properties.

Be advised: The hydro poles carrying overhead secondary conductors mentioned above may require relocation/removal or accommodations in design in order to maintain adequate clearance or to clear land for construction. Removal or relocations would be at the customer's cost.

WATER ENGINEERING: **Bruce Ogg**
ENWIN Water has no objections.

ENGINEERING – JUAN PARAMO

We have reviewed the subject Plan of Subdivision application and have the following comments:

Sewers
The proposed access from the development will be from Spago Crescent. There is a 250mm sanitary sewer and a 525mm storm sewer located within the Spago Crescent right-of-way and the 5th Concession Drain along the 6th Concession Road frontage. There is a 0.3 metre reserve (City owned) which controls access to the Spago Crescent right-of-way. Connection to existing services on Spago Crescent are subject to servicing charges owing to Sixth Concession Development Ltd.

A Functional Servicing Report dated September 08, 2022 and revised February 20, 2024 by Baird AE, has been received and reviewed. The applicant's consultant has confirmed that the municipal sanitary sewer have adequate capacity, and no adverse impacts are expected on the surrounding areas as a result of the proposed development. The servicing report has been deemed acceptable, and the proposed servicing strategy is supported by the Engineering Development department.

The 5th Concession Drain is a municipal drain with by-laws and governed under the Drainage Act. An engineer's report prepared in accordance with the Drainage Act is required to connect to the drain for the storm sewer outlet, and for the removal of the two redundant driveways.

Any redundant sewer connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

We have received the revised Functional Servicing Report prepared by Baird AE, dated February 20th 2024. An official approval of this report will be issued following a detailed review.

The applicant will be required to submit a stormwater management plan in accordance

with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels. This will include, at a minimum:

- Submission of stormwater management review fee,
- Stormwater management report stamped by a professional engineer
- Site servicing drawings stamped by a professional engineer
- Stormwater management check list (see link below)

For more information of SWM requirements, visit: link

- **https://essexregionconservation.ca/wp-content/uploads/2018/12/WERegion-SWM-Standards-Manual.pdf.**
- **https://www.citywindsor.ca/business/buildersanddevelopers/Documents/Checklist-Rational-Method.pdf**

Roads and Right-of-Way

Street A shall be classified as a Local road in accordance with the direction of the Official Plan, requiring a right-of-way width of 20.0 meters. Furthermore, the right-of-way around the cul-de-sac bulb will need to be wider to accommodate a minimum boulevard width of 2.5 meter for utilities as stipulated by the City of Windsor Standard Drawing AS-206C. The proposed right-of-way must adhere with City of Windsor Standard AS-206D, the City's Standard Urban Cross Section, and the City of Windsor Development Manual.

Curbs and Gutters to be constructed as per City of Windsor Standard AS-208. Sidewalk is required along one side of the proposed residential street fronting the right-of-way as per the City of Windsor Standard Engineering Drawing AS-401 & AS-206D. Sidewalk is also required along Spago Crescent. The owner shall agree to construct sidewalk along the north boulevard of Spago Crescent from Street A to Zurich Avenue.

Spago Crescent is classified as a Local road with a 15 meter right-of-way therefore, a 2.5m utility easement is required along the frontage of Lots 25, 26 & 27 per City of Windsor Standard Drawing AS-206C.

Currently, 6th Concession Road is lacking curb and gutter as well as sidewalk along both sides of 6th Concession Road. The owner shall agree to contribute $10,080.00 towards the future construction of sidewalks within the right-of-way, as well as contribute $5,328.00 towards the future construction of curb and gutter along the 6th Concession Road frontage.

Driveways will be constructed of concrete as per the City of Windsor Standard Engineering Drawing AS-204 and are to be constructed with a straight flare and no raised curb within the right-of-way. Proposed driveway entrances shall have a minimum 1-metre separation from any hydro poles or vertical obstruction. Driveways shall have a minimum corner clearance of 15 meters.

A 0.3m reserve is required along the entire Sixth Concession frontage as well as along the dead-end of Street A.

In summary we have no objection to the proposed development, subject to the following

requirements:

Plan of Subdivision Agreement - The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Plan of Subdivision Agreement for the Engineering Department.

Sidewalks -The owner(s) agrees, to:

· Pay to the Corporation, prior to the issuance of a Building Permit, the sum of $10,080.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the 6th Concession Road frontage of the subject lands.

· Construct at their expense and according to City of Windsor Standard Specifications, concrete sidewalks constructed to the satisfaction of the City Engineer. Sidewalks are to be constructed at the following locations:

- New Street A – along the west boulevard
- Spago Crescent - along the north boulevard from Street A to Zurich Avenue

Curbs and Gutters – The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, the sum of $5,328.00 being the Owner's contribution towards the future construction of concrete curb and gutter on the 6th Concession Road frontage of the subject lands.

Drainage Report - The Owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed Drainage Report in accordance with the Drainage Act.

Servicing Charges – The applicant(s) shall note that they may be required to pay servicing charges for the existing sewers on Spago Crescent and/or sewer connection(s) owing to Sixth Concession Development Ltd. if not paid previously for this site. Proof of payment will be required prior to the issuance of a construction permit.
If you have any further questions or concerns, please contact Shannon Mills, of this department at smills@citywindsor.ca

WINDSOR POLICE – BARRY HORROBIN

I have reviewed the concept plan associated with this Zoning By-law amendment to create five (5) new townhome dwellings totaling 27 residential units along newly proposed Street 'A' that connects to Spago Crescent, and would advise as follows:

EMERGENCY VEHICULAR ACCESS

- The Windsor Police Service has no objections to the plan/layout being proposed for this plan of subdivision. The plan as proposed will fully support and facilitate the ability of the Windsor Police Service to carry out incident response ((both emergency and non-emergency in nature) and general police patrolling activities, once constructed.

SPECIFIC SAFETY ISSUES & CONSIDERATIONS

The following issues are hereby raised for consideration, with the goal being to optimize public safety in a practical manner:

- When responding to incidents, particularly those with high risk/priority, it is critical for police responders to accurately locate the right address where an emergency call for assistance is required. This is particularly important for a situation such as this, whereby the built form of the 5 townhomes (27 residential units) are visually identical. Therefore, it is very important that each separate dwelling unit have a prominently displayed address number that is at least 5" high, is of a contrasting colour to the backdrop onto which it is mounted and can be easily seen from the adjacent roadway (Street 'A' and Spago Crescent) by police responders without obstruction. This will optimize the address identification by Police/Fire/Ambulance during an emergency response.
- Pedestrian safety is very important in all residential neighbourhoods. This includes ensuring appropriate sidewalk infrastructure is provided to keep pedestrians off the roadway and to connect to adjacent areas. Proper street lighting is very important as well. Lighting provided should be LED, in keeping with the current municipal standard, which helps in promoting public safety.
- Proper lighting is critical for ensuring public safety of each residential property and its occupants. At a minimum, the following illumination levels should be provided:
    - Each exterior door should have a porch light that yields, ideally, 4.0 to 4.5 foot-candles of illumination

PLANNING JUSTIFICATION REPORT - Excerpts

2.0 INTRODUCTION

The purpose of this report is to determine the appropriateness of a zoning by-law amendment to support the development of five townhouse dwellings, containing a total of 27 dwelling units with frontage provided a new local street, on two existing lots of record totaling 8,422.52 sq. m (90,662.22 sq. ft.), in the City of Windsor. **Please refer to Appendix A**.

Through the City of Windsor's required pre-consultation process for the current application, the owner was informed that a required component of the Complete Application Package was the provision of a Planning Rationale Report to support the development. This document is intended to serve that purpose, and as such, the proposal will be reviewed against the applicable Provincial and City of Windsor policies to determine whether the proposed residential development is consistent with the Provincial Policy Statement (PPS), in conformity with the City of Windsor Official Plan (OP), and ultimately represents good planning.

Current Proposal

The current proposal calls for the development of five, two-storey, townhouse dwellings, containing a total of 27 dwelling units, along with a new local road (cul-de-sac) connecting to Spago Crescent, on two existing lots of record. It is noted that currently each of the two lots contain a single detached dwelling and accessory structures, which, to facilitate this proposed development, will be demolished or removed from the site.

It is also noted, that although the subject parcels driveway accesses are currently provided from Sixth Concession Road, no access / egress points serving the proposed residential development are either proposed, or permitted by the City to Sixth Concession Road. **Please refer to the development concept attached as Appendix "B".**

In order to facilitate the proposed development, the following Planning Act applications are required:

1. Zoning By-Law Amendment – to permit the proposed townhouse dwelling types (discussed in detail later in this report under Zoning By-Law Amendment);
2. Draft Plan of Subdivision Approval – to confirm proposed layout complies with applicable zone standards, and to establish an orderly and technically-appropriate buildout.

3.0 BACKGROUND

The site subject of this report is located on the east side of Sixth Concession Road, between Holburn Street to the north, and Dougall Parkway to the south. Please refer to Appendix "A".

Schedule NR2-7, North Roseland Planning Area, of the Windsor Official Plan designates the subject lands as Low Profile Residential (**pleaserefertoAppendix"C"**), which permits the proposed townhouse dwellings.

The Windsor Zoning By-law classifies the parcel as Residential District 1.2 (RD1.2) (**pleaserefertoAppendix"D"**), which does not permit the proposed townhouse dwellings as-of-right. Discussions on the OP and ZBL appear in sections 6.2, and 6.3, respectively, below, in this document.

4.0 NEIGHBOURHOOD CONTEXT

As indicated above, the subject site, located on the east side of Sixth Concession Road, between Holburn Street and Dougall Parkway, is comprised of two existing lots of record, with each lot containing a single detached dwelling and accessory structures. The topography of the site is generally flat, and an open municipal drain runs along the frontage of the site within the municipal right-of-way.

Abutting the subject site to the north, east and south are single detached dwellings, with additional built-out residential subdivisions beyond that; and directly to the west is Sixth Concession Road, with built-out residential subdivisions beyond that.

Please refer to Appendix "A".

In a review of the area, and style of dwellings, it appears that this general residential area was built-out between the 1990's and early 2000's. The dwellings on the subject parcels pre-date the surrounding development by quite some time.

5.0 CONSULTATION ACTIVITES

In the course of preparing this report, the following activities were undertaken by various members of the development team:

- Participation in required City of Windsor Pre-Submission process and review/consideration of administration and agency comments
- Discussions and email exchanges with City of Windsor planning staff
- Meetings, phone calls and email exchanges with Baird AE design and engineering staff regarding preparation of required application submission components
- Review of the Provincial Policy Statement (PPS), City of Windsor Official Plan, and the City of Windsor Zoning By-law
- Developer-led Public Information Centre (PIC) – November 9, 2022

Public Information Centre

As required by the City's Pre-Submission response, dated January 25, 2022, File No. PS-116/21, the proponent, Pawan Khichi (Avani Homes Inc.), held a Public Information Centre on November 9, 2022 to advise the public of Mr. Khichi's proposed rezoning and draft plan of subdivision applications affecting 4170 & 4190 Sixth Concession Road.

The meeting, held November 9, 2022 at Signature Tributes Event Centre, 3310 Dougall Avenue, Windsor, began at 7 pm and finished at 9 pm, and was attended by 15 members of the public (neighbours). It is noted that 135 invitations were mailed to those land owners within a 120 m buffer, the notification list provided by the City of Windsor. I also note that an invitation was extended to the appropriate ward Councilor. A copy of the invitation shall be submitted with the

rezoning application package. Further, it is noted that a representative of the City's planning department attended the meeting in an observatory capacity.

At the meeting, I (David French, Storey Samways Planning Ltd.) provided an overview of the project, the reason for the PIC, and an explanation of the planning approval process. Following my presentation, I opened up the floor to questions and comments from the public.

Below is a summary of the questions and comments received, both verbally at the meeting, and following the meeting by way of a completed comment sheet or email. A copy of all received written comments (comment sheets and email) shall be provided to the city as part of our rezoning and draft plan of subdivision approval application package. It is further noted that many of those in attendance shared similar comments, and as such, similar comments are grouped together as appropriate, below:

Public Comment: *the proposed number (density) of dwelling units (27) is too great a number to be accommodated on the subject lands, and within the context of the existing subdivision.*

Developer Response: *Various Provincial and local (Windsor) policies support, and promote, residential intensification by way of infill development and making use of under-utilized parcels. The proposed subdivision assists in implementing the important housing policies at both the Provincial and local level. In addition, engineering studies commissioned by the developer confirm there is adequate servicing capacity available, that any traffic increase resulting from the additional dwelling units can be accommodated, and that stormwater drainage can be accommodated.*

Public Comment: *the existing neighbourhood already has a traffic problem – traffic volume, traffic speed, on-street parking – and the addition of the proposed 27 dwelling units will only exacerbate the existing problems.*

Developer Response: *a Traffic Impact Study, prepared by a qualified professional, indicates that the proposed development will have a negligible impact on the existing traffic patterns, and that no improvements that can be attributed to the proposed subdivision are warranted. It was suggested that the local residents contact the City and/or local police regarding their perceived existing traffic issues.*

Public Comment: *existing on-street parking is already at a premium – adding additional dwellings in the neighbourhood will reduce availability of on-street parking currently in use by existing residents on Spago Crescent.*

Developer Comment: *although the actual design on the townhouse dwellings is still to be confirmed, at the time of the meeting, it was the intention of the developer to provide two parking spaces – one within an attached garage, and one outside in front - per dwelling unit. It was also noted that the Windsor Zoning By-law requires a minimum of one (1) parking space per dwelling unit – a number which the proposed development exceeds.*

Public Comment: *the proposed townhouse dwellings will infringe on the backyard privacy of the abutting existing dwellings.*

Developer Comment: *the zone performance standards regarding building height and rear yard setback will be met for the proposed new townhouse dwellings. As well, it is the intention of the*

developer to provide privacy fencing along rear lot lines, to mitigate any perceived privacy issues – for both the abutting dwellings and for the proposed new townhouse dwellings.

It is noted that one resident, located on the west side of Sixth Concession Road (Barton Street address) shared concerns with his loss of privacy. While I do not discount this resident's concerns, I do note that a solid privacy fence is currently in place which separates the resident's back yard from the Sixth Concession Road right-of-way. Further to this, it is my opinion that this fence, the actual right-of-way, the traffic, and the eventual erection of a solid privacy fence on the subject lands, will mitigate the perceived privacy issue of the Barton Crescent resident.

Public Comment: *street access to the subject lands should be provided from Sixth Concession Road, and not via the Zurich and Spago road network.*

Developer Comment: *existing Windsor Official Plan policies prohibit a connection point onto Sixth Concession Road.*

Public Comment: *the increased density will reduce property values in the neighbourhood.*

Developer Comment: *property (de)valuation is attributed to many factors, however in the long term, dwelling density and types have not proven to quantifiably reduce property values.*

Public Comment: *the existing stormwater and sanitary sewer infrastructure can not accommodate the additional dwellings.*

Developer Comment: *reports, prepared by a qualified engineer, confirm that the existing servicing infrastructure can accommodate the proposed additional dwellings, and shall be submitted to the City as part of our rezoning application package.*

In closing, I submit the above provides an accurate summary of the meeting, comments received, and responses provided. It is my opinion that the proposed new subdivision can be accommodated within the context of the existing local and regional neighbourhoods, and clearly implements policies regarding housing, and intensification, and offends none others.

6.0 ANALYSIS

6.1 Provincial Policy Statement, 2020 (PPS)

"The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system…"

As such, when considering and promoting a change in land use it is both important and required to consider the Provincial Policy Statement (PPS) to ensure that both the long-term interests of the Province, and municipal interests, are met.

In this case there are multiple sections of the PPS which are relevant and these are identified below, along with comment.

Part IV: Vision for Ontario's Land Use Planning System

"…The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. 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 and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel…"

Comment: The proposed townhouse dwellings will make efficient use of two under-utilized parcels of land without requiring the need of public investment or tax-payer funded upgrades to existing infrastructure and service facilities.

1.0 Building Strong Healthy Communities

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;

Comment: use of existing, under-utilized land inventory promotes efficient development, and in this case, due to the existing servicing infrastructure being able to accommodate the proposed development, the financial well-being of the Province and the City is not negatively impacted.

b) accommodating an appropriate range and mix of residential (including second units, 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;

Comment: this project proposes the development of five townhouse dwellings containing a total of 27 dwelling units, which are regarded as an in-demand housing option in today's real estate market.

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

Comment: as accepted best practices are followed for the design, it is not anticipated that the proposed townhouse dwelling development will cause environmental or public health and safety concerns.

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

Comment: development on the subject parcels is a clear example of infill and intensification-type development, in that it is existing parcels of record serviced by an existing road network, and existing services at the road. As such, the proposed development provides for a cost-effective and efficient use of land and municipal roadways and other infrastructure.

1.1.3 Settlement Areas

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

Comment: the proposed development is located in the City of Windsor, which is an identified settlement area.

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

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

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

Comment: as evidenced by the discussion throughout this section on PPS, it can be said that the proposed development meets the above criteria.

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

Comment: no publicly funded upgrades to either the transit or servicing systems are anticipated or required.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Comment: as indicated above, the proposal calls to develop existing under-utilized urban parcels for multiple dwelling units for residential purposes without requiring upgrades to the existing public service facilities. It is an excellent example of intensification and avoids risks to public health and safety.

1.4 Housing

1.4.3(b) permitting and facilitating:

> *1. all forms of housing required to meet the social, health and well-being requirements of current and future residents,…*
>
> *2. all forms of residential intensification,…, and redevelopment in accordance with policy 1.1.3.3;*

1.4.3(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;

1.4.3 (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, …

Comment: the proposed townhouse development both promotes and implements the important housing policies found in the PPS through the efficient use of an underutilized parcel with access to full municipal servicing and other public service facilities.

1.7 Long-Term Economic Prosperity

1.7.1(a) promoting opportunities for economic development and community investment readiness;

1.7.1(b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

1.7.1(c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

1.7.1(d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

Comment: by making use of an existing underutilized parcel, and the servicing infrastructure already present, the project assists in keeping the settlement area boundary as compact as possible ensuring that availability of land and resources is not compromised for the long-term benefit of both the City or Windsor and Province of Ontario. The subject lands are located nearby to main transportation corridors, as well as being in close proximity to shopping and restaurant services, and to public transportation and park systems, thus providing easy and efficient access to the services provided in the immediate area.

In consideration of the above PPS policy discussion, it is my opinion that the proposed townhouse dwelling development is consistent with, and implements, the relevant policies of the Provincial

Policy Statement. Further to this, the proposed development does not offend the remaining policies and directions of the Provincial Policy Statement.

6.2 City of Windsor Official Plan (OP)

While the entire Official Plan is applicable, there are certain sections which contain policies that it is prudent to provide reference and comments. These sections are:

Volume 1

- Section 3, Development Strategy
- Section 4, Healthy Communities
- Section 6.3, Residential

Section 3, Development Strategy

Section 3.2, Growth Concept

3.2.1.2, Neighbourhood Housing Variety

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. 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 townhouse dwellings will offer a different product than the common single-detached dwellings found in the area, allowing for a less expensive entry point into home ownership, and at the same time offer a lower-maintenance alternative. This type of dwelling is attractive to new home-buyers, and those downsizing from single detached dwellings. As well, this development is viewed as infill / intensification on existing urban lots of record, thereby reducing the urban sprawl pressures into the agricultural and natural areas.

Section 3.2, Urban Structure Plan

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: this intensification proposal calls for the construction of five townhouse dwellings, providing a total of 27 dwelling units, with an overall density of 32 units per hectare.

Section 4, Healthy Communities

4.1 Goals

In keeping with…, Council's healthy community goals are to achieve:
4.1.1 Windsor's full potential as a healthy and liveable city.
4.1.3 A high quality of life in Windsor.
4.1.6 Economic opportunities throughout Windsor.
4.1.7 A safe environment throughout Windsor.

4.2 Objectives

4.2.1.5 To encourage a mix of housing types and services to allow people to stay 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.
4.2.2.1 To consider the environment in the planning and design of Windsor.
4.2.2.3 To encourage community planning, design and development that is sustainable.
4.2.2.4 To promote development that meets human needs and is compatible with the natural environment.
4.2.2.5 To reduce environmental impacts.
4.2.3.1 To encourage a mix of uses.
4.2.3.2 To encourage the location of basic goods and services floe to where people live and work.
4.2.3.4 To accommodate the appropriate range and mix of housing.
4.2.4.1 To encourage development which fosters social interactions.
4.2.4.2 To encourage development that fosters the integration of all residents into the community.
4.2.4.3 To encourage developments that adapt to changing resident needs.
4.2.6.1 To provide for a wide range of employment opportunities at appropriate locations throughout Windsor.
4.2.6.2 To encourage a range of economic development opportunities to reach full employment.

Comment: In my opinion, the proposed development meets the above objectives and will assist the City of Windsor in providing a visibly-needed boost to the City's housing stock, on two under-developed, contiguous lots in an area that is ideal for its development due to its strategic location near the 401 and Dougall Parkway corridors, and due to its close proximity to commercial, recreational and educational facilities and amenities.

Further, while this development will not ultimately provide a fixed employment resource, its construction-phase will provide for a sizable number of high-paying local construction and skilled-trades jobs, and from a longer-term economic perspective, will eventually contribute to the City's tax assessment base.

Section 6.3, Residential

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 residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.

6.3.2, Policies

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.

6.3.2.3 For the purposes of this Plan, Low Profile housing development is further classified as follows: (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.

6.3.2.4 Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where: (a) There is access to a collector or arterial road; (b) Full municipal physical services can be provided; (c) Adequate community services and open spaces are available or are planned; and (d) Public transportation service can be provided.

Comment: the five proposed townhouse (row) dwellings will contain a total of 27 dwelling units, with the unit/dwelling breakdown as follows:

- Seven units
- Six units
- Six units
- Five units
- Three units

As per the policies above, and what is being proposed, this development falls under Low Profile housing development and is permitted. Further, the proposed development has access to nearby arterial and collector roads, full municipal services, adequate community services and open spaces, as well as public transportation.

Volume 2

- Section 3, North Roseland Planning Area – Phase 2

Volume II

Section 3.7, Policies

3.7.1.2 A noise and vibration study(s) shall be required for residential developments and subdivision plans within 300 meters of railway tracks, Sixth Concession Road, Highway #401 and Walker Road. Such noise/vibration study(s) shall identify all noise sources and their impact on

residential development. It shall recommend noise/vibration control measures for implementation. The noise/vibration study(s) shall be subject to guidelines of the Ministry of Environment & Energy. These studies shall require approvals from the Director of Development Review (Planning Department) and the Ministry of Environment.

Comment: As required by this policy, a noise and vibration study has been prepared by a qualified professional engineer. In summary, appropriate noise and vibration mitigation measures can, and will be, implemented in the site and building design. A copy of the noise and vibration study shall be submitted as a stand-alone document concurrently with the application.

3.7.2 Low Profile Residential

Low Profile Residential development will be the predominant land use within the planning area.

3.7.2.1 For the purposes of this plan, Low Profile Residential development comprises the following types of dwelling:

(a) single detached;
(b) semi-detached;
(c) on-street townhouses.

3.7.2.2 On-street townhouses shall only be permitted along Local Roads.

Comment: the proposal calls for the development of on-street townhouses on a local road.

6.3 City of Windsor Zoning By-law 8600

As described earlier in this report, the subject lands are currently zoned Residential District 1.2 (RD1.2), which does not permit the proposed on-street townhouse dwellings. Therefore, a zoning by-law amendment is required to permit the townhouse dwellings.

Zoning By-law Amendment Application

In order to permit the proposed development, it is proposed that the site be rezoned to the Residential District 2.3 zone, which will permit the townhouse dwellings, and, provide appropriate zone performance standards for the build-out. In that, it is noted that all RD2.3 Zone performance standards are met or exceeded, and in that, no special site-specific standards are required.

This intensification on the site, and the rezoning request, is supported by the various supporting studies submitted in conjunction with this report.

6.5 Draft Plan of Subdivision

An application for Draft Plan of Subdivision shall be submitted concurrently with the zoning by-law amendment application. The draft plan, **attached as Appendix "E"**, prepared to support the zoning amendment application, details a total of eight blocks (8) blocks and one new local road (Street "A"), and more specifically:

SCHEDULE OF LAND USE				
LOTS/BLOCKS	LAND USE	UNITS	AREA	PERCENTAGE AREA
BLOCK 1-5	TOWNHOMES	27	5,926.31	70.34%
BLOCK 6	STORMWATER MANAGEMENT (TO BE DEDICATED TO THE CITY)		540.97	6.42%
BLOCK 7-8	ROAD RESERVE		34.03	0.40%
STREET A	ROAD		1,923.54	22.83%
TOTAL		27	8,424.850	100.00%

As provided earlier in this report, all studies and drawings, required by the City to support both the rezoning and draft plan applications, have been submitted as stand-alone documents with the rezoning application. It is noted that from a technical perspective, the proposed subdivision can be accommodated within the existing Windsor infrastructure network, save and except the need to construct the new local road, Street “A”, which 23 on the new dwelling units will front on, with the remaining four units fronting on Spago Crescent.

It is also noted that no access / egress points shall be provided to the Sixth Concession Road right-of-way, and it is expected that a 0.3 reserve along the Sixth Concession Road frontage shall be required to be conveyed to the City. This reserve is detailed on the draft plan.

7.0 CONCLUSION

Based on the above analysis of Provincial and municipal policies, it is my opinion that the proposed zoning by-law amendment application to permit the five townhouse dwellings, 27-unit, development is consistent with, and conforms to important Provincial and municipal policies surrounding the economy, housing and intensification in identified settlement areas.

In conclusion the proposed townhouse dwellings (residential use) use at this location represents sound planning for the reasons contained within this report.

[Prepared by David French, BA, CPT, and Reviewed by Tom Storey, M.Sc., MCIP, RPP of Storey Samways Planning Ltd.]

ACOUSTICAL REPORT - Excerpts

Baird AE has been retained to conduct an acoustical study to examine the impacts of noise created by transportation sources on the proposed residential development in the City of Windsor. This report will recommend mitigation measures based on criteria set by the Ministry of Environment and Climate Change (MOECC).

The on-site noise source measurement was carried out in accordance with the MOECC publication NPC-103 Noise Measurements Procedures.

Based on the predicted sound levels as shown in Sheet 1 (Appendix A),

- The outdoor living area noise level is greater than 60dBA, hence a retaining wall is required. Further, mitigation measures are required such as a warning clause for daytime noises to meet MOECC Limit of 50dBA road noise.
- Road noise levels for indoor living areas are above 50dBA and 40dBA for the receiver's location during the day and night; therefore, special building components, warning clauses, and central air conditioning are required.
- Outside Living Areas (OLA) have a noise level greater than 60dBA, hence, a noise barrier is required to mitigate the noise level. A noise barrier of 1.8m height is proposed along the property line of the western residential blocks. The acoustic barrier will have a surface density of no less than 20 kg/m2.

The results of attenuated noise levels are provided in Table 7. The noise level is still higher for sleeping areas on level 2 at both receiver locations (i.e., Level 1 & 2). Hence, mitigation measures such as building components are required to mitigate noise.

Based on the assumed 25% window-door/floor ratio, the windows and door component requirements were estimated from the attenuated noise level shown in Table 7 for both daytime and nighttime. Using this assumption, the west façades of the building's window and door components should have a Sound Transmission Class (STC) of 27 during the day and 25 at night. Hence, the worst case-scenario of STC i.e., STC 27 is used for building components.

5. RECOMMENDATIONS *(pages 10 & 11 of the Acoustical Report):*

As demonstrated in this report, mitigation measures are required to bring residential units within the development into compliance with MOECC criteria. With the inclusion of the following recommended measures, the MOECC noise criteria will be satisfied.

Recommendation #1

Due to the exceedance of the MOECC criteria for daytime and nighttime acoustic levels from 6th Concession Road, the dwellings shall include warning clauses as described below:

In all agreements of sale, lease, and rental for residential units, there must be a Type D warning clause. This is because noise levels exceed 55 dBA during the day and 60 dBA at night.

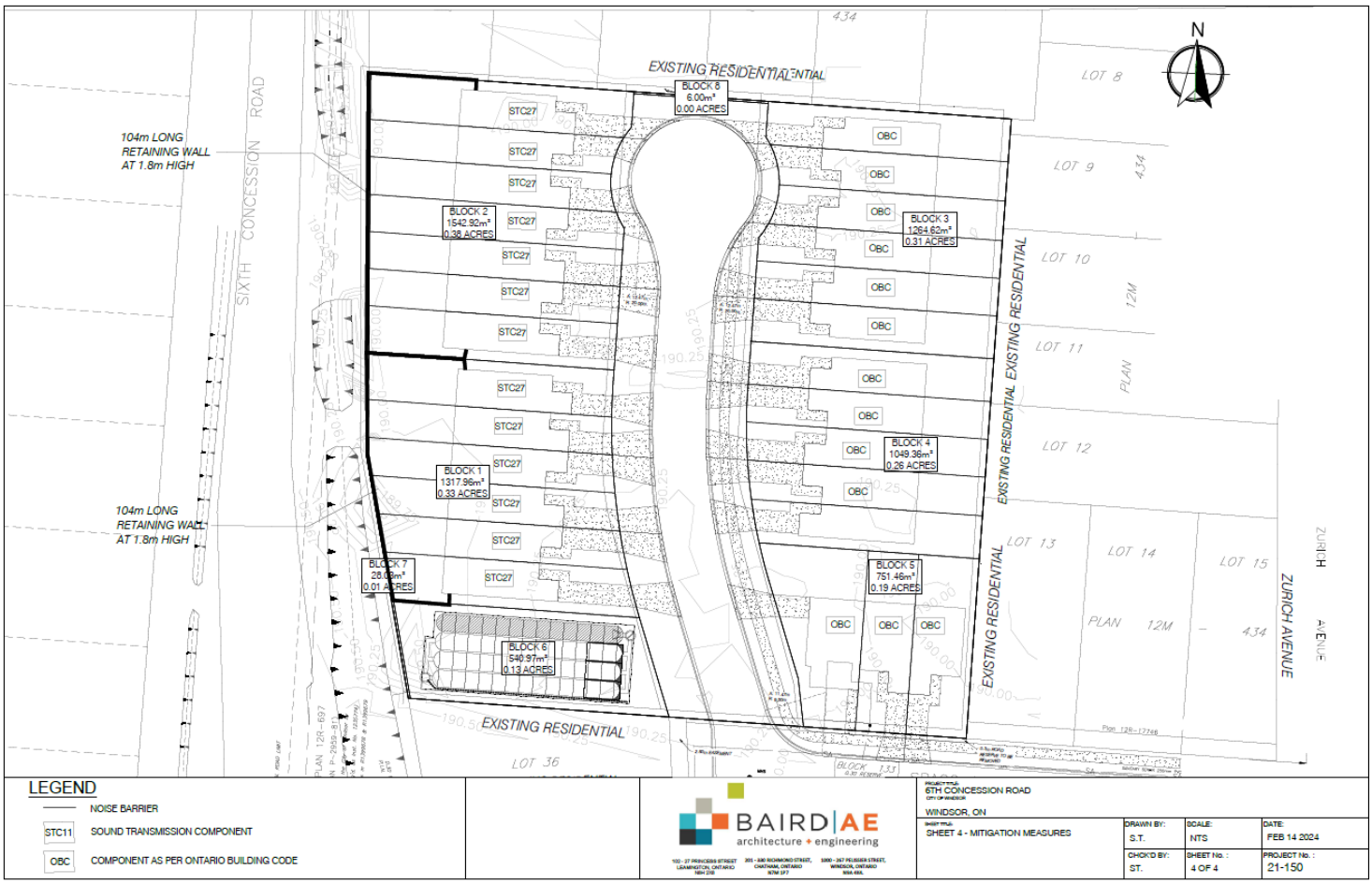
This includes:

Type ‘D’
"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."

Recommendation #2

In order to comply with the MOECC's criteria for daytime and nighttime noise levels from roadways and railway lines, noise barriers of various heights with a minimum density of 20 kg/m2 shall be installed along the property line.

The layout of the proposed 1.8m high noise barrier is shown in Appendix B (of the Acoustical Report), Sheet 4. Typical noise barriers are provided in Appendix A.



Sheet 4 – Mitigation Measures (excerpt from Appendix B to Acoustical Report)

Recommendation #3 (Building Components)

Due to exposure to road noise, some units require special building components for areas of sensitive use (i.e., bedroom, living room, dining room, kitchen, etc.) and the following is required:

Window requirements:
All windows leading to sensitive living areas must have a minimum sound transmission class (STC) as per Sheet 4 in order to meet the MOECC indoor noise level criteria.

Wall requirements:
All walls leading to sensitive living areas are to have a minimum sound transmission class (STC) as per Sheet 4. Also, acoustic privacy between units in a multi-tenant building, the inter-unit wall, should meet or exceed STC-50. Wall separation between noisy spaces, such as refuse chutes or elevator shafts, and suites should meet or exceed STC-55.

Recommendation #4 (Units along 6th Concession Road)

Prior to the issuance of building permits, it is recommended that an acoustic consultant review the sound transmission class (STC) for the proposed development's walls, windows and doors to ensure they conform to the recommendations outlined in this report.

6. SUMMARY *(page 11 of the Acoustical Report):*

We conclude that this development with the implementation of the above-described mitigation measures will be designed to address impacts from the surrounding noise sources.

*[Signed by Shurjeel Tunio, P.Eng., Senior Project Manager, **Baird AE]***

VIBRATION STUDY - Excerpts

Baird AE has performed a ground vibration monitoring to support draft plan of subdivision process for the planned residential development located in Windsor, Ontario. This report addresses traffic vibration effects on the nearest sensitive receptors.

Based on the interpolation results, vibration from road may felt at sensitive receiver location A. The levels are not considered high enough to cause damage to buildings but are likely to complain of home owners.

Following statement to be included in the agreement:

"Purchasers/tenants are advised that due to the proximity of the adjacent roadway, vibration from the roadway may be felt."

Further, based on acoustical report prepared by Baird AE dated December 2022, an acoustical fence of 1.8m high will be installed along the westerly limit of development. This acoustical fence will also help reduce vibration amplitudes.

We conclude that this vibration effect from surrounding roadway will be minimum effects and the development can be carried out safely.

[Signed by Shurjeel Tunio, P.Eng., Senior Project Manager, Baird AE]

TREE INVENTORY AND PRESERVATION PLAN REPORT - Excerpts

2.2 Impact Assessment

A tree preservation analysis was completed on each tree included in the inventory considering the impacts from the proposed development and many other factors including, but not limited to, tree condition, species, DBH and the existing site conditions. The impacts from the proposed development will occur where tree roots and branches conflict with machinery during demolition, pre-grading and construction.

During the tree preservation analysis the distance of dripline was used to assess the impacts to

the trees included in the tree inventory. Where considerable encroachment is required within the dripline tree removal may be required.

4.0 TREE INVENTORY RESULTS

The results of the tree inventory indicate that a total of 65 trees reside on subject property, on neighbouring property within 6 m and within the road allowance. The trees included in the inventory appear to be comprised of landscape plantings and naturally occurring trees.

No rare, threatened or endangered tree species were documented in the tree inventory. Refer to Table 1 for the complete tree inventory and Sheet 1 for the tree locations.

6.0 DISCUSSION

The following sections discuss the tree removal requirements, tree preservation opportunities and tree preservation recommendations based on the results of the impact assessment.

6.1 Tree Removal

The removal of Trees 3-11, 13, 15, 16, 22, 23, 25-29, 38, 40-50, 55-58 and 61-64 will be required to accommodate the proposed development.

It is understood that Trees 18-21, 31, 32, 37, 39 and 65 have previously been removed from the property.

Trees 3, 62, 64 and 65 appear to reside within the road allowance. Permission from the appropriate municipal department will be required prior to their removal.

6.2 Tree Preservation

The preservation of Trees 1, 2, 12, 14, 17, 24, 30, 33-36, 51-54, 59 and 60 will be possible with the use of appropriate tree protection measures.

Encroachment within the driplines of Tree 59 will be required to accommodate the proposed development. If any roots are exposed during construction they must be pruned by a Certified Arborist in accordance with good arboricultural practice to ensure that the root systems are not damaged during construction.

Tree protection fence must be installed at the dripline unless noted otherwise in this report and on Sheet 1. Tree protection fence must be installed prior to the commencement of construction (pre-grading) to ensure that the trees identified for preservation are not impacted by the proposed development.

Refer to Sheet 1 for the prescribed tree protection fence locations, additional tree protection plan notes and the tree protection fence detail.

6.3 Tree Preservation Recommendations

The following recommendations are made in attempts to reduce the impacts to trees identified for preservation:

- Tree protection fence must be installed at the locations outlined on Sheet 1 prior to the commencement of pre-grading, unless noted otherwise in this report and on Sheet 1.
- Once tree protection fence has been installed it must not be moved, relocated or altered in any way (unless repairing fallen fence etc.) for the duration of the construction period.
- No intrusion into an area identified on Sheet 1 as a tree preservation zone (TPZ) is allowed at anytime during construction unless noted otherwise in this report and on Sheet 1.
- No storage of machinery, construction debris, materials, waste or any other items is allowed within a TPZ.
- Any tree branches and roots that conflict with the proposed development must be pruned by a Certified Arborist in accordance with good arboricultural practice.
- Tree protection fencing should be inspected by a Certified Arborist prior to and during construction to ensure that the fencing remains intact and in good repair throughout the stages of development.

[Signed by** Jeremy Jackson, H.B.Sc., ISA Certified Arborist, **Jackson Arboriculture Inc.]

TRAFFIC IMPACT STUDY – Excerpts

1. INTRODUCTION

Baird AE has been retained to prepare a Traffic Impact Assessment in support of the residential development in City of Windsor.

1.2 Analysis Methodology

A transportation analysis was completed to determine the existing and future operating conditions of intersection and individual turning movements. The operational analyses were primarily based on procedures set out in the Highway Capacity Manual (2010) with the assistance of Synchro 10.

3.1 Growth Rate

For this study, a conservative growth rate of 3% per year was assumed to reflect growth in background traffic volumes. The projected traffic volumes are provided in Appendix B.

7.0 CONCLUSION

Based on our review, we provide the following preliminary comments for the development:

- The existing site consists of three (3) buildings that be removed.

- The proposed development will have 26 townhouses, roadway and landscape areas in a 0.84ha area.

- The background growth rate of 2 percent was considered in the modelling as it represents the worst-case scenario.

- One full access road from Spago Crescent will be provided to serve the development. Spago Crescent forms the west-leg with Zurich Avenue within proximity of development.

- The proposed development is expected to generate 76 two-way trips during morning peak hours and 86 two-way trips during evening peak hours. It is anticipated that the development will be completed by 2023.

- The proposed access is a “3” leg intersection with a “Stop” control on the access road.

- Under future conditions, the intersections of Holburn Street with 6th Concession Road operates at an overall acceptable level of service during 2025, 2030 and 2035 morning and evening peak hours. However, westbound turning traffic operates at LOS F during 2030 evening conditions. Hence, improvement is required.

- Under future conditions, the intersections of 6th Concession Rd with Zurich Avenue operates at an overall acceptable level of service during 2025, 2030 and 2035 morning and evening peak hours.

- An exclusive right-turn lane is required for the 2025 condition.

- A traffic signal is warranted for the intersection of 6th Concession Road with Holburn Street under 2025 background and total traffic conditions.

- The improved Holburn Street with 6th Concession Road operates at an acceptable level of service.

- An adequate sight line distance is provided for a safe departure from the development.

In conclusion, upgrades are required for the existing intersection of 6th Concession Road with Holburn Street infrastructure in 2030 and 2035 background conditions. These upgrades are not due to the proposed development as the development’s traffic will have minimum impact on the operation of existing intersections. Hence, we believe this conclusion is satisfactory…

*[Signed by Shurjeel Tunio, P.Eng. Lead Engineer, **Baird AE**]*

FUNCTIONAL SERVIING REPORT (FSR) – Excerpts

1. Introduction

Baird AE was retained to prepare a Functional servicing report to review the storage requirements, sanitary capacity and water servicing for the 6th Concession Development in Windsor, Ontario.

4. Stormwater Management

The stormwater management criteria for this development are based on the City of Windsor and ERCA requirements. The requirement includes:

- Stormwater quantity controls are required for the site to control the proposed conditions peak flows, up to the 100-year storm, to the allowable release rate.

- Water quality control is to be provided to a "Normal Protection level' as per MOE (2003) guidelines.
- Erosion and sediment control measures are to be provided.

5.3. Sanitary Study Area

In discussion with the City of Windsor, a master sanitary study was undertaken to find if the existing sanitary sewers from Spago Crescent to the 900mm Trunk sewer on Morand Street have enough capacity to accommodate the proposed development of 27 units with an estimated peak flow of 2.21 L/s.

1. The overall study area includes both residential and commercial developments.

2. Residential was considered 50 persons/ ha, while the commercial was 74 persons/ha. The overall study area was calculated to be at 350.618 ha with a population of 21315.

3. The existing 900mm sanitary trunk sewer on Morand street and the existing sanitary sewers from the proposed development to the trunk sewer have enough capacity to handle the 2.21L/s flow from the proposed development

4. The sanitary design sheet and drainage area breakdowns are attached in appendix C of this report.

7. Conclusion

This functional servicing report is to be read in conjunction with the submission material. The report presents municipal servicing details, proposed servicing and stormwater management plan for the townhome dwellings in the City of Windsor. Furthermore, the report demonstrates that approximate stormwater management measures will be provided to satisfy water quality treatment and quantity attenuation criteria. The sanitary service and water supply for the proposed development are through existing infrastructure along Spago Crescent.

*[Signed by Gowtham Sivakumar, P.Eng, Civil Engineer, **BAIRD AE INC.**]*

NOTE: For a detailed review of the above studies / reports and other materials received for the subject development, please copy the following link located on the City's website:

https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/4170-4190-sixth-concession-road

APPENDIX F – DRAFT 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. 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	13	Pt Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT] (located on the east side of Sixth Concession Rd., north side of Spago Cres., south of Holburn St.)	-	RD1.2	HRD2.3

2. THAT the holding (H) symbol **BE REMOVED** when the following conditions are satisfied:

a) The Owner(s) apply to remove the hold provision; and

b) Registration of a Final Plan of Subdivision

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024
Second Reading - , 2024
Third Reading - , 2024

SCHEDULE 2

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

   To amend the zoning of the lands described as Pt Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT] (located on the east side of Sixth Concession Road, north side of Spago Crescent, south of Holburn Street, by changing the zoning from Residential District 1.2 to Residential District 2.3 (with a holding prefix) to facilitate the development of a residential plan of subdivision containing 5 townhome dwellings with a total of 27 townhome dwelling units on the subject lands.

   This amendment provides the opportunity for the creation of 5 blocks for low profile residential development in the form of on-street townhouses on the subject lands. This amendment supports a more compact development and helps optimize the use of existing municipal infrastructure and public facilities in the subject area. The amendment provides the opportunity to develop the subject underutilized lands with <u>no</u> amendment to the official plan.

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

PART OF ZONING DISTRICT MAP 13

N.T.S.

SCHEDULE 2

Applicant: Storey Samways Planning Ltd.

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : APRIL, 2024
FILE NO. : Z-012/24, ZNG/7195

-----Original Message-----
From: sandy kirby
Sent: Tuesday, June 25, 2024 12:04 PM
To: clerks <clerks@citywindsor.ca>; Mckenzie, Kieran <kmckenzie@citywindsor.ca>
Subject: Development &Heritage Standing Committee-rezoning proposal 3903 Kathleen, 991Morand,6th Concession

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.

As long-time residents of [redacted], we have recently learned of numerous projects in our area where a builder(s) has purchased 1 or more properties (3903 Kathleen Street and 991 Morand) and now wants to sever the large,treed lots to create under-sized lots and put multiple homes on each lot. There is also a proposal to tear down 4170+4190 6th Concession and create a 27 unit development and another proposal to tear down and build 4 townhouses at 3930+3950 6th Concession. If these zoning changes are allowed, this will set a precedent and encourage other developers to buy properties around us for the same reason. This will negatively change the unique character of our neighborhood. Please do not agree to these zoning changes. These proposals will not create affordable housing solutions. It will only cause the deterioration of our neighborhood.
Sandra and Daniel Kirby

From: Marilyn Lee
Sent: Wednesday, June 26, 2024 8:03 AM
To: clerks <clerks@citywindsor.ca>
Cc: Marilyn Lee
Subject: 3903 Kathleen Street/ File No: A-030/24, File No: B-018/24 Inbox

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello;

In regards to the request of severing property further on 3903 Kathleen.

We are totally opposed to this being done.

This neighbourhood is unique with the 3 streets have nice large properties on Morand, Ducharme and Scofield. This property had been severed before and the way it is having at least a nice side yard for the house that was built on it. Now this developer is trying to sever it further and have 2 properties that are all house and no yard is not acceptable in our neighbourhood.

We are not in agreement with this request at all.

No different to the terrible sovereign attempt at 991 Morand on the side street and front part of the property.

There is alot of bare lots around. Use them to build on!!!

Sincerely,

Marilyn Lee

Marilyn Lee
Re: 3903 Kathleen Street/ File No: A-030/24, File No: B-018/24 Inbox

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.

Also, the property that you mentioned on 6th Conc seems to not be thought out as far as traffic and parking is concerned. To have these multi unit buildings built in a single dwelling residential area with no access to the Main Street, 6th Conc does not seem right or safe for the residents of Spago Crescent that are dealing with parking and traffic already in their small Crescent. There are many young families around these Neighbourhood's which means young children, playing, bike riding walking etc and put at an even greater danger. These numerous houses as they have with driveways for each property as short as they are, means extra cars on the limited parking on the street. The parking on many of our streets in our Roseland Neighbourhood's allow for parking on both sides of the street which also causes cars driving to sway in and out of parked cars. With all that this is a recipe for a disaster, accidents or death to happen. Street congestion must be a consideration.

Thank you,

Marilyn Lee

From: Landon Eldridge < >
Sent: Monday, July 1, 2024 6:57 PM
To: clerks <clerks@citywindsor.ca>
Subject:

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.

Hi

We reside at [redacted] and we are against the the proposal of amendments

4170 and 4190 6th Concession, File # SDN-001/24, Z-012/24
3930 and 3950 6th Concession, File #Z008-24,ZNG-7184 & OPA 185(OPA-7185)

These properties should stay as low profile residential as stated on RD1 zoning category,

as it does not permit townhomes dwellings.

These are not the only changes that speculators are trying to do. They are trying to sever lots into
two or three lots (991 Morand,
3903 Kathleen St. More homes on 1095-1185 North Talbot).
Would you agree that this will change our neighborhood? As councillors you already know how this will
impact this neighbourhood.

Just because Ontario Bill 63 says build more homes, does not mean we should change neighborhoods

by changing the zoning laws of Windsor to accommodate developers.

You also voted in December to have a Made in Windsor Solution. We are not Toronto or London.
We do not consent to these changes.

Landon and Patricia Eldridge

From: Kiret Singh
Sent: Friday, June 28, 2024 4:09 PM
To: clerks <clerks@citywindsor.ca>
Subject: Re: File number : ZNG/7195 & SDN/7194

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.

We the Residents of Holburn street oppose the zoning change from low density to medium density as per the application by 2853167 Ontario Inc. Due to the facts listed

1.) Privacy
the proposed townhouse would be close to the backyards , with the 9 m high property creating lines of sight into our kitchen, living room and bathrooms violating our privacy

2.) Noise
due to the proposed housing increase by upto 24 units everyday noise level will increase due to outdoor gatherings , dogs barking and running vehicle and muffler noise

3.) Vehicle traffic
There will be upto and not limited to 24 vehicles driving in and out or Spago crescent and Zurich Avenue, creating unsafe situations for the children in the area that are used to limited vehicle traffic and less congestion. Visitor vehicles will also cause parking and traffic problems for local streets

We, as the residents that purchased and are residing in the adjacent properties, were informed that property was low density just like ours. We are expecting and enjoying our daily living of being in a quiet neighbourhood with low volume local traffic as expected in a low density development, We enjoy the privacy of our backyard without intruding into others. Therefore we strongly oppose the zoning change which may violate our privacy, causing noise levels increase as well as creating an unsafe road conditions to our families

Gurkiret Grewal
Manpreet Grewal

Committee Matters: SCM 212/2024

Subject: 3251 Riverside Drive East Culvert Relocation - Cost Sharing - Riverside Horizons Inc. - Ward 5

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

Decision Number: **DHSC 634**

I. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a cost sharing agreement with Riverside Horizon's Inc., whereby the City will pay an estimated $509,876, excluding HST (final payment to be based on actual construction costs), as the City's share of infrastructure costs associated with the Pratt Drain culvert relocation, to be satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,

II. THAT the cost sharing payment be funded from the New Infrastructure Development Project (Project ID #7035119).

Carried.

Report Number: S 80/2024
Clerk's File: SPL/14202

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 July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Subject: 3251 Riverside Drive East Culvert Relocation - Cost Sharing - Riverside Horizons Inc. - Ward 5

Reference:

Date to Council: July 2, 2024
Author: Shannon Mills
Technologist III
(519) 255-6257 ext. 6635
smills@citywindsor.ca
Development - Engineering
Report Date: June 14, 2024
Clerk's File #: SPL/14202

To: Mayor and Members of City Council

Recommendation:

I. **THAT** the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a cost sharing agreement with Riverside Horizon's Inc., whereby the City will pay an estimated $509,876, excluding HST (final payment to be based on actual construction costs), as the City's share of infrastructure costs associated with the Pratt Drain culvert relocation, to be satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,

II. **THAT** the cost sharing payment be funded from the New Infrastructure Development Project (Project ID #7035119).

Executive Summary:

N/A

Background:

Under CR439/2023 DHSC 546 Council Approved rezoning of the properties known municipally as 3251 Riverside Drive East & 222 Belleview Avenue, from Commercial District CD1.7 and Residential District RD2.2 to Residential District RD3.3. Subsequently, Riverside Horizons Inc. (Horizons) has applied through Site Plan Control

to redevelop the noted properties from a parking lot into a 12-storey building with 84 residential units.

To implement the proposed development, a concrete box storm culvert constructed in 1916 under the subject property will be relocated to the Belleview Avenue and Riverside Drive East rights-of-way. As a part of the culvert relocation Administration has requested Horizons abandon approximately 78 meters of vitrified clay pipe storm sewer along Belleview Avenue which was constructed in 1910 and an additional 38 meters of the aforementioned box culvert which is located under existing homes on Belleview Avenue (Collectively "the Works")

The Developer's Consulting Engineer, Dillon Consulting Ltd ("Dillon"), completed detailed servicing drawings for the Works which have been approved by the City Engineer and a Right-of-Way permit has been issued. The Work is beneficial to both parties as explained below, and as such a cost sharing agreement has been negotiated and agreed upon in principle. Administration is seeking approval herein to enter into the cost sharing agreement, and for payment of the cost sharing amount.

Discussion:

The Pratt Drain culvert enclosure was constructed in 1916 and is reaching the end of its useful service life. Under existing conditions, the culvert enclosure runs under several houses on Belleview Avenue (222, 228, 232, and 236 Belleview Avenue) before bisecting the proposed development parcel at 3251 Riverside Drive East, and eventually out letting to the Detroit River. Because of this, the culvert is difficult to access for maintenance.

In order to accommodate the proposed development, the City and Dillon agreed that the enclosure should be reconstructed within the Belleview Avenue and Riverside Drive rights-of-way, in order to remove it as an obstruction from private property. The City also requested the Developer abandon an additional section of vitrified clay pipe storm sewer along Belleview Avenue which has reached its end of life. Because of the mutual benefit of the work to both parties, the costs were agreed to be split 50/50.

Tender submissions for the noted work were received by Dillon on behalf of Horizons on March 12, 2024. Bids were received from 3 contractors with Sherway Contracting Ltd. being the low bidder with an overall tender amount of $886,741.00. Based on the low tender, Sherway Contracting Ltd will be awarded the contract by Horizons to carry out the Works, and the City's share of the cost is estimated at $509,876.08 (excluding HST and including Engineering and Contract Administration).

An overall summary of the City's share of the costs is provided below:

Description	Amount
Estimated Project Costs	
City's Share of Culvert Relocation (50% of total project cost)	$443,370.50

City's Share of Engineering and Construction Administration (+15%)	$66,505.58
TOTAL (excluding HST)	**$509,876.08**

Risk Analysis:

Associated risks to the Corporation resulting from the undertaking of this project include risks typical to facilitate private development, mainly non-performance by the Developer. These risks are mitigated through the requirement of the Developer to provide performance securities and insurance. Performance securities can be drawn upon in the event the Developer breaches the terms of the agreement with the Corporation, and the insurance will indemnify the Corporation against potential damage and claims which may arise during construction and the maintenance period.

Maintenance of the existing culvert is limited to trenchless technologies and may require access agreements with property owners. As the culvert is currently located beneath the homes should a catastrophic failure of the culvert occur there is a risk to the structures above. The proposed relocation will eliminate these risks altogether and the recommendations of this report provide an opportunity to do so through a cost sharing arrangement.

Climate Change Risks

Climate Change Mitigation:

This report is administrative in nature and does not include any risks related to Climate Change adaptation.

Financial Matters:

Traditionally, commitments have been made to Developers to compensate them for oversizing of services following the installation of said services. Currently, there is approximately $1.1M available in Project 7035119 - New Infrastructure Development. This is sufficient funding for the estimated payment of $509,876.08. Final payment will be made to the Developer based on actual costs once the project is deemed substantially performed and accepted onto maintenance.

Consultations:

Kate Tracey – Senior Legal Council

Kathy Buis – Financial Planning Administrator

Michael Dennis – Manager, Strategic Capital Budget Development and Control

Conclusion:

Administration is recommending approval of the execution of a cost sharing agreement with Riverside Horizons Inc., and for payment to Riverside Horizons Inc. at **$509,876.08** (excluding HST) for storm culvert relocation costs required to provide service for privately owned lands on Riverside Drive East. Payment to be funded from Project 7035119 - New Infrastructure Development.

Planning Act Matters:

N/A

Approvals:

Name	Title
Tom Graziano	Acting for Patrick Winters, Manager of Development
Stacey McGuire	Executive Director Engineering/Deputy City Engineer
Mark Winterton	Commissioner, Infrastructure Services
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
List provided to Clerks		

Appendices:

1 S-2131 - 3251 Riverside Dr E Culvert Relocation (April 26, 2024) - For Construction
2 Letter for Cost Sharing Agreement - Riverside Dr E Culvert Relocation

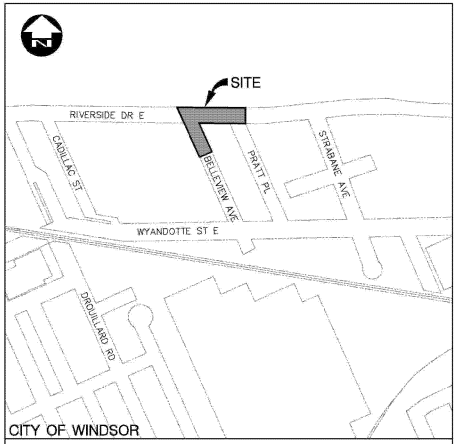
3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION

IN THE CITY OF WINDSOR

TENDER B

LEGEND

DESCRIPTION	EXISTING	ABANDONED	NEW
SEWERS			
SANITARY	200 S	AB 200 S	450 ST
STORM	450 ST	AB 450 ST	450 ST
COMBINED	300 C	AB 300 C	
SANITARY MANHOLE	MH		SMH
STORM MANHOLE	MH		STMH
CATCH BASIN	DB		
DITCH INLET CB	DICB		
TWIN INLET CB	TICB		
CULVERT			
SANITARY SERVICE	S		
STORM SERVICE	ST		
CLEANOUT	CO		
CURB INLET CB	CICB		
TWIN CURB INLET CB	TCICB		
WATER			
MAIN	W	AB 150 W	
MANHOLE	WMH		
VALVE	WV		
TAP SLEEVE & VALVE			
FIRE HYDRANT	FH		
BLOW-OFF	BO		
PRIVATE SERVICE	W		
SERVICE VALVE	WSV		
GAS			
MAIN	G	AB 100 G	
VALVE	GV		
BELL			
BURIED	BCU	AB BCU	
MANHOLE	BMH		
PEDESTAL, OPI	BPED OPI		
POLE (GUY)	B		
HYDRO			
BURIED	HCU	AB HCU	
OVERHEAD	HCA	AB HCA	
MANHOLE	HMH		
POLE (GUY)	H		
STREET LIGHT	L		
TRANSFORMER	T		
VAULT	V		
CABLE TV			
BURIED	TVU	AB TVU	
PEDESTAL	TVPED		
POLE	TV		
TRAFFIC			
BURIED	T	AB T	
MANHOLE	TMH		
JUNCTION BOX	JB		
CONTROLLER	TC		
POLE	T		
PAVEMENT			
CONCRETE	CONC		
ASPHALT	ASPH		
ASPH ON CONC	ASPH/CONC		
PAVING STONE	PAVER		
TAR AND CHIP	TAR & CHIP		
GRAVEL	GRAV		
MISCELLANEOUS			
SIDEWALK (CONC. or ASPH.)	CSW ASW		
CURB			
SIGN	S		
TREE(dia) or BUSH	300 300		
HEDGE			
FENCE			
GATE	X X		
BOREHOLE	BH		
AUGERHOLE	AH		
PROPERTY BAR	IB SIB RIB		
NAIL	NAIL		
CONCRETE MONUMENT	MON		
GROUND ELEVATION	178.09		



KEY PLAN

CITY OF WINDSOR BENCH MARK

BM ELEV. 180.716m	TOP NUT OF FIRE HYDRANT AT SOUTH EAST SIDE AT INTERSECTION OF RIVERSIDE DRIVE AND BELLEVIEW AVENUE

ALL EXISTING INVERTS TO BE FIELD CHECKED PRIOR TO CONSTRUCTION

INDEX

SHEET	DESCRIPTION
	COVER SHEET
01	EXISTING CONDITIONS & REMOVALS
02	PLAN AND PROFILE - BELLEVIEW ALLEYWAY - STA 0+000 TO STA 0+038
03	PLAN AND PROFILE - BELLEVIEW AVENUE - STA: 1+000 TO STA: 1+139
04	PLAN AND PROFILE - RIVERSIDE DRIVE - STA: 2+000 TO STA: 2+070
05	RESTORATION PLAN
06	MISCELLANEOUS DETAILS
07	CULVERT END CAP DETAILS

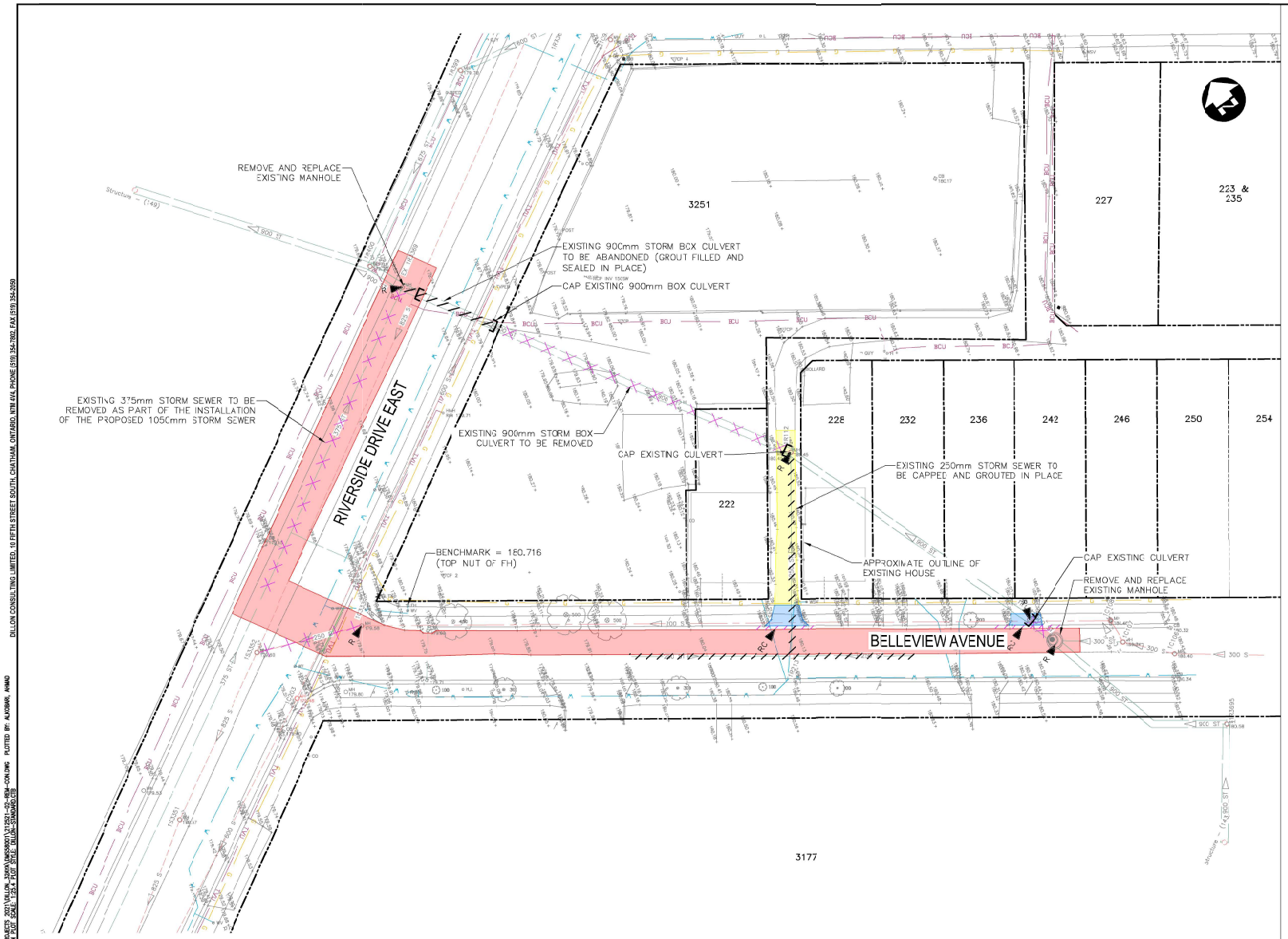
RIVERSIDE HORIZONS INC.

THE CITY OF WINDSOR ONTARIO, CANADA

S- 2131

DILLON CONSULTING
3251 RIVERSIDE CULVERT RELOCATION
Project No. 21-2521
26 Apr 2024

DILLON CONSULTING LIMITED, 10 FIFTH STREET SOUTH, CHATHAM, ONTARIO, N7M 4V4, PHONE (519) 354-7602, FAX (519) 354-2650



REMOVALS LEGEND

- ASPHALT PAVEMENT REMOVAL
- GRAVEL REMOVAL
- UNDERGROUND PIPE ABANDONMENT CAP AND GROUT
- CONCRETE DRIVEWAY AND SIDEWALK REMOVAL
- R — REMOVE
- RC — REMOVE CURB
- UNDERGROUND PIPE REMOVAL
- CURB REMOVAL

NOTES:

1. REFER TO SHEET C7 FOR CULVERT END CAP DETAILS.

Conditions of Use

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LICENSED PROFESSIONAL ENGINEER B.R.R. OUELLETTE 100191899 2024-04-26 PROVINCE OF ONTARIO

APPROVED AS TO FORM, IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF DILLON CONSULTING LIMITED AS TO DESIGN AND SPECIFICATION.

Mark Winterton — Digitally signed by Mark Winterton Date: 2024.05.02 08:47:42 -04'00'

MARK WINTERTON P.ENG., CITY ENGINEER
THE CORPORATION OF THE CITY OF WINDSOR

RIVERSIDE HORIZONS INC.

DILLON CONSULTING

No.	Issued for	Date	By
07	ISSUED FOR CONSTRUCTION	26 APR 2024	BRO
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DESIGN: BRO — REVIEWED BY: CDP
DRAWN: BRO — CHECKED BY: CDP
DATE: March 22, 2024
SCALE: 1:500 (11x17) 1:250 (22x34)

TENDER B - 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION

BELLEVIEW AVENUE EXISTING CONDITIONS & REMOVALS

PROJECT NO. 21-2521

SHEET NO. 01

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DILLON CONSULTING LIMITED, 10 FIFTH STREET SOUTH, CHATHAM, ONTARIO, N7M 4V4, PHONE (519) 354-7802, FAX (519) 354-2059

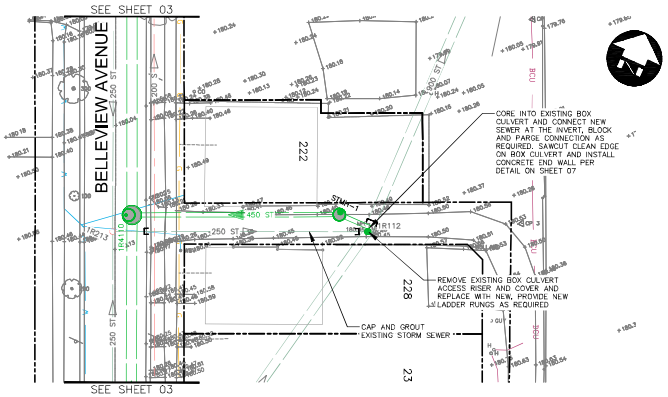
NOTES:

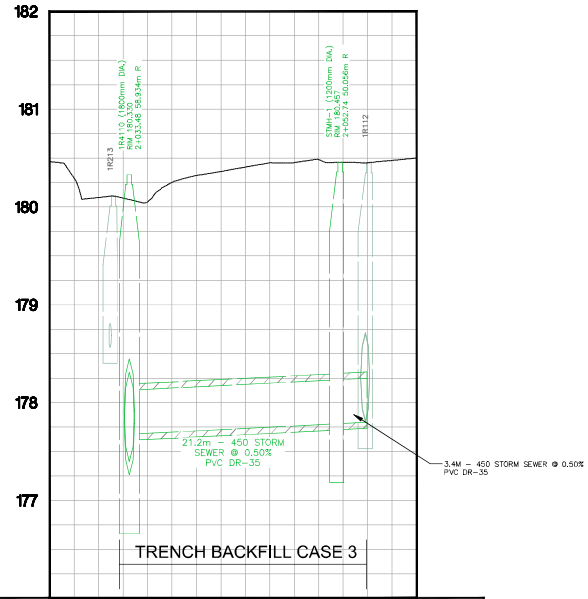
1. THE OWNER AND DILLON CONSULTING LIMITED DO NOT GUARANTEE THE ACCURACY OF THE UTILITIES SHOWN ON THE DRAWINGS. OTHER UTILITIES MAY BE PRESENT OR THE UTILITIES SHOWN MAY DIFFER IN SIZE OR LOCATION FROM THOSE SHOWN. THE CONTRACTOR SHALL NOTE THAT SERVICES FROM THE MAIN LINES ARE NOT SHOWN. THE CONTRACTOR ASSUMES FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES AND TO REPAIR ANY DAMAGE IT MAY CAUSE TO THESE UTILITIES OR TO OTHER THIRD PARTIES. THE CONTRACTOR AGREES TO INDEMNIFY THE OWNER AND DILLON CONSULTING LIMITED AGAINST ANY CLAIMS WHICH MAY ARISE FROM THE CONTRACTOR'S ACTIONS.
2. ALL WORKS TO BE CONSTRUCTED TO A TOLERANCE OF 5mm±.
3. ALL DIMENSIONS AND RADII ARE TO CONSTRUCTION BASELINE OR EDGE OF PAVEMENT.
4. CHAINAGES SHOWN REFER TO CONSTRUCTION BASELINE.
5. SEWER BEDDING TO BE CLASS 'B' (EXCEPT CLASS 'A' TO FIRST PIPE JOINT OUTSIDE OF MANHOLE FOR RIGID PIPE).
6. BACKFILL OF SEWER AND UTILITY TRENCHES SHALL BE IN ACCORDANCE WITH AS-536 (SEE DETAILS SHEET). IF GRANULAR 'B' TYPE 1 IS USED, IT SHALL BE APPROVED PRIOR TO USE UNDER THE CITY'S RECYCLED AGGREGATE POLICY.
7. ALL SEWERS SHALL HAVE A MINIMUM OUTSIDE EDGE OF PIPE/OUTSIDE EDGE OF PIPE SEPARATION OF 2.50m FROM ANY WATERMAIN.
8. CONNECTION TO PVC PIPE:
   THE CONTRACTOR SHALL BE REQUIRED TO USE ONLY PLANT MANUFACTURED TEES WHEN INSTALLING PRIVATE DRAIN CONNECTIONS. THE ANGULAR RISE OF THE CONNECTIONS SHALL BE BETWEEN 5° AND 85°. IF THE ANGULAR RISE EXCEEDS 45° THE CONTRACTOR SHALL PROVIDE AN ADDITIONAL PVC COUPLING WITH STOP IMMEDIATELY BEFORE THE FITTING. A SHORT SECTION OF PVC PIPE IS TO BE USED TO CONNECT THE COUPLING TO THE TEE FITTING. THE COPING SHALL REST DIRECTLY UPON THE BELL PORTION OF THE FITTING.
9. CONNECTIONS TO CONCRETE PIPE:
   ALL FIELD MANUFACTURED TEES SHALL BE CORED AND CONNECTED USING AN APPROVED MANUFACTURED TEE INCLUDING A STOPPER.
10. CLEAR SEPARATION OF 0.50m SHALL BE MAINTAINED WHEN A WATERMAIN PASSES UNDERNEATH A STORM OR SANITARY SEWER.
11. KOR-N-SEAL BOOTS ARE REQUIRED FOR ALL PVC PIPE AT MANHOLE CONNECTIONS.
12. CONTRACTOR TO USE IPEX LIFE SAVER LIFT RINGS FOR MANHOLES.
13. THE CITY OF WINDSOR DEVELOPMENT MANUAL STANDARDS APPLY.
14. CONTRACTOR TO PAY FOR ALL PERMITS AND FEES REQUIRED FOR SERVICE INSTALLATION.

STORMS SEWERS

15. ALL STORM SEWERS 375mm DIA. OR SMALLER TO BE PVC DR-35. ALL STORM SEWERS 450mm DIA. OR LARGER TO BE CONCRETE A257.2 65-D UNLESS SHOWN OTHERWISE.
16. ALL STORM MANHOLES TO HAVE A MINIMUM 450mm DEEP SUMP.
17. CONTRACTOR TO SUPPLY AND INSTALL ALL REQUIRED UTILITY SUPPORTS ADHERING TO UTILITY REQUIREMENTS. ANY SHOP DRAWINGS REQUIRED BY THE UTILITY COMPANY SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
18. TRENCH BACKFILL CASE IDENTIFIED ON THE DRAWINGS REFER TO CITY OF WINDSOR STANDARD DETAIL AS-536
19. ALL CATCH BASIN LEAD EXTENSIONS TO BE PCV DR-35 AND MATCH THE EXISTING CATCH BASIN LEAD DIAMETER.

ALL EXISTING INVERTS TO BE FIELD CHECKED PRIOR TO CONSTRUCTION





STORM SEWER INVERT	NE 178.561 NW 178.548 SE 178.382	NE 177.617 NW 177.261 SE 177.208	SW 177.783 E 177.783	N 177.817 S 177.799 W 177.860	STORM SEWER INVERT
SANITARY SEWER INVERT					SANITARY SEWER INVERT
STATION	0+020				STATION

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MARK WINTERTON P.ENG. CITY ENGINEER
THE CORPORATION OF THE CITY OF WINDSOR

RIVERSIDE HORIZONS INC.

DILLON CONSULTING

NO.	ISSUED FOR	DATE	BY
07	ISSUED FOR CONSTRUCTION	26 APR 2024	BRO
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DATE: March 22, 2024
SCALE: 1:500 (11x17) 1:250 (22x34)

TENDER B - 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION

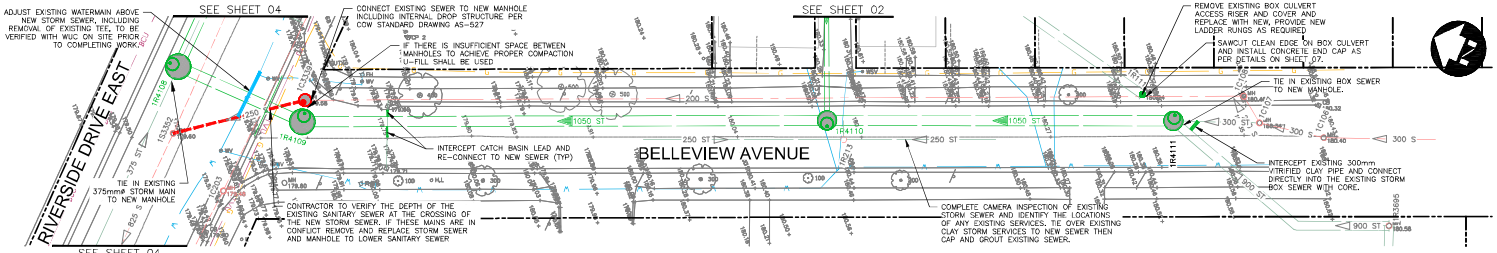
PLAN AND PROFILE BELLEVIEW ALLEYWAY STA: 0+000 TO STA: 0+038

PROJECT NO. 21-2521

SHEET NO. 02

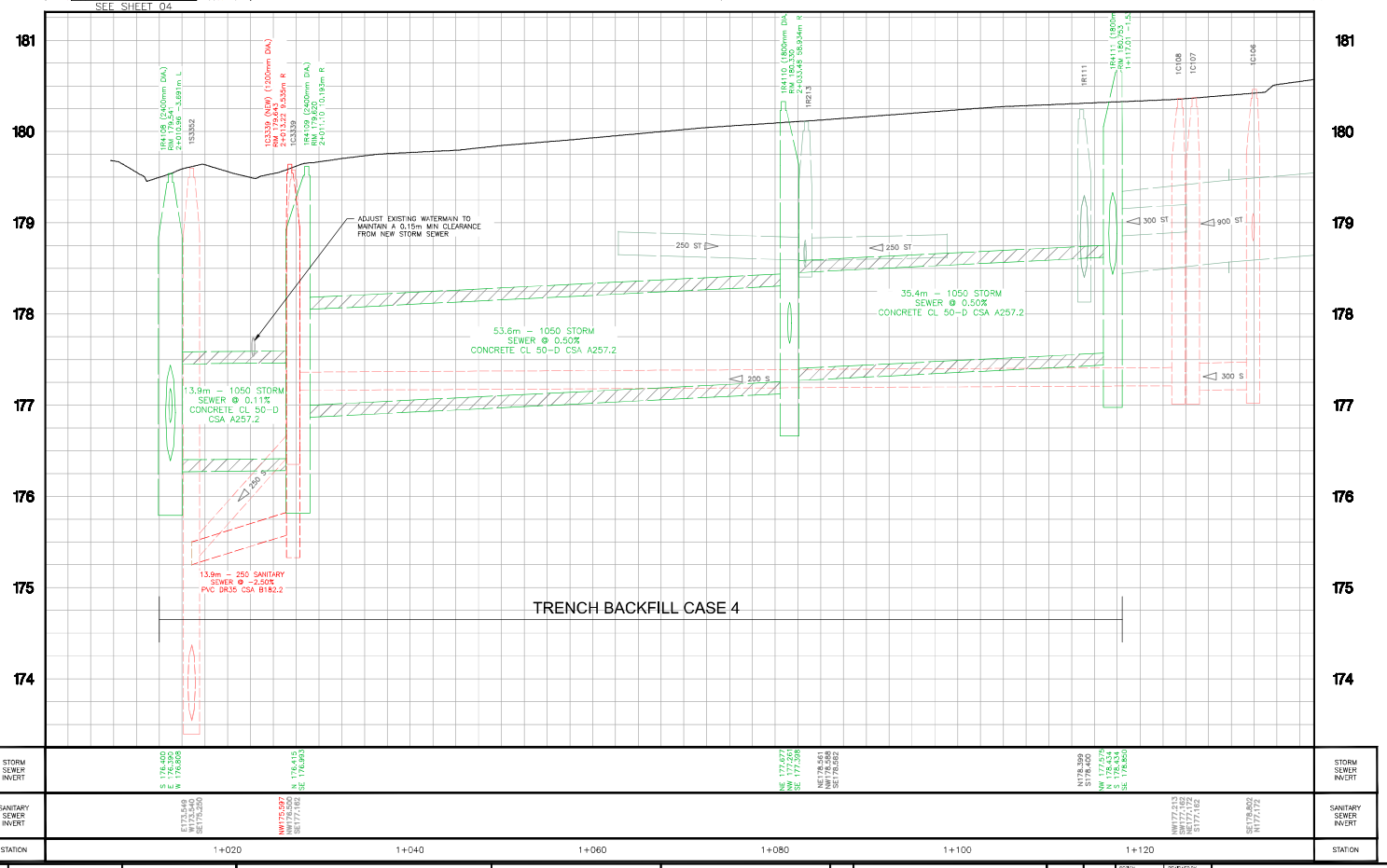
DILLON CONSULTING LIMITED, 10 FIFTH STREET SOUTH, CHATHAM, ONTARIO, N7M 4V4, PHONE (519) 354-7202, FAX (519) 354-0051

PLOTTED BY: ALKOBAN, AHMAD



NOTES:

1. CONTRACTOR TO BE CAUTIOUS OF ABANDONED WATERMAIN IN THIS AREA. EXACT LOCATION IS UNKNOWN.
2. EXISTING CLAY STORM SERVICES TO BE REMOVED UNTIL AN UNDAMAGED SECTION OF PIPE CAN BE LOCATED TO COMPLETE A PROPER CONNECTION TO EXTEND THE SERVICE TO THE NEW MAIN.
3. ALL DISTURBED AREAS TO BE RESTORED TO PRE-CONSTRUCTION CONDITION.



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MARK WINTERTON P.ENG., CITY ENGINEER
THE CORPORATION OF THE CITY OF WINDSOR

RIVERSIDE HORIZONS INC.

DILLON CONSULTING

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DRAWN: BRO — CHECKED BY: CDP
DATE: March 22, 2024
SCALE: 1:500 (11x17) 1:250 (22x34)

TENDER B - 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION

PLAN AND PROFILE BELLEVIEW AVENUE STA: 1+000 TO STA: 1+139

PROJECT NO. 21-2521

SHEET NO. 03

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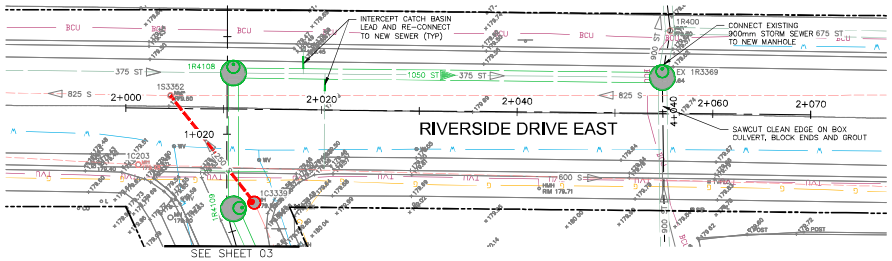
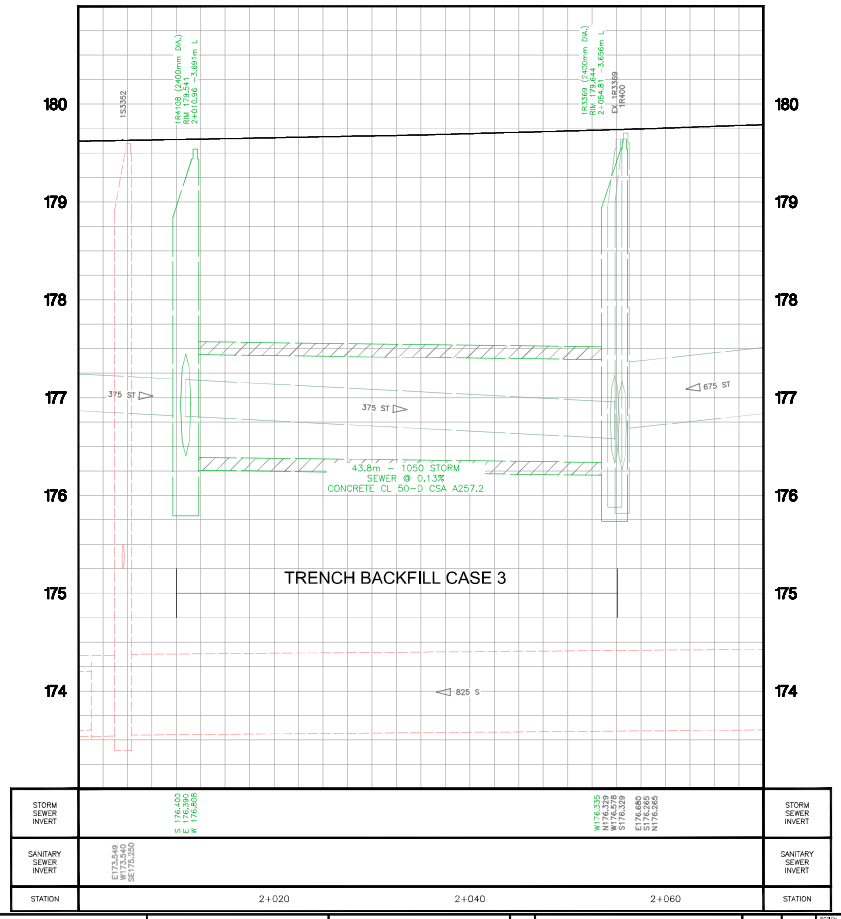
DILLON CONSULTING LIMITED, 10 FIFTH STREET SOUTH, CHATHAM, ONTARIO, N7M 4V4, PHONE (519) 354-7922, FAX (519) 354-2059





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MARK WINTERTON P.ENG., CITY ENGINEER
THE CORPORATION OF THE CITY OF WINDSOR

RIVERSIDE HORIZONS INC.

DILLON CONSULTING

NO.	ISSUED FOR	DATE	BY
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TENDER B - 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION

PLAN AND PROFILE RIVERSIDE DRIVE STA: 2+000 TO STA: 2+070

PROJECT NO. 21-2521

SHEET NO. 04

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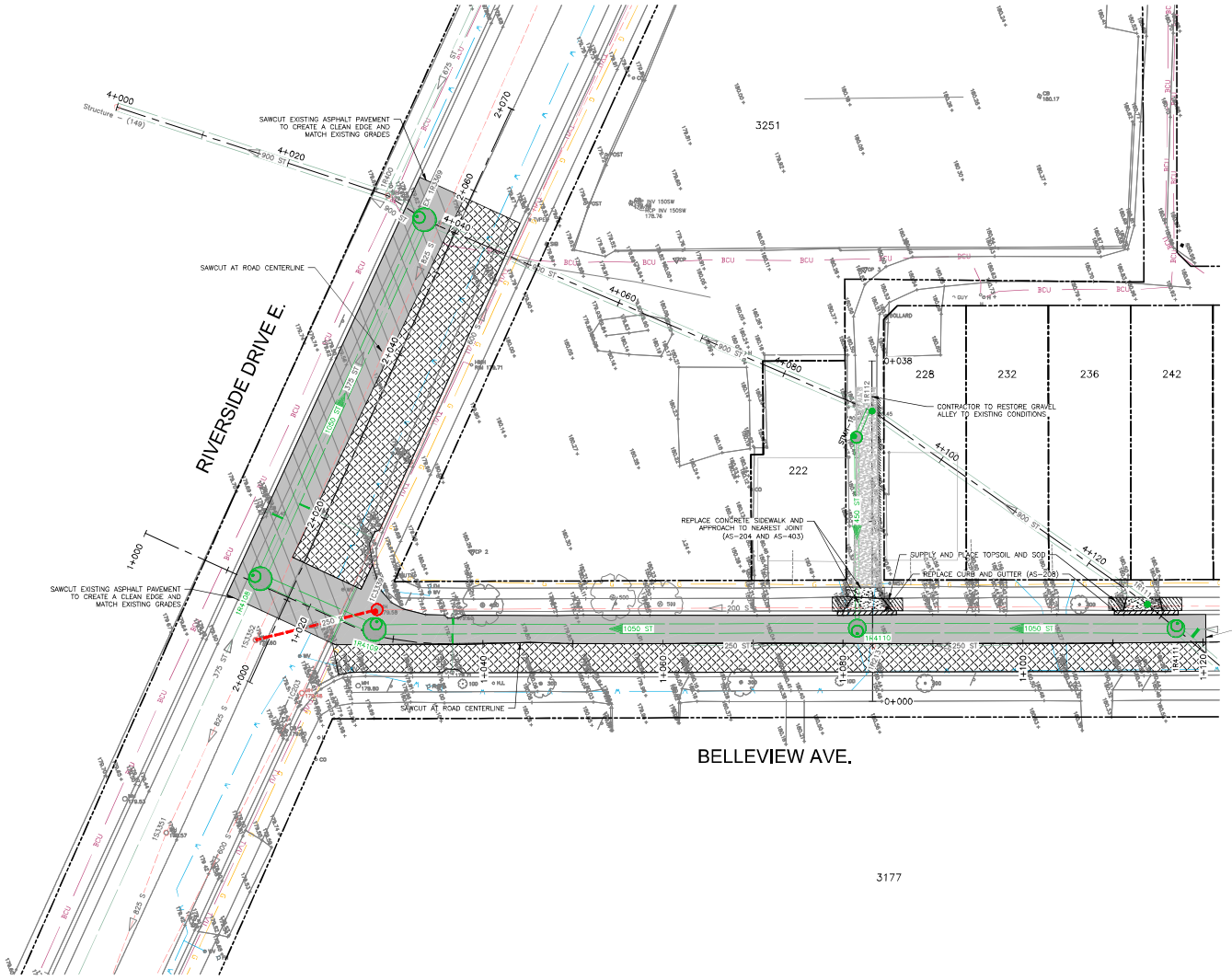
DILLON CONSULTING LIMITED, 10 FIFTH STREET SOUTH, CHATHAM, ONTARIO, N7M 4V4, PHONE (519) 354-7922, FAX (519) 354-3059



RESTORATION LEGEND

- NEW ASPHALT PAVEMENT (RIVERSIDE DR.) 50mm HL3 / 100mm HL4
- NEW ASPHALT PAVEMENT (BELLEVIEW AVE.) 40mm HL3 / 40mm HL4
- REINSTATED GRAVEL 600mm GRANULAR 'A'
- TOSOIL AND SOD RESTORATION
- MILL AND PAVE ASPHALT PAVEMENT – 40mm HL3
- CONCRETE SIDEWALK/DRIVEWAY PER AS-204 AND AS-403
- CONCRETE CURB PER AS-208

NOTES:

1. CONTRACTOR TO RESTORE SURROUNDING SITES TO EXISTING CONDITIONS INCLUDING PAVEMENT RESTORATION, CURB, AND BOULEVARD RESTORATION.
2. ANY ROAD LINE PAINTING TO BE COMPLETED BY THE CITY OF WINDSOR.
3. UPON THE COMPLETION OF THE CULVERT RELOCATION WORKS, A WALKTHROUGH SHALL BE HELD WITH THE CITY OF WINDSOR WHEN IT WILL BE DETERMINED IF MILLING THE REMAINDER OF THE ROADWAY WITHIN THE CONSTRUCTION LIMITS WILL BE REQUIRED.

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LICENSED PROFESSIONAL ENGINEER
B.R.R. OUELLETTE
100191889
2024-04-26
PROVINCE OF ONTARIO

APPROVED AS TO FORM, IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF DILLON CONSULTING LIMITED AS TO DESIGN AND SPECIFICATION.

Mark Winterton

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Date: 2024.05.02 09:29:39 -04'00'

MARK WINTERTON P.ENG., CITY ENGINEER
THE CORPORATION OF THE CITY OF WINDSOR

RIVERSIDE HORIZONS INC.

DILLON CONSULTING

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TENDER B - 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION

RESTORATION PLAN

PROJECT NO. 21-2521

SHEET NO. 05

DILLON CONSULTING LIMITED, 10 FIFTH STREET SOUTH, CHATHAM, ONTARIO, N7M 4V4, PHONE (519) 354-7802, FAX (519) 354-2050

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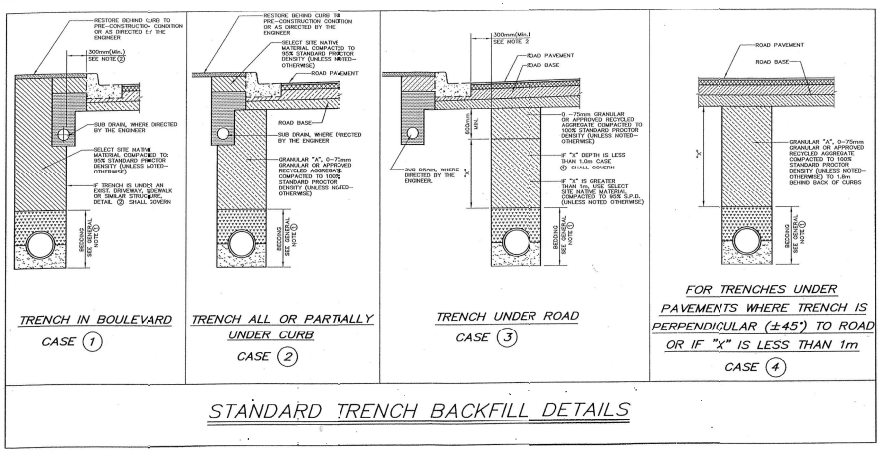


STANDARD TRENCH BACKFILL DETAILS

GENERAL NOTES:

1. FOR SEWER AND PRIVATE SEWER CONNECTION CONSTRUCTION, ALL WORK TO BE IN ACCORDANCE WITH THE CITY OF WINDSOR STANDARD SPECIFICATIONS S-1 APPLIED TO ALL CASES 1, 2, 3 & 4 OF THIS STANDARD DRAWING.
2. FOR ALL CASES, IF TRENCH WALL IS CLOSER THAN 300mm FROM THE BACK OF CURB (FUTURE OR EXISTING) OR EDGE OF PAVEMENT (FUTURE OR EXISTING), IN ANY DIRECTION, THEN CASE 2 SHALL GOVERN.
5. FOR CASE 4, WHERE TRENCH CROSSES PERPENDICULAR TO ROADWAY (±45°) AND CROSSES UNDERNEATH AN EXISTING CURB, DRIVEWAY OR SIMILAR STRUCTURE, EXTEND GRANULAR BACKFILL TO 1.8m (MIN.) EITHER SIDE OF STRUCTURE.
4. THIS DETAIL ADDRESSES TRENCH BACKFILL ONLY. SURFACE RESTORATION SHALL BE AS OTHERWISE APPROVED BY THE COMMISSIONER OF WORKS.

CITY OF WINDSOR
DEPARTMENT OF PUBLIC WORKS

STANDARD TRENCH BACKFILL DETAILS

DR'N BY: R.C.	DATE: OCTOBER, 2002
REVISION:	CH'KD BY:
CH'KD BY:	PASSED BY:
COMMISSIONER OF WORKS	AS-536

THE FOLLOWING CITY OF WINDSOR STANDARD DETAILS SHALL APPLY TO THIS CONTRACT	
AS-102	PROJECT SIGN
AS-208	RESIDENTIAL DRIVE – CONCRETE
AS-209A	BACKFILL OF DITCH/SWALE/TRENCH
AS-222	STANDARD CURB AND GUTTER FOR RESIDENTIAL ROADS
AS-301	STANDARD CATCH BASIN – FRAME AND COVER (PROVISIONAL)
AS-304A	MANHOLE FRAME AND COVER
AS-305	DETAIL OF TYPICAL MANHOLE STEP
AS-309A	600mmx600mm PRECAST CONCRETE CATCH BASIN (PROVISIONAL)
AS-310A	BEDDING FOR SEWER PIPE – CLASS 'A'
AS-310B	BEDDING FOR SEWER PIPE – CLASS 'B'
AS-314A	PRECAST MAINTENANCE HOLE 1200mm DIAMETER
AS-314C	PRECAST MAINTENANCE HOLE 1800mm DIAMETER
AS-314D	PRECAST MAINTENANCE HOLE 2400mm DIAMETER
AS-401	RESIDENTIAL CONCRETE SIDEWALK
AS-519	GRANULAR 'B' TYPE 1 BACKFILL

THE FOLLOWING CITY OF WINDSOR SPECIFICATIONS SHALL APPLY TO THIS CONTRACT	
S-1	SEWERS
S-2	MANHOLES AND CATCH BASINS
S-3	EARTH EXCAVATION
S-4	SELECTED GRANULAR BASE COURSES
S-5	CONCRETE CURBS AND GUTTER SYSTEMS
S-6	CONCRETE SIDEWALK AND DRIVEWAY APPROACHES
S-9	CONCRETE
S-38	HOT MIX, HOT LAID ASPHALTIC CONCRETE

Conditions of Use

Verify elevations and/or dimensions on drawing prior to use. Report any discrepancies to Dillon Consulting Limited.

Do not scale dimensions from drawing.

Do not modify drawing, re-use it, or use it for purposes other than those intended at the time of its preparation without prior written permission from Dillon Consulting Limited.

LICENSED PROFESSIONAL ENGINEER B.R.R. OUELLETTE 100191889 2024-04-26 PROVINCE OF ONTARIO

APPROVED AS TO FORM, IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF DILLON CONSULTING LIMITED AS TO DESIGN AND SPECIFICATION.

Mark Winterton Digitally signed by Mark Winterton Date: 2024.05.02 09:31:08 -04'00'

MARK WINTERTON P.ENG., CITY ENGINEER
THE CORPORATION OF THE CITY OF WINDSOR

RIVERSIDE HORIZONS INC.

DILLON CONSULTING

NO.	ISSUED FOR	DATE	BY
07	ISSUED FOR CONSTRUCTION	26 APR 2024	BRO
06	ISSUED FOR EXECUTION	22 MAR 2024	BRO
05	ISSUED FOR TENDER	26 FEB 2024	BRO
04	RE-ISSUED FOR FINAL CITY APPROVAL	05 FEB 2024	BRO
03	FINAL DRAWINGS FOR CITY OF WINDSOR APPROVAL	22 APR 2022	LKP
02	CITY OF WINDSOR REVIEW	22 FEB 2022	LKP
01	SUBMISSION TO CITY OF WINDSOR	12 JAN 2022	LKP

DESIGN: BRO | REVIEWED BY: CDP
DRAWN: BRO | CHECKED BY: CDP
DATE: March 22, 2024
SCALE: 1:500 (11x17) 1:250 (22x34)

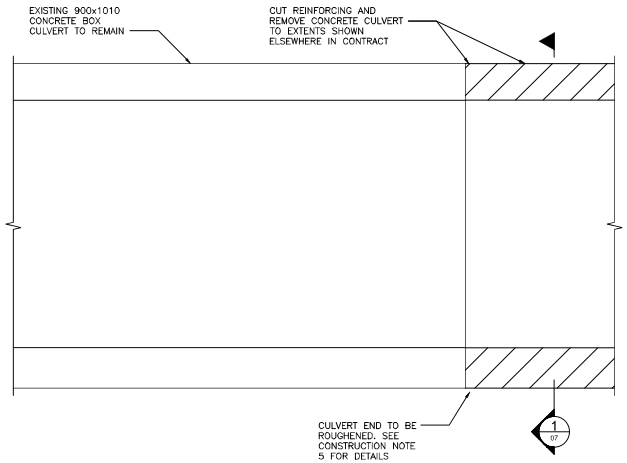
TENDER B - 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION

PROJECT NO. 21-2521

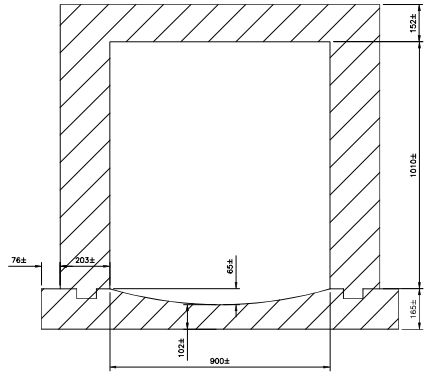
MISCELLANEOUS DETAILS

SHEET NO. **06**

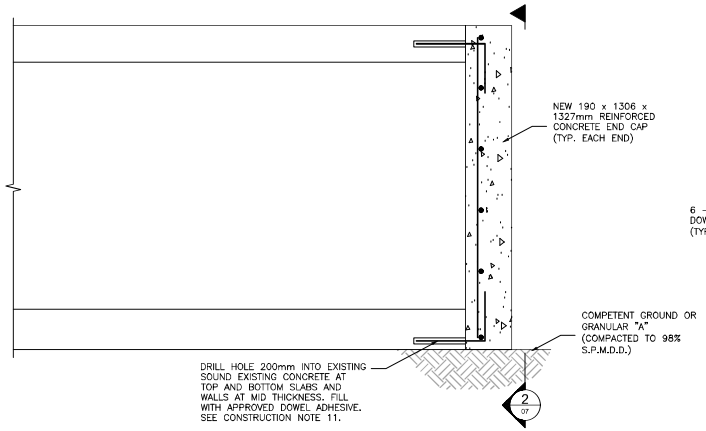
PLOTTED BY: ALKOBAR, AHMAD
DILLON CONSULTING LIMITED, 10 FIFTH STREET SOUTH, CHATHAM, ONTARIO, N7M 4V4, PHONE (519) 354-7922, FAX (519) 354-3050



LONGITUDINAL SECTION - EXISTING CONDITION
1:10



1 / 07 SECTION - EXISTING
1:10



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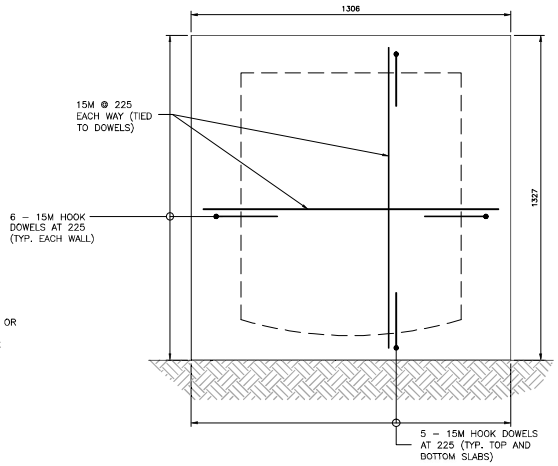

2 / 07 ELEVATION - ELEVATION OF END CAP
1:10

GENERAL NOTES:

1. CLASS OF CONCRETE
   35MPa (CSA A23.3 CLASS C–1) UNLESS NOTED OTHERWISE
2. CLEAR COVER TO REINFORCING STEEL
   INSIDE FACE OF CAP 70 ± 20
3. REINFORCING STEEL
   REINFORCING STEEL SHALL BE GRADE 400W UNLESS OTHERWISE SPECIFIED.
   BAR HOOKS SHALL HAVE STANDARD HOOK DIMENSIONS USING MINIMUM BEND DIAMETERS, WHILE STIRRUPS AND TIES SHALL HAVE MINIMUM HOOK DIMENSIONS. DOWEL HOOKS SHALL BE BENT TO A 90mm INSIDE DIAMETER AND HOOK LENGTH SHALL BE 260mm MIN.

CONSTRUCTION NOTES:

1. DETAILS PROVIDED ASSUME EXISTING CONCRETE TO CONNECT TO IS GENERALLY IN SOUND CONDITION. CONTRACTOR SHALL CONFIRM THE QUALITY OF THE CONCRETE AND NOTIFY THE CONTRACT ADMINISTRATOR OF ANY DETERIORATION PRIOR TO STARTING CONSTRUCTION.
2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND DETAILS OF THE PROPOSED WORK ON SITE AND REPORT ANY DISCREPANCIES TO THE PROJECT MANAGER BEFORE PROCEEDING WITH THE WORK.
3. SAWCUTS SHALL BE 25mm DEEP OR TO THE FIRST LAYER OF REINFORCING STEEL OF CONCRETE TO REMAIN, WHICHEVER IS LESS.
4. ALL EXPOSED EDGES TO HAVE 20mm CHAMFER UNLESS NOTED OTHERWISE.
5. ALL EXISTING CONCRETE SURFACES AGAINST WHICH NEW CONCRETE IS TO BE PLACED SHALL BE UNIFORMLY ROUGHENED BY MEANS OF SCABBLING, CHIPPING, OR BUSH HAMMERING. A SURFACE PROFILE OF 5± 2mm SHALL BE ACHIEVED BY EXPOSING THE AGGREGATES ACROSS THE ENTIRE SURFACE.
6. ALL CONCRETE SURFACES TO BE ABRASIVE BLAST CLEANED, PRE–WETTED AND A BONDING AGENT SHALL BE APPLIED BEFORE PLACING NEW CONCRETE.
7. ABRASIVE BLAST CLEAN ALL REINFORCING STEEL THAT IS TO BE RETAINED.
8. ANY DAMAGE TO THE EXISTING STRUCTURE DURING REMOVALS OR RECONSTRUCTION SHALL BE REPAIRED BY THE CONTRACTOR TO THE SATISFACTION OF THE PROJECT MANAGER AT NO COST TO THE OWNER.
9. THE CONTRACTOR IS FULLY RESPONSIBLE FOR ADEQUATE PROTECTION FOR ALL UTILITIES, SERVICES, ROADWAYS, ETC. DURING CONSTRUCTION OPERATIONS.
10. THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED DURING CONSTRUCTION TO THEIR ORIGINAL CONDITION AND TO THE SATISFACTION OF THE PROJECT MANAGER.
11. DOWEL HOLE SIZE AND INSTALLATION SHALL FOLLOW DOWEL ADHESIVE MANUFACTURER'S INSTRUCTIONS. REINFORCING TO BE PLACED WITH 70mm CLEAR COVER TO INSIDE OF CAP.

LEGEND

INDICATES EXISTING CONCRETE TO BE REMOVED

INDICATES NEW CONCRETE

Conditions of Use

Verify elevations and/or dimensions on drawing prior to use. Report any discrepancies to Dillon Consulting Limited.

Do not scale dimensions from drawing.

Do not modify drawing, re-use it, or use it for purposes other than those intended at the time of its preparation without prior written permission from Dillon Consulting Limited.

LICENSED PROFESSIONAL ENGINEER B.J. SCHMIDT 100008977 26 April 2024 PROVINCE OF ONTARIO

APPROVED AS TO FORM, IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF DILLON CONSULTING LIMITED AS TO DESIGN AND SPECIFICATION.

Mark Winterton Digitally signed by Mark Winterton Date: 2024.05.02 09:33:56 -04'00'

MARK WINTERTON P.ENG., CITY ENGINEER
THE CORPORATION OF THE CITY OF WINDSOR

RIVERSIDE HORIZONS INC.

DILLON CONSULTING

No.	ISSUED FOR	DATE	BY
04	ISSUED FOR CONSTRUCTION	26 APR 2024	BJS
03	ISSUED FOR EXECUTION	22 MAR 2024	BJS
02	ISSUED FOR TENDER	26 FEB 2024	BJS
01	RE-ISSUED FOR FINAL CITY APPROVAL	16 FEB 2024	BJS

DESIGN: BJS | REVIEWED BY: CDP
DRAWN: AST | CHECKED BY: BJS
DATE: March 22, 2024
SCALE: AS SHOWN

3251 RIVERSIDE CULVERT RELOCATION

PROJECT NO. 21-2521

CULVERT END CAP DETAILS

SHEET NO. 07

DILLON CONSULTING LIMITED, 10 FIFTH STREET SOUTH, CHATHAM, ONTARIO, N7M 4V4, PHONE (519) 354-2692, FAX (519) 354-2950

DILLON
CONSULTING

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.5054

Our File: 21-2521

May 2, 2024

Corporation of the City of Windsor
Engineering Department, Development Division
350 City Hall Square West, Suite 310
Windsor, Ontario
N9A 6S1

Attention: Shannon Mills, C.E.T.
Technologist III

Riverside Drive East Culvert Relocation – Cost Sharing Agreement

On behalf of our client, Riverside Horizons Inc., we have prepared this letter to outline the proposed cost sharing for the design and construction of the Pratt Drain culvert relocation on Belleview Avenue and Riverside Drive East.

Per previous discussions between the City of Windsor and Riverside Horizons Inc., it has been agreed that the cost sharing will be 50% to each party for all costs associated with the construction required to relocate the Pratt Drain culvert from private lands to City right-of-way. An additional 15% shall be added to the total cost to the City to cover the design, tendering, and construction observation. A summary of these costs is provided below based on the Tender results:

Item	Total Cost (excl. HST)	City Share (excl. HST)
Construction	$886,741.00	$443,370.50
Design, Tendering, Construction Observation (15%)	$133,011.15	$66,505.58
Development Review Fee (4% of Horizon's share of the work)	$17,734.82	$0.00
Total	$1,037,486.97	**$509,876.08**

In summary, the City shall be responsible for repayment to Riverside Horizons Inc. for a total of **$509,876.08 + HST**. The Developer has agreed to up front the entire cost initially, until monies are available in the City's oversizing account for repayment.

Should you have any questions or concerns, please contact the undersigned or send an email to bouellette@dillon.ca.

Dillon Consulting
Limited

Yours sincerely,

DILLON CONSULTING LIMITED

Ben Ouellette, P.Eng.
Project Manager
BRO:jrb

Committee Matters: SCM 213/2024

Subject: City of Windsor Community Improvement Plans-Extensions of Grant Approvals

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

Decision Number: **DHSC 637**

I. THAT approvals for financial incentives authorized under various Community Improvement Plans by Council Resolutions listed in Appendix A **BE EXTENDED** for one (1) year from the date of Council approval of Report S74/2024; and,

II. THAT the City **CONSENT** to assignments of all existing Community Improvement Plan ("**CIP**") grant agreements with the City (each, a "**Grant Agreement**") upon the original owner (the "**Assignor**") notifying the City that all or part of the subject property is being or has been conveyed to a new owner (the "**Assignee**"), provided:

a. In the case of the Assignor wishing to assign the right to receive the Grant payments to the Assignee:

i. The Assignee and Assignor enter into an assignment agreement satisfactory in form and content to the City Solicitor;
ii. The Assignor agrees that the Assignee has the right to receive the Grant payments;
iii. The Assignee agrees to assume the Assignor's obligations under the Grant Agreement; and
iv. All other requirements of the Grant Agreement are satisfied; or

b. In the case of the Assignor wishing to continue to receive the Grant payments:

i. The Assignee and Assignor enter into an assignment agreement satisfactory in form and content to the City Solicitor (the "**Grant Retention Agreement**", and together with the Grant Assignment Agreement, the "**Assignment Agreements**");
ii. The parties agree that the Assignor shall continue to receive the Grant payments;
iii. The Assignee agrees to assume the Assignor's obligations under the Grant Agreement; and
iv. All other requirements of the Grant Agreement are satisfied.

III. THAT the City Planner **BE AUTHORIZED** to sign the Assignment Agreements, satisfactory in form and content to the City Solicitor, in content to the Deputy City Planner – Development and in financial content to the City Treasurer.

Carried.

Report Number: S 74/2024
Clerk's File: SPL2024

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 Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Council Report: S 74/2024

Subject: City of Windsor Community Improvement Plans-Extensions of Grant Approvals

Reference:

Date to Council: July 2, 2024
Author: Laura Strahl, Senior Planner-Special Projects
519-255-6543 x6396
lstrahl@citywindsor.ca

Kevin Alexander, Senior Planner-Special Projects
kalexander@citywindsor.ca

Greg Atkinson, Deputy City Planner-Development
gatkinson@citywindsor.ca

Planning & Building Services
Report Date: June 6, 2024
Clerk's File #: SPL2024

To: Mayor and Members of City Council

Recommendation:

I. THAT approvals for financial incentives authorized under various Community Improvement Plans by Council Resolutions listed in Appendix A **BE EXTENDED** for one (1) year from the date of Council approval of Report S74/2024;

II. That the City **CONSENT** to assignments of all existing Community Improvement Plan ("**CIP**") grant agreements with the City (each, a "**Grant Agreement**") upon the original owner (the "**Assignor**") notifying the City that all or part of the subject property is being or has been conveyed to a new owner (the "**Assignee**"), provided:

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iii. The Assignee agrees to assume the Assignor's obligations under the Grant Agreement; and
iv. All other requirements of the Grant Agreement are satisfied; or

b. In the case of the Assignor wishing to continue to receive the Grant payments:

   i. The Assignee and Assignor enter into an assignment agreement satisfactory in form and content to the City Solicitor (the "**Grant Retention Agreement**", and together with the Grant Assignment Agreement, the "**Assignment Agreements**");
   ii. The parties agree that the Assignor shall continue to receive the Grant payments;
   iii. The Assignee agrees to assume the Assignor's obligations under the Grant Agreement; and
   iv. All other requirements of the Grant Agreement are satisfied.

III. That the City Planner **BE AUTHORIZED** to sign the Assignment Agreements, satisfactory in form and content to the City Solicitor, in content to the Deputy City Planner – Development and in financial content to the City Treasurer.

Executive Summary:

N/A

Background:

Part IV, Section 28 of the Planning Act, allows City Council to designate a community improvement project area and prepare a Community Improvement Plan (CIP) whenever there is an Official Plan in effect. The purpose of a CIP may be related to planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, and provision of affordable housing within the project area.

Approved CIPs allow the City to take a variety of measures to further the objectives identified within the 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.

The CIPs approved by the City of Windsor offer financial incentives targeted to the needs of geographic areas or targeted activities as described below in the seven CIPs. The financial incentives are funded in two different ways: 1) a reserve account and placed in a CIP capital project prior to payment 2) increase in municipal taxes as a result of the development.

This report addresses the status of projects City Council has previously approved for financial incentives under the following seven (7) CIPs:

1. *Olde Sandwich Towne Community Improvement Plan* (Sandwich Town CIP)

- Officially came into effect on October 19, 2012, after City Council passed by-law 27-2009 to establish the CIP on January 26, 2009.
- The Sandwich Town CIP consists of grant programs that encourage new development, retail investment, facade improvements, and preservation of Heritage Resources in the Sandwich Heritage Conservation District and Community Improvement Area.

2. ***Brownfield Redevelopment Community Improvement Plan*** **(Brownfield CIP)**
   - Approved by City Council on April 19, 2010, following a five-year study and consultation process that commenced October 2005.
   - The Brownfield CIP provides incentives to promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor.

3. ***Economic Revitalization Community Improvement Plan (Economic Revitalization CIP)***
   - Implemented by City Council on March 15, 2011, encourages new investment in targeted sectors within the city by providing financial incentives to new businesses, expansion of existing building, and small business.

4. ***Downtown Windsor Enhancement Strategy and Community Improvement Plan (Downtown CIP)***
   - Approved by City Council on September 29, 2017, and an adopting by-law was passed by City Council on October 16, 2017.
   - The Downtown CIP provides financial incentives to encourage new residential development, retail investment, facade improvements, and building/property improvements.

5. ***The Ford City Community Improvement Plan (Ford City CIP)***
   - Approved on January 08, 2018, and adopted by City Council through by-laws 171-2018 and 172-2018.
   - The Ford City CIP provides financial incentives to encourage retail/ residential development and building improvement in the neighbourhood.

6. ***Building Facade Improvement Program and Urban Design Guideline for Main Streets Community Improvement Plan***
   - Approved by City Council on January 28, 2018, and was amended and renamed to the Main Streets CIP on September 06, 2022 providing additional financial incentives programs as part of the CIP and in newly expanded areas within the vicinity of Main Streets in the City of Windsor.

7. ***The University Avenue and Wyandotte Street Community Improvement Plan (University/ Wyandotte CIP)***

- 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 provides financial incentives aimed towards encouraging private sector investment and redevelopment along the corridors connecting downtown to the University of Windsor.

Administration has started to review individual grant approvals and identified grants that can be rescinded and grants that need extensions. Report S69/2024 recommended rescindment of grant approvals and removal of the commitment of those funds making them available for other applications and/or to offset future budget pressures. The purpose of this report is to recommend grant applications that have reasonable reasons for extensions.

Discussion:

Grant Extensions

In 2020, Administration started including deadlines for projects to be completed and grant agreements to be signed within each individual report to Council dealing with an grant application. When CIP grants are approved by Council the funds are committed and held for payment following the completion of eligible work and submission of all required information and documents (e.g. signing of legal agreements, submission of invoices, and other requirements) within the allotted timeline. Council approved CIP grants for specific improvements (e.g. building façade improvement, environmental study grants, new residential units) are taken from a reserve account and placed in CIP capital project prior to payment.

Council approved tax increment-based CIP grants are recorded as an expense to a Corporate account on an annual basis over the lifespan of the grant program based on the amount of municipal tax increase resulting from property improvements and the Council approved non-tax increment-based CIP grants result in commitment in the reserve account.

Many applicants have found supply chain issues and labour shortages that started during the pandemic are still affecting their projects. Where applicants are making efforts to still complete their projects, it is appropriate to extend the grant for an additional year to complete their projects.

Appendix A notes the grant approvals that need extensions.

Assignment of Grants

On September 27, 2021, by CR395/2021, City Council provided blanket approval for the assignment of all existing CIP tax increment grant agreements with the City. Upon the original owner notifying the City that the subject property is or has been sold, and if the original owner and new owner agree to certain terms, and enter into an assignment agreement satisfactory to the City, all tax increment grants may be assigned.

Administration has experienced a number of situations where properties subject to CIP grant agreements occur, and the parties want to assign CIP grants beyond just the tax increment grant. Administration is seeking approval herein to approval the assignment of all CIP grants, upon the same terms as approved by CR395/2021.

Risk Analysis:

There is a risk that these projects are holding commitments in the account and future projects will not be awarded grants. Most of the projects in Appendix A are currently underway. Extending the approvals will allow the projects to finish and receive their grant payout.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The chart below identifies the total estimated grants (both one-time and tax increment grants) that would be extended for the CIP approvals outlined in Appendix A. Until such time as the work is completed or additional agreements are executed, there is no financial impact. Should the grants not be required after the extension period lapse, the one-time grant payments would be uncommitted and the estimated tax increment grants would be removed from any future budget estimates. The additional property taxes generated by the new development would be available to offset future budget pressures funded through the property tax levy.

CIP	One-Time Grant Payment	Estimate Tax Increment Grant Amount
Downtown CIP	$280,000.00	$875,347.60
Economic Revitalization CIP	-	$1,214,832.70
Brownfield CIP	$31,500.00	$1,008,179.28
Sandwich Town CIP	$126,207.00	$342,738.00
Ford City CIP	$46,503.00	$61,210.00
Main Streets CIP	$75,000.00	-

Consultations:

The City of Windsor's CIP were 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 applicants prior to making recommendations for approval to Council. Staff from the Planning, Finance and Legal Departments were also consulted in the preparation of this report.

Applicants listed in Appendix A have been notified of the standing committee at which this report will be considered.

Conclusion:

Administration recommends that Council extend the approvals listed in Appendix A for one year, and further that Council approve the assignment of all CIP grants agreements.

Planning Act Matters:

N/A

Approvals:

Name	Title
Laura Strahl	Planner III – Special Projects
Kevin Alexander	Planner III – Special Projects
Josie Gualtieri	Financial Planning Admin.
Greg Atkinson	Deputy City Planner - Development
Jason Campigotto	Deputy City Planner – Growth (A)
Thom Hunt	City Planner/Executive Director of Planning and Building Services
Kate Tracey	Senior Legal Counsel
Lorie Gregg	Deputy Treasurer Taxation, Treasury and Financial Planning
Janice Guthrie	Commissioner of Finance & City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Grant Extensions

Appendix A

Sandwich Town CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Program
June 3, 2019	CR284/2019	3239 Russell Street (0 Russell Street)	2579105 Ontario Inc.	Development of eight two-storey residential units with six bedrooms each	Development and Buildings Fee Grant Revitalization Grant
July 13, 2020	CR347/2020	3311 Peter Street	1603965 Ontario Ltd. (C/O: Julie Touma)	Demolition of a single dwelling unit to construct a new one storey single dwelling unit	Development and Buildings Fee Grant Revitalization Grant
April 19, 2021	CR147/2021	3150 to 3156 Sandwich Street	2594756 Ontario Ltd. (Kyle McDonald)	Conversion of a vacant building for commercial retail and residential uses	Development and Buildings Fee Grant Revitalization Grant Commercial/Mixed Use Building Facade Grant Commercial Mixed-Use Building Improvement Loan Grant
December 20, 2021	CR559/2021	3388 Baby St	Gurbax Wahid	Demolition of a single dwelling unit to construct a new two storey two unit duplex dwelling	Development and Buildings Fee Grant Revitalization Grant

Appendix A

Downtown CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
July 5, 2021	CR311/2021	364 to 374 Ouellette Avenue	2757395 Ontario Inc.	Construction of new residential units and facade improvements	Upper Storey Residential Development Grant Program Commercial/Mixed Use Building Facade Improvement Grant Program Building/Property Tax Increment Grant Program
November 1, 2021	CR495/2021	754 Ouellette Avenue	Trinity Windsor Drug Limited	Improvements to existing one storey building	Commercial/Mixed Use Building Facade Improvement Grant Program Building/Property Improvement Tax Increment Grant Program
February 8, 2021	CR151/2021, Extension: CR97/2024	511 Pelissier Street	Larry Wolf Horwitz	Create new residential units within existing building	New Residential Development Grant Program Building/Property Improvement Tax Increment Grant Program
December 6, 2021	CR15/2022	493 University Ave	2770722 Ontario Limited	Facade improvements and create new residential units	Upper Storey Residential Unit Creation Program Commercial/Mixed Use Building Facade Improvement Grant Program Building/Property Improvement Tax Increment Grant Program

Appendix A

July 5, 2021	CR310/2021 DHSC 297, Extension: CR97/2024	490-495 Pelissier St	2527179 Ontario Inc.	Facade improvements	Commercial/Mixed Use Building Facade Improvement Grant Program
February 3, 2020	CR57/2020, Extension: CR97/2023	119 Chatham Street and 149 Chatham Street	St. Clair Rhodes Development	Facade improvements and renovations for office use	Commercial/Mixed Use Building Facade Improvement Grant Program Building/Property Improvement Tax Increment Grant Program

Ford City CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
January 18, 2021	CR33/2021	1008 Drouillard Road	2594756 Ontario Ltd. (C/O: Kyle McDonald)	Improvements to the interior/ exterior of the property	Municipal Development Fees Grant Retail Investment Grant
April 19, 2021	CR154/2021	1024 to 1026 Drouillard Road	Spectrum Contracting Inc. (C/O: Randy Diestelmann)	Improvements to the interior/ exterior of the property	Retail Investment Grant

Appendix A

Main Streets CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
January 18, 2021	CR33/2021	1008 Drouillard Road	2594756 Ontario Ltd. (C/O: Kyle McDonald)	Improvements to the interior/ exterior of the property	Building Facade Improvement Grant
April 19, 2021	CR154/2021	1024 to 1026 Drouillard Road	Spectrum Contracting Inc. (C/O: Randy Diestelmann)	Improvements to the interior/ exterior of the property	Building Facade Improvement Grant
December 20, 2021	CR560/2021	1378 Ottawa Street	Jaskaran Takhar	Improvements to the exterior of the property	Building Facade Improvement Grant

Economic Revitalization CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
May 4, 2020	CR212/2020	KJ Land Resources Inc.	KJ Land Resources Inc.	Renovation of building for head office	Business Retention and Expansion
May 25, 2020	CR/247/2020	1785 Walker Road	2520034 Ontario Limited	Renovation of building for employment use	Business Retention and Expansion Grant

Appendix A

January 31, 2022	CR40/2022	10700 Tecumseh Rd E	2810859 Ontario Inc	Construction of new surgical facility	Small Business Investment Grant
April 25, 2022	CR/177/2022	3430 Wheelton Dr	538512 Ontario Limited	Renovation of building for manufacturing	Business Retention and Expansion Grant

Brownfield Revitalization CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
August 4, 2020 February 1, 2021	CR405/2020 CR60/2021	840 Wyandotte St E	1362279 Ontario Ltd.	Clean up and redevelop site for mixed use	• Feasibility Study Grant • Environmental Site Assessment Grant • Brownfield Tax Assistance • Brownfield Rehabilitation Grant
February 1, 2021	CR60/2021	1370 Argyle Rd	Duo Fratres Inc.	Clean up and redevelop site for residential use	• Brownfield Tax Assistance • Brownfield Rehabilitation Grant

Item No. 8.20

Committee Matters: SCM 214/2024

Subject: Application to Demolish Residential Dwelling Located at 2318 Westcott Road, which is Subject to Demolition Control By-law 131-2017 (Ward 5)

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

Decision Number: **DHSC 635**

I. THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the property owner 2644008 Ontario Ltd. (Adel Shaya) for the single residential dwelling located at 2318 Westcott Road to facilitate redevelopment of the property into a single detached dwelling, resulting in a total of one residential dwelling unit; 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.

Carried.

Report Number: S 76/2024
Clerk's File: SPL2024

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 Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Council Report: S 76/2024

Subject: Application to Demolish Residential Dwelling Located at 2318 Westcott Road, which is Subject to Demolition Control By-law 131-2017 (Ward 5)

Reference:

Date to Council: July 2, 2024
Author: Tracy Tang, MCIP, RPP
Planner III – Economic Development (A)
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services
Report Date: June 10, 2024
Clerk's File #: SPL2024

To: Mayor and Members of City Council

Recommendation:

I. THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the property owner 2644008 Ontario Ltd. (Adel Shaya) for the single residential dwelling located at 2318 Westcott Road to facilitate redevelopment of the property into a single detached dwelling, resulting in a total of one residential dwelling unit; 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 Official Plan policies and Zoning Bylaw 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.

These 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, and to limit the expansion of parking areas into the adjacent neighbourhoods.

Discussion:

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 Tecumseh Road East between Westcott Road and Rossini Boulevard (See Appendix B).

The property subject of this application is designated for Residential use in the City's Official Plan and zoned Residential District 1.2 (RD1.2), which permits an Existing Duplex Dwelling, Existing Semi-Detached Dwelling, One Single Unit Dwelling, and accessory uses.

Demolition Application and Proposed Redevelopment

The City has received an application to demolish a detached single unit residential dwelling located at 2318 Westcott Road (see Appendix A). The subject property contains a one-and-a-half-storey vinyl siding-clad single residential detached dwelling and a one-storey garage structure at the rear. The parcel is 294 square metres in size (i.e. 35 feet by 90.5 feet). The property is not listed on the Municipal Heritage Register.

The owner 2644008 Ontario Ltd. (Adel Shaya) proposes to demolish the existing dwelling and garage and replace it with a single detached dwelling, resulting in a total of one residential dwelling unit (Appendix C). The dwelling is proposed to be 1297 square feet, with four bedrooms and three bathrooms. On August 18, 2022, the Committee of Adjustment granted a consent to sever the property to allow for the creation of a new lot, and a variance for reduced minimum lot width and lot area to facilitate the construction of a new single detached dwelling on the property. The latest redevelopment proposal as attached in Appendix 'C' has undergone a Zoning By-law review, where Administration found it to be in compliance with Zoning By-law 8600 and no additional minor variances are required.

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 two separate Zoning By-law reviews, once through the Committee of Adjustment application process and other through the present Demolition Control 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 owner has 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 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 $108,000 and municipal tax levy is $2,014.97. The assessment is anticipated to increase once the new dwelling is constructed.

Consultations:

The property owner has 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 2318 Westcott Road will facilitate the construction of a single detached dwelling (one primary unit). The proposed redevelopment complies with Zoning By-law 8600, 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 owner 2644008 Ontario Ltd. (Adel Shaya), 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**
Jason Campigotto	Acting Deputy City Planner - Growth
Neil Robertson	Deputy City Planner
Thom Hunt	City Planner/ Executive Director, Planning & Development Services
Brandon Calleja	Acting Manager of Permits / Deputy CBO
John Revell	Chief Building Official
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development

Name	Title
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
2644008 Ontario Ltd.		

Appendices:

1 Appendix A - Location Map
2 Appendix B - Demolition Control Area
3 Appendix C - Proposed Redevelopment Plan for 2318 Westcott Road (Not Approved for Construction)
4 Appendix D - Site Photos

LOCATION MAP : 2318 WESTCOTT ROAD

SUBJECT PROPERTY

Meters
0 5 10 20

SCHEDULE E : DEMOLITION CONTROL BY-LAW

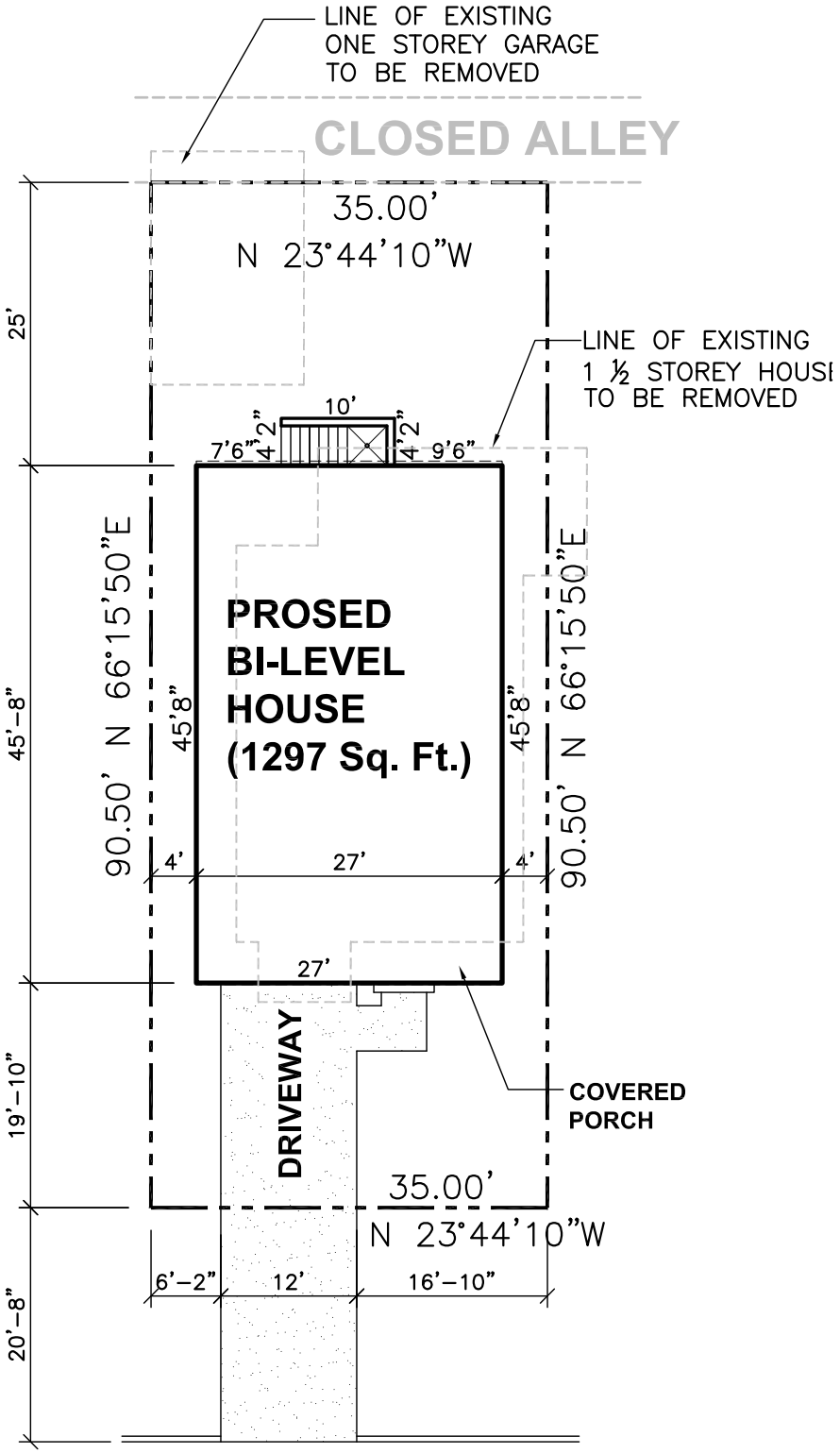
TECUMSEH ROAD EAST

DEMOLITION CONTROL BY-LAW BOUNDARY AREA

PROPERTIES INCLUDED IN DEMOLITION CONTROL BY-LAW

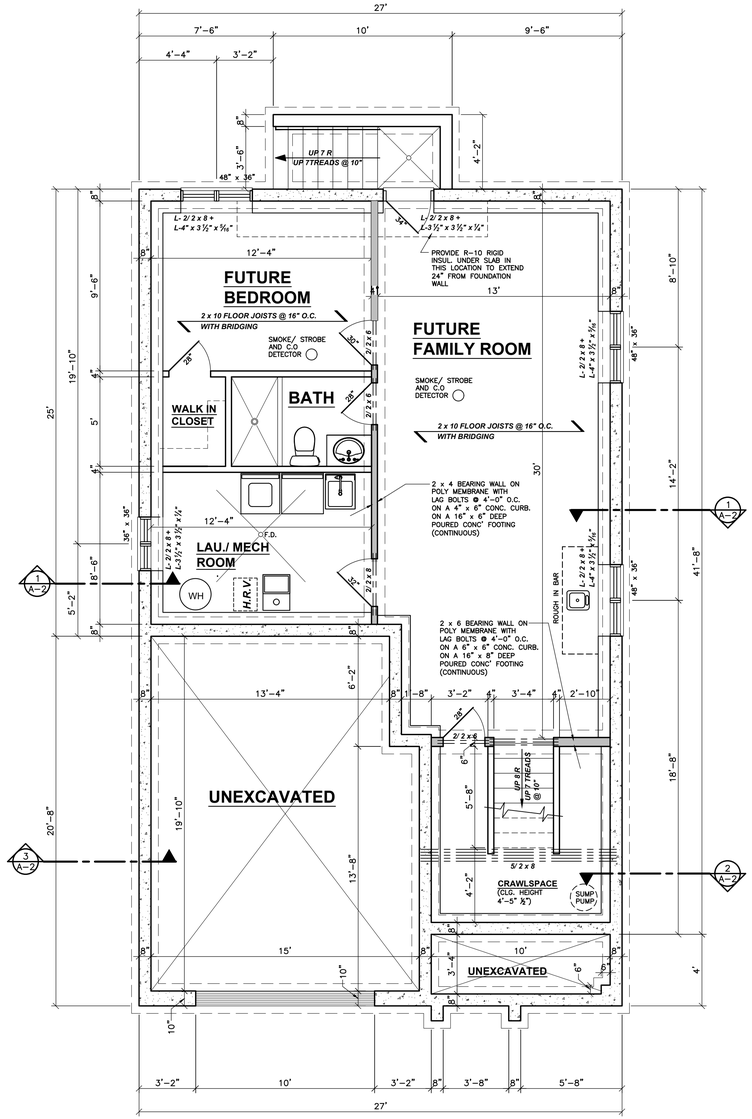
1:7,500

AUGUST 2017

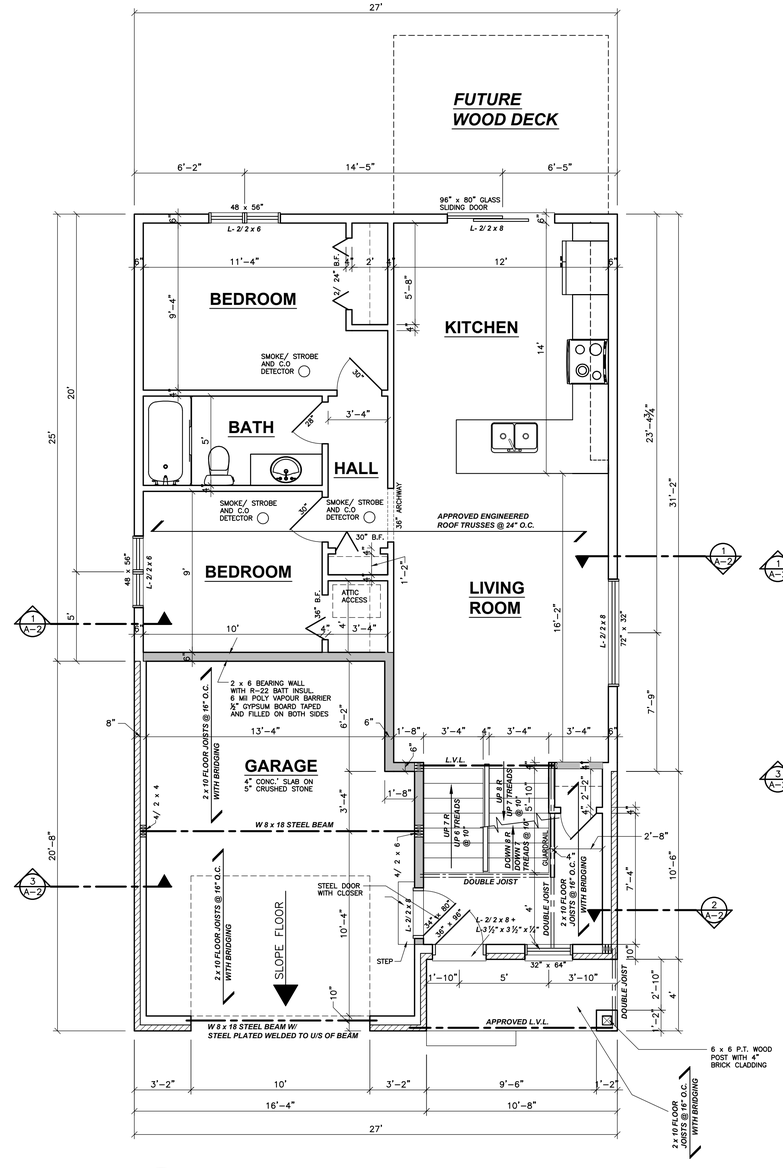


2318 WESTCOTT ROAD

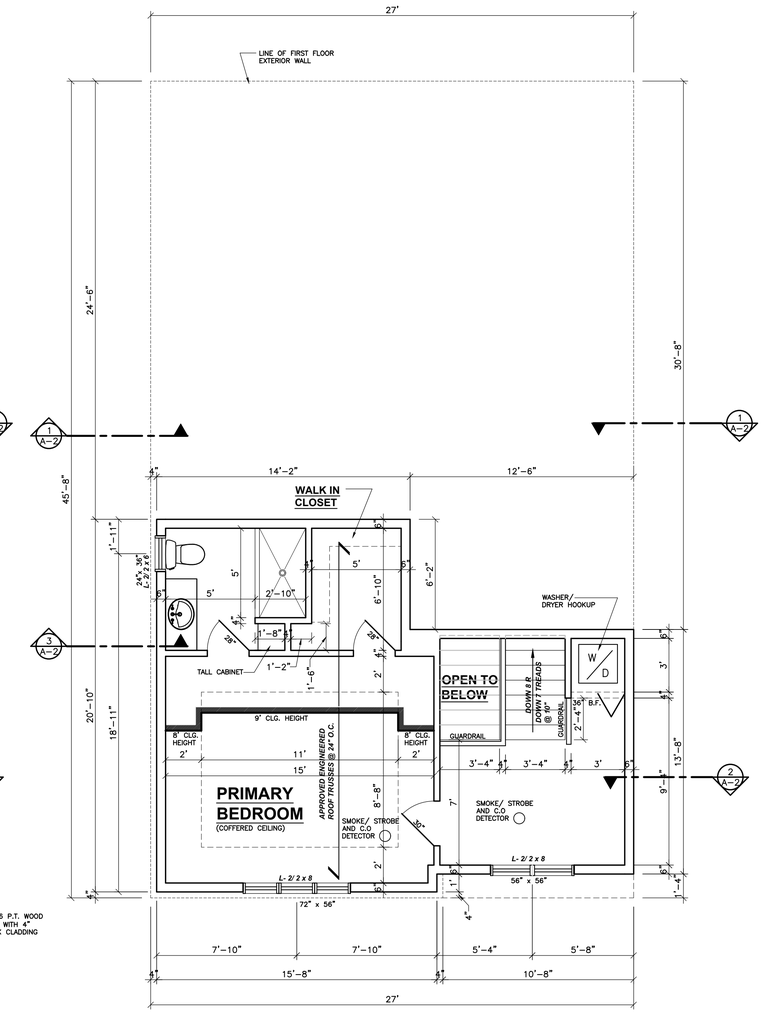
NOTE: THESE DRAWINGS ARE ONLY TO BE USED TO OBTAIN A BUILDING PERMIT. SIZES OF STRUCTURAL MEMBERS SUCH AS: ROOF TRUSSES, STEEL AND WOOD LAMINATED BEAMS, SHALL BE PROVIDED BY THE MANUFACTURERS SPECIFICATIONS.



1 A-1 FOUNDATION PLAN
SCALE: ¼" = 1'-0"
AREA: 874 Sq. Ft.



2 A-1 FIRST FLOOR PLAN
SCALE: ¼" = 1'-0"
AREA: 874 Sq. Ft.



3 A-1 SECOND FLOOR PLAN
SCALE: ¼" = 1'-0"
AREA: 423 Sq. Ft.

(2318 WESTCOTT)

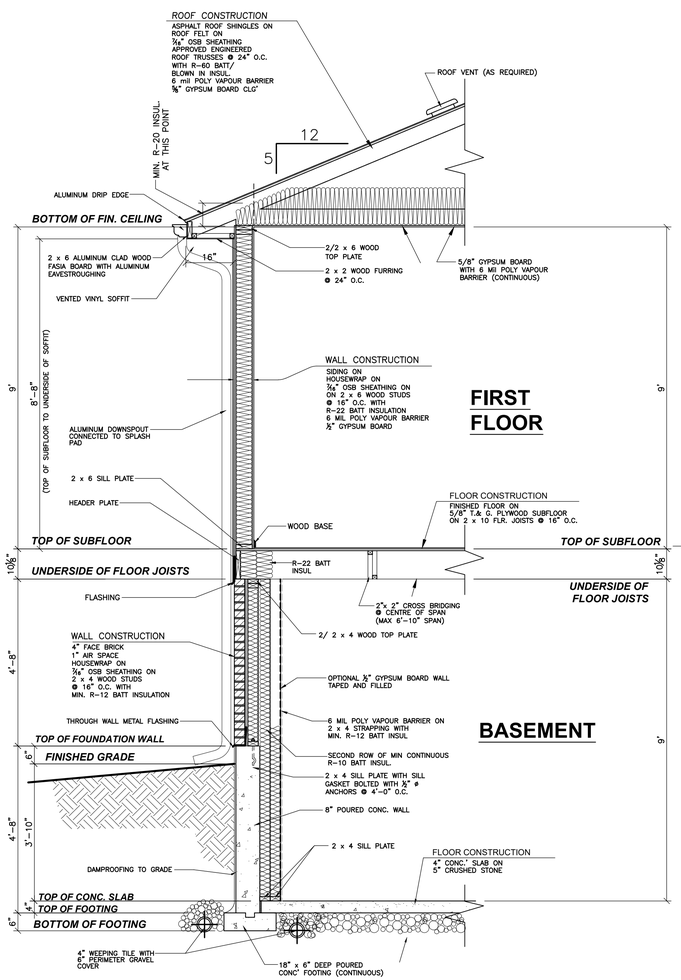
C.MATTHEWS design
6 - 2557 Dougall Ave, Suite 1600
WINDSOR ONTARIO, CANADA
N8X 1T5
(519) 915 - 3275
E-MAIL: cmatthewsdesignwindsor@gmail.com

BCIN 38359

DESIGNS © C.MATTHEWS DESIGN 2024

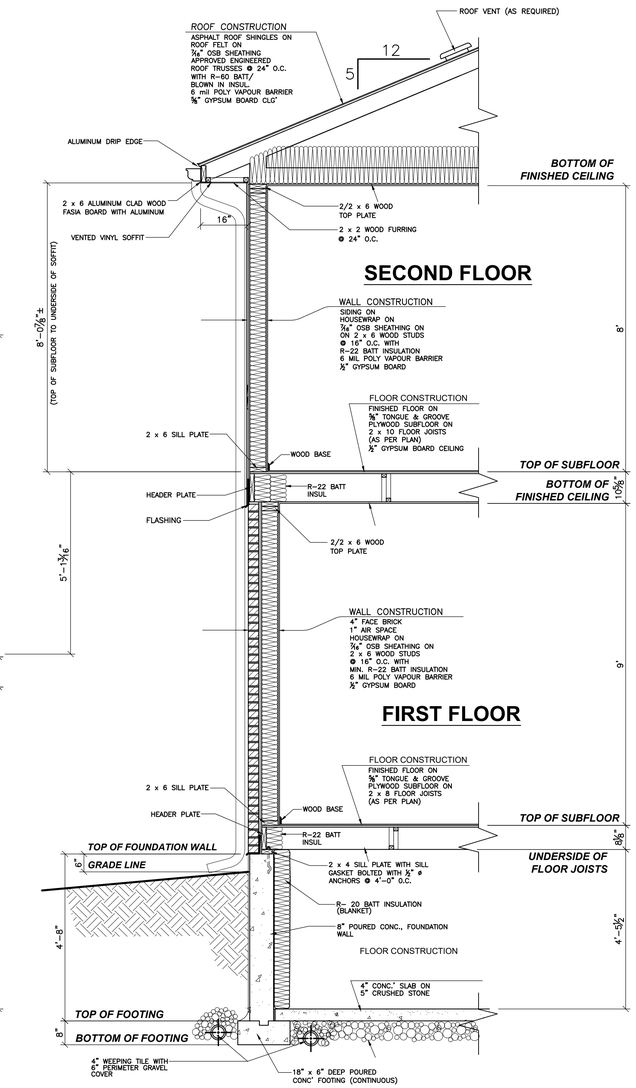
PROJECT: PROPOSED BI-LEVEL BI-LEVEL HOUSE WITH BONUS ROOM (1297 Sq. Ft) FOR: 2644008 Ont Inc	DRAWN BY: C.D.M.
	DATE: MAY 21 / 2024
TITLE: FOUNDATION PLAN AND FIRST FLOOR PLAN	SCALE: ¼" = 1'-0"
	JOB No. 2409D
	DWG. No. A-1

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

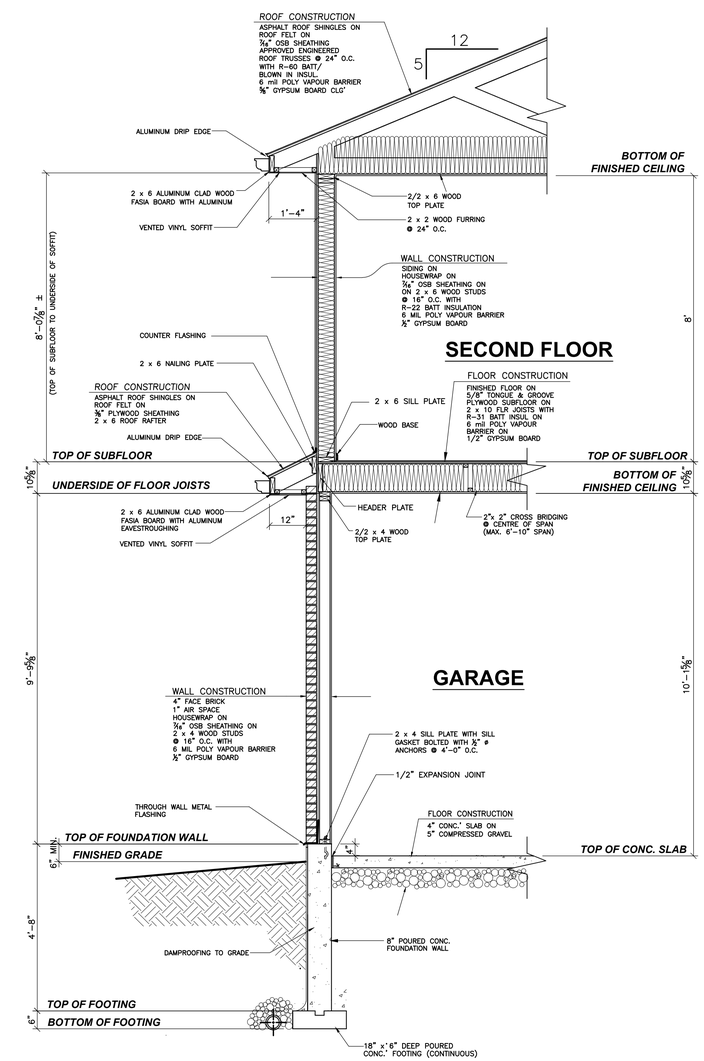


1 A-2 WALL SECTION
SCALE: 1/2" = 1'-0"

NOTE
INSULATION VALUES MAY VARY BASED ON SPACE HEATING EQUIPMENT, HRV (IF APPLICABLE) AND HOT WATER HEATER



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



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

MATTHEWS design
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N8X 1T5
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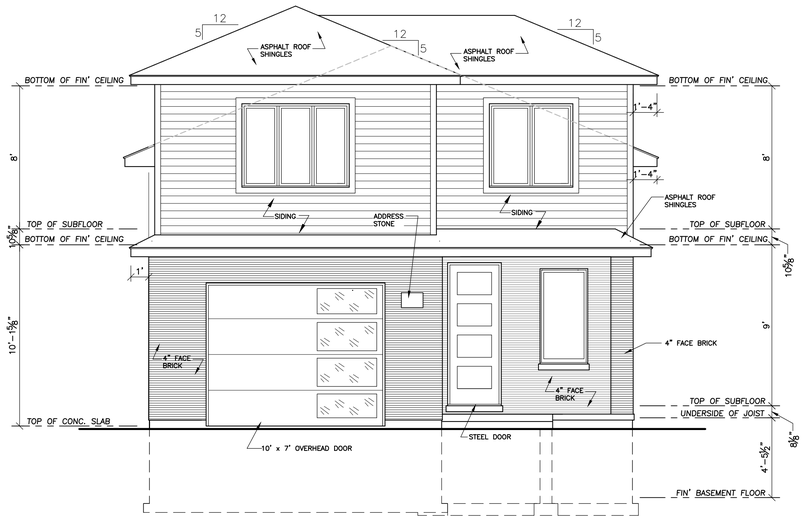
E-MAIL: cmatthewsdesignwindsor@gmail.com

BCIN 38359

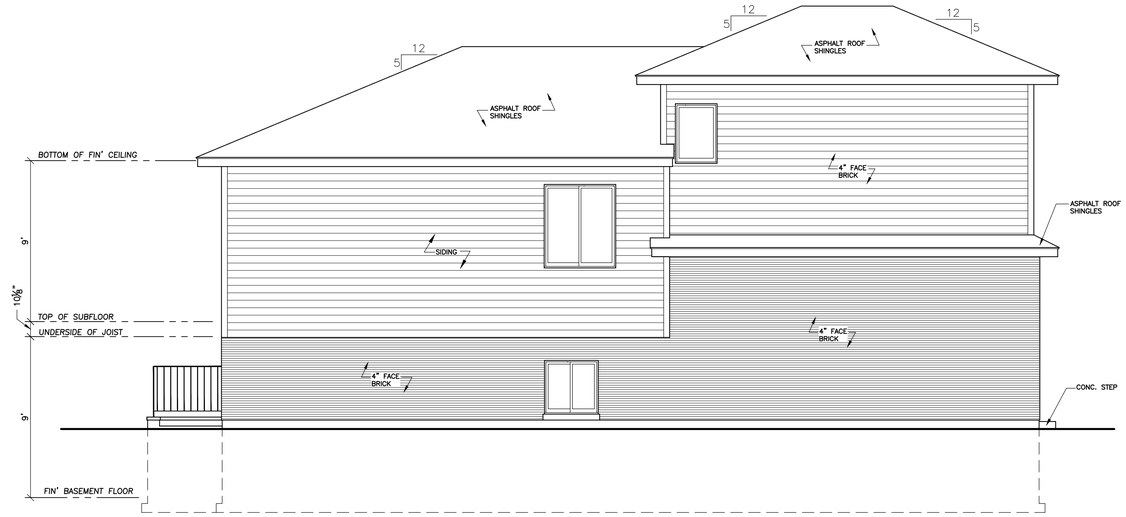
DESIGNS © C.MATTHEWS DESIGN 2024

PROJECT: PROPOSED BI-LEVEL BI-LEVEL HOUSE WITH BONUS ROOM (1297 Sq. Ft) FOR: 2644008 Ont Inc	DRAWN BY: C.D.M.	
	DATE: MAY 21 / 2024	
TITLE: SECTIONS	SCALE: 1/2" = 1'-0"	DWG. No. A-2
	JOB No. 2409D	

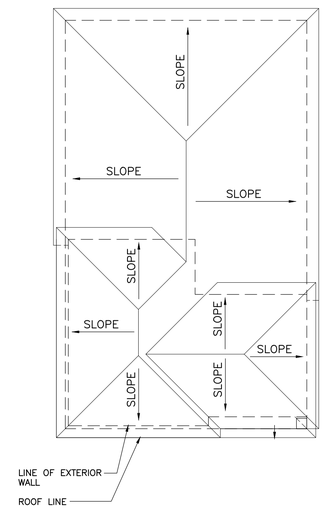
NOTE: THESE DRAWINGS ARE ONLY TO BE USED TO OBTAIN A BUILDING PERMIT. SIZES OF STRUCTURAL MEMBERS SUCH AS: ROOF TRUSSES, STEEL AND WOOD LAMINATED BEAMS, SHALL BE PROVIDED BY THE MANUFACTURERS SPECIFICATIONS.



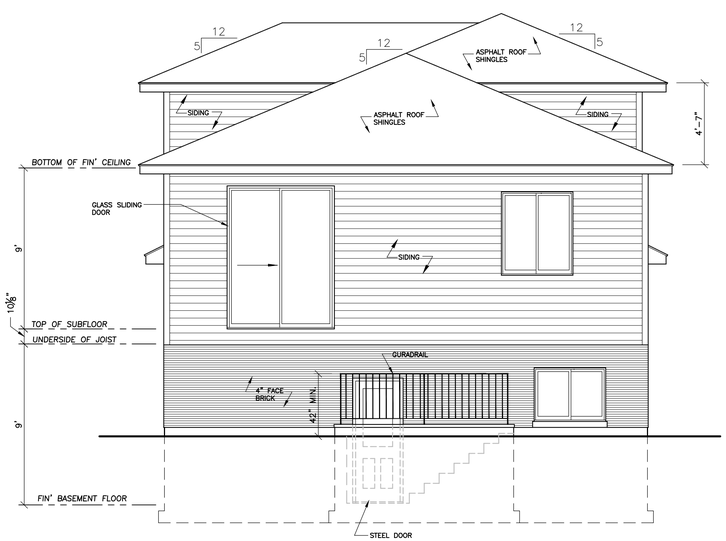
1 A-3 FRONT ELEVATION
SCALE: ¼" = 1'-0"



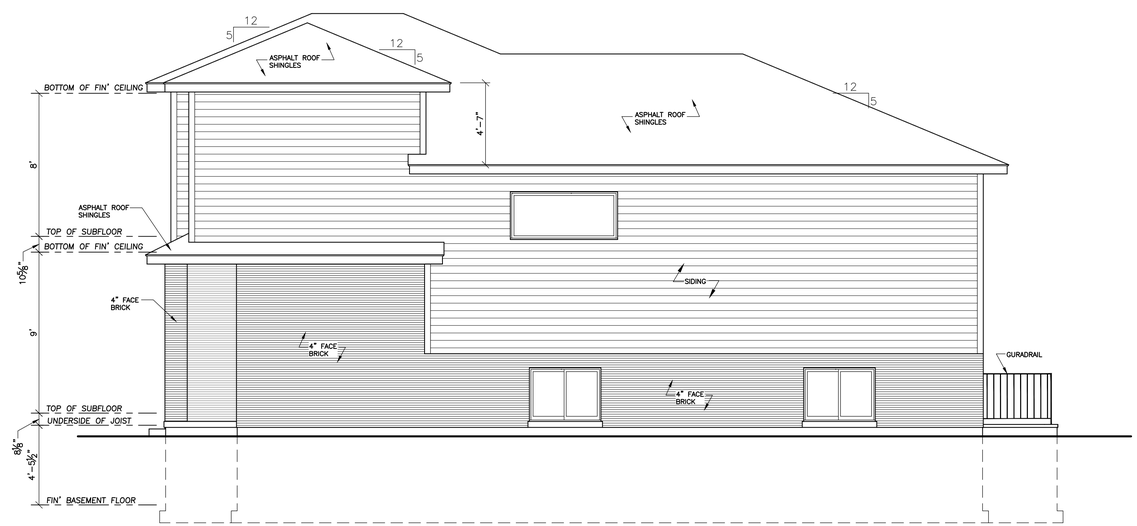
3 A-3 LEFT ELEVATION
SCALE: ¼" = 1'-0"



3 A-3 ROOF PLAN
SCALE: ½" = 1'-0"



2 A-3 REAR ELEVATION
SCALE: ¼" = 1'-0"



4 A-3 RIGHT ELEVATION
SCALE: ¼" = 1'-0"

MATTHEWS design
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N8X 1T5
(519) 915 - 3275
E-MAIL: cmatthewsdesignwindsor@gmail.com

BCIN 38359

DESIGNS © C.MATTHEWS DESIGN 2024

PROJECT: PROPOSED BI-LEVEL BI-LEVEL HOUSE WITH BONUS ROOM (1297 Sq. Ft) FOR: 2644008 Ont Inc	DRAWN BY: C.D.M.	
	DATE: MAY 21 / 2024	
TITLE: ELEVATIONS AND ROOF PLAN	SCALE: ¼" = 1'-0"	DWG. No. A-3
	JOB No. 2409D	

Appendix D – Site Photos of 2318 Westcott Road

Google Streetview, January 2021

Committee Matters: SCM 215/2024

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Reigns 740 Inc. for 3495 Bloomfield Road (Ward 2)

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

Decision Number: **DHSC 636**

I. THAT the request made by Reigns 740 Inc. 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 3495 Bloomfield Road pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,

II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of $15,000 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; and,

III. THAT the grant funds in the amount of $15,000 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; and,

IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 77/2024
Clerk's File: SPL2024

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 11.3 from the Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Council Report: S 77/2024

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Reigns 740 Inc. for 3495 Bloomfield Road (Ward 2)

Reference:

Date to Council: July 2, 2024
Author: Tracy Tang, MCIP, RPP
Planner III – Economic Development (A)
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services
Report Date: June 10, 2024
Clerk's File #: SPL2024

To: Mayor and Members of City Council

Recommendation:

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IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Executive Summary: N/A

Background:

Brownfield Redevelopment Community Improvement Plan (CIP)

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

Importance of Brownfield Redevelopment

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 site consists of one property parcel located on the southeast side of Bloomfield Road at the intersection with South Street. The property is 0.10 hectares (or 0.26 acres) in size and rectangular shaped. It is currently vacant with a former hydro substation (utilities) building and a fenced in yard. The site is designated ‘Residential” on Official Plan Schedule D: Land Use, and is zoned Residential District RD1.3, which permits an Existing Duplex Dwelling, Existing Semi-Detached Dwelling, and One Single Unit Dwelling.

The property was first developed sometime between 1954 and 1962. It was utilized as a hydro substation up until sometime between 2006 and 2010. The site has been vacant since the substation ceased its operations. Some Potentially Contaminating Activities (PCAs) identified on the subject site include fill material of unknown quality and the historic industrial use of hydro substation.

The principal owner of Reigns 740 Inc. is Sital Garha. Reigns 740 Inc. intends to redevelop the property for residential use, thus a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. In February 2024, Reigns 740 Inc. expressed interest in submitting Consent to Sever and Minor Variance applications to facilitate the redevelopment, as well as submitting an application for Sandwich Town Community Improvement Plan (CIP) incentives. Through this correspondence, the requirement for an RSC was noted. The owner has now submitted the Brownfield Redevelopment CIP grant application and will be incurring the eligible Phase II ESA study 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 redevelop 3495 Bloomfield Road for residential use, and requires a Phase II ESA study as part of their application for a RSC. 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. Upon completion, the City would retain a copy of the final Phase II ESA study report.

CIP Goals

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of the subject site also supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;

- 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 redevelopment is supported by the Environmental Master Plan action item, which encourages use of the Brownfields Redevelopment Strategy.

Climate Change Adaptation:

The redevelopment of the vacant former hydro substation 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 $31,950. If approved, the maximum grant would total $15,000. 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 $294,507 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's agent from Dillon Consulting prior to accepting the application for the Environmental Study Grant program. Greg Atkinson, Manager of Development, Planning and Building Services; Josie Gualtieri, Financial Planning Administrator, Finance Department; and Kate Tracey, Senior Legal Counsel, Legal Department were consulted in the preparation of this report.

Conclusion:

City Staff recommend Council approve the request from Reigns 740 Inc. 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
Jason Campigotto	Acting Deputy City Planner - Growth
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Thom Hunt	City Planner
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Reigns 740 Inc.		
Taryn Azzopardi		

Appendices:

1 Appendix A - Location Map

LOCATION MAP: 3495 BLOOMFIELD ROAD

SUBJECT PROPERTY

0 5 10 20 30 Meters

Committee Matters: SCM 216/2024

Subject: Sandwich Town CIP Application, 3495 Bloomfield Road; Owner: Reigns 740 Inc. (C/O: Sital Singh Garha); (Ward 2)

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

Decision Number: **DHSC 638**

I. THAT the request for incentives under the Sandwich Incentive Program made by Reigns 740 Inc. (C/O: Sital Singh Garha), (the "Owner") owner of the property located at 3495 Bloomfield Road (the "Property"), **BE APPROVED** for the following programs when all work is complete:

   i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of (+/- $60,000);

   ii. *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/-$10,836 per year) (collectively, the "Grant"); and,

II. THAT Administration **BE AUTHORIZED** to prepare the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan (the "Grant Agreement") to the satisfaction of the City Planner as to content, the City Solicitor as to form, and the CFO/City Treasurer as to financial implication; and,

III. THAT funds in the maximum amount of $60,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Account 7076176) when the work is complete; and,

IV. THAT grants **BE PAID** to Reign 740 Inc. upon completion of the proposed three (3) single family dwellings from the *Sandwich Community Development Plan Fund* (Project 7076176) to the satisfaction of the City Planner and Chief Building Official; and,

V. 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,

VI. THAT the approved Grants **SHALL LAPSE** if the Owner has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Carried.

Report Number: S 81/2024
Clerk's File: SPL2024

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 Development & Heritage Standing Committee held on July 2, 2024

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240702/-1/10494

Subject: Sandwich Town CIP Application, 3495 Bloomfield Road; Owner: Reigns 740 Inc. (C/O: Sital Singh Garha); (Ward 2)

Reference:

Date to Council: July 2, 2024
Author: Kevin Alexander, MCIP RPP
Senior Planner - Special Projects
(519) 255-6543 x. 6732
kalexander@citywindsor.ca

Gabriel Lam & Danielle Poirier
Community Development Planning Assistant
Email: glam@citywindsor.ca ; dpoirier@citywindsor.ca

Planning & Building Services
Report Date: June 14, 2024
Clerk's File #: SPL2024

To: Mayor and Members of City Council

Recommendation:

I. **THAT** the request for incentives under the Sandwich Incentive Program made by Reigns 740 Inc. (C/O: Sital Singh Garha), (the "Owner") owner of the property located at 3495 Bloomfield Road (the "Property"), **BE APPROVED** for the following programs when all work is complete:

   i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of (+/- $60,000);

   ii. *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/-$10,836 per year) (collectively, the "Grant"); and

II. **THAT** Administration **BE AUTHORIZED** to prepare the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan (the "Grant Agreement") to the satisfaction of the City Planner as to content, the City Solicitor as to form, and the CFO/City Treasurer as to financial implication;

III. **THAT** funds in the maximum amount of $60,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Account 7076176) when the work is complete;

IV. **THAT** grants **BE PAID** to Reign 740 Inc. upon completion of the proposed three (3) single family dwellings from the *Sandwich Community Development Plan Fund* (Project 7076176) to the satisfaction of the City Planner and Chief Building Official;

V. **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

VI. **THAT** the approved Grants **SHALL LAPSE** if the Owner has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Executive Summary:

N/A

Background:

On January 26, 2009, City Council passed by-laws to establish the Sandwich Heritage Conservation District Plan (By-law 22-2009), Olde Sandwich Towne Community Improvement Plan (By-law 27-2009), and Supplemental Development and Urban Design Guidelines (By-law 28-2009). These By-laws came into effect on October 18, 2012. One of the key recommendations of the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) is the implementation of the Incentive Program(s).

On June 17, 2013, through M265-2013 Council activated the following Incentive Programs from the Sandwich Incentive Program(s) “toolkit” (See):

a) Commercial/Mixed Use Building Facade Grant Program

b) Revitalization Grant Program

c) Commercial Core Feasibility Grant Program

d) Development Charge Grant Program

e) Development and Building fees Grant Program

f) Neighbourhood Residential Rehabilitation Grant Program.

On June 17, 2013, Council also received the Development Review Process for development applications within the Sandwich Heritage Conservation District (HCD) area, and within the Sandwich Community Improvement Plan (CIP) Area (outside of the Sandwich HCD Area) (M264-2013). On April 28, 2014, Council also activated the

Commercial/Mixed Use Building Improvement Loan Program from the Sandwich Incentive Program(s) "toolkit".

Discussion:

On February 20th, 2024, the owner Reigns 740 Inc. (C/O: Sital Singh Garha) Reigns 740 Inc. submitted a Sandwich CIP grant application with Site Plan and Elevation Drawings for the purpose of demolishing the vacant former hydro substation building and constructing three (3) two (2) storey single family dwellings located at 3459 Bloomfield Road (See Appendix 'A' for location map), (See Appendix 'B' for Site Plan).

In February 2024, the owner also submitted an Application to the Committee of Adjustment (COA) for a Consent to Sever and Minor Variance applications to facilitate the redevelopment of three (3) two (2) storey single family dwellings located on the site. The site is designated 'Residential" on Official Plan Schedule D: Land Use, and is zoned Residential District RD1.3, which permits an Existing Duplex Dwelling, Existing Semi-Detached Dwelling, and One Single Unit Dwelling.

Given that the owner intends to redevelop the property for residential use (considered a more sensitive land use), a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. Thus, the owner has also applied for funding through the City's Brownfield CIP to fund a Phase II Environmental Site Assessment Study for the property since it's past use was a hydro substation between 1954 and 1962 through to between 2006 and 2010.

Sandwich Incentive Program(s)

The proposal is located within Target Area 3 of the Sandwich CIP Area and eligible for the following incentive programs. The eligible costs for each incentive program are based on the cost estimates provided by the applicant. As the project is implemented these costs could fluctuate slightly resulting in a minor impact on the eligible costs for each incentive program. The application is consistent with the general program requirements identified in Section 10.3 of the CIP, with the following program specific requirements:

1. *Development and Building fees Grant Program*

The purpose of the program is to provide an additional incentive to augment the other incentive programs and to facilitate and spur adaptive re-use, redevelopment, and new construction. The program provides a grant equal to 100% of the fees paid for the eligible types of development applications and building permits. The applicant has applied for a Building Permit for the addition of the new dwellings in the existing space. Building Permit drawings have been submitted but are still under review. Recommendation I. i. of the report will include a maximum amount of $60,000 to ensure that all fees are captured for the proposed three residential structures.

Based on the information we have at the time of this report the following fees are required:

- Building Permit Fee — *to be determined.*
- Demolition Permit Fee — *to be determined*

- Minor Variance Fee — *to be determined*
- Parkland Conveyance Fee – *to be determined*

TOTAL: To Be Determined up to a maximum of $60,000

2. *Revitalization Grant Program*

The purpose of this program is to use the tax increase that can result when a property is rehabilitated, redeveloped, or developed to provide assistance in securing the project financing and offset some of the costs associated with the rehabilitation. The program will provide an annual grant equal to 70% of the increase in City property taxes for 10 years after project completion if the project results in an increase in assessment and therefore an increase in property taxes. Based on the project description and current value vs. estimated post-project assessment value of land, and buildings identified in the Grant Application, the property assessment is expected to increase.

The confirmed current value assessment of the property located at 3495 Bloomfield Road is $61,000. The owner currently pays property taxes of $1,183.19. The municipal portion, to which the grant would apply, is $1,079.51.

The Applicant's estimated Post-Project Value of Land and Buildings based on the cost of construction is $1,950,000 with a value increase of $1,889,000.

However, some of the proposed costs incurred, although eligible for purposes of the application, may not result in a direct increase in assessment value. In other words, the grant is calculated and paid, not on the post-project value or projections made in this report, but on the actual post-development value, as determined by MPAC after project completion. Administration has estimated the Post-Redevelopment Property Value Assessment based on the drawings and information provided to be $823,470. The grant will however be based upon the actual tax increment once the assessment and full review of the building after completion of renovations has been determined by MPAC.

For illustrative purposes, the table below identifies the annual grant equal to 70% of the increase in City property taxes for 10 years after project completion, based on the Current Value Assessment and the (projected) Estimated Post Project Assessment Value. The taxes retained by the City over the duration of the grant program is equal to a 30% increase of the tax increment. After completion of the grant program (10 years), the City will collect the full value of municipal tax increase ($10,836 annually).

Estimated Revitalization Grant for 3495 Bloomfield Road

Annual Pre Development Municipal Taxes	Annual Estimate Post Development Municipal Taxes	Annual Estimate Value of Grant (70% of municipal increase)	Annual Estimate of Grant Over 10 years)
$ 1079.51	$15,480	$10,836	$108,360

Assumptions

Current Property Value Assessment (2023 – Multi-Residential)	$61,000
Estimate Total Post Development Assessment	$823,470

Risk Analysis:

The Planning & Building Department will conduct a review of the building plans to confirm compliance with the Ontario Building Code, and applicable law (e.g. zoning by-law and the Ontario Heritage Act). The drawings will continue to be reviewed to ensure that the City's incentives are being used appropriately and the City is receiving good value for the public investment allocated through the Sandwich Incentive Program(s). As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the grant amount does not exceed the total cost of the project.

The following grants will not be disbursed until an agreement for the Sandwich Incentive Program has been registered on title between the owner and the City of Windsor and not until all work is completed and inspected by Administration as per the approved drawings and Building Permit:

- *Revitalization Grant Program*
- *Development and Building Fees Grant Program*

There is little risk associated with approval of a tax increment-based grant such as the *Revitalization Grant Program* as the payments commence after the eligible work has been completed and the property reassessed by MPAC, and will only continue if the development remains eligible in accordance with the Sandwich CIP. Should the development fail to meet its requirements under the CIP, grant payments would cease.

Climate Change Risks

Climate Change Mitigation:

The subject development mitigates greenhouse gas (GHG) emissions by renovating a vacant existing residential space which reduces material usage and construction time,

The re-use of the existing building and site contributes to the revitalization of the Sandwich Town Neighbourhood through increasing the density and promoting walking and other alternative modes of transportation, thereby contributing to a complete community. The improvements to the existing building will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

As a brownfield site, the proposed residential redevelopment is supported by the Environmental Master Plan action item, which encourages use of the Brownfields Redevelopment Strategy.

Climate Change Mitigation:

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property does not appear to be located within a Heat Vulnerability area. However, the rehabilitation of the existing site and construction of the new building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency.

Financial Matters:

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, 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 current uncommitted balance of the CIP reserve fund is $294,507 however this balance does not account for other CIP grant requests that are currently being considered by the Development & Heritage Standing Committee/City Council standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (project 7076176) to disperse the amount of +/- $60,000 for the *Development and Building Fees Grant Program* identified in this report.

The *Revitalization Grant* will be based upon the municipal tax increase and will be calculated by the Finance Department when all work is complete.

Eligible Incentive Programs		**Grant**
Development and Building Fees Grant *Note: Development and Building Fees are paid upfront by the applicant and these fees are approximate and can change at the time of Building Permit*		**+/- $60,000**
Revitalization Grant **($10,836 per year between years 1 to 10*		**$108,360**
	Total	**+/- $168,360**

Except for the *Revitalization Grant*, the owner will be reimbursed through the project *Sandwich Community Development Plan Fund (project* 7076176) when all work is

complete. The *Revitalization Grant* is funded through the municipal portion of the annual tax levy.

Consultations:

The Planning and Building Department has consulted with the owner of 3495 Bloomfield through the Sandwich Incentive(s) Program application and all other aspects of the Development Review Process including the requirements of the Heritage Permit process.

For the purpose of determining the approximate dollar value of grants Carolyn Nelson, Manager of Property Valuation & Administration and Jose Mejalli, Assessment Management Officer, Taxation & Financial Projects were consulted with respect to the Sandwich Town CIP *Revitalization Grant Program.* Josie Gualtieri, Financial Administrator from Financial Planning was consulted regarding funding through Account 7076176-Sandwich Community Development Plan. Karen Kong and Amanda Foot were consulted with respect to building and development fees and public works fees. Kate Tracey, Senior Legal Counsel, was also consulted.

Conclusion:

The demolition of the existing building located at 3495 Bloomfield Road will provide sufficient lot area to allow the owner of Reigns 740 Inc. to construct three (3) two (2) storey residential dwellings, thereby meeting the intent while also providing an opportunity to attract new residents to the neighbourhood and increasing the housing stock of the area through the redevelopment of the property. Near the University of Windsor, the owner intends to use the properties as student rentals.

The incentive program application meets all the eligibility criteria as identified in the Discussion section of this report. There are sufficient funds in the Sandwich Community Development Plan Fund to provide the Development & Building Fees grant amount, which has been applied for by the applicant for this project with the Revitalization Grant portion funded through the municipal portion of the annual tax levy.

Administration recommends that the application request by the owner of 3495 Bloomfield Road for incentives under the Sandwich Incentive Program be approved.

Planning Act Matters:

N/A

Approvals:

Name	Title
Kevin Alexander	Senior Planner – Special Projects
Josie Gualtieri	Financial Planning Administrator
Jason Campigotto	Deputy City Planner – Growth
John Revell	Chief Building Official

Name	Title
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Commissioner of Economic Development
Lorrie Gregg	Deputy Treasurer Taxation and Financial Planning
Janice Guthrie	Commissioner Finance/City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix ‘A’ Location Map and Existing Condition
Appendix 'B’ Proposed Site Plan 3495 Bloomfield Road

LOCATION MAP: 3495 BLOOMFIELD ROAD

SUBJECT PROPERTY

0 5 10 20 30 Meters

Source: Google Maps

EXISTING USE: 3495 BLOOMFIELD ROAD

Vacant Substation (Utilities) Building

GENERAL NOTES

CODE AND PROCEDURES

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE CURRENT EDITION OF THE ONTARIO BUILDING CODE. THE OWNER / BUILDER IS RESPONSIBLE FOR ENSURING THAT ANY CHANGES TO THE CODE ARE COMPLIED WITH AND ALL AMENDMENTS ARE INCORPORATED IN THE CONSTRUCTION OF THIS PLAN. ALL WORK SHALL CONFORM TO LOCAL CODES AND BYLAWS. IT IS THE OWNER/BUILDERS RESPONSIBILITY TO NOTIFY AG DESIGN OF ANY REQUIREMENTS THAT EXCEED THE ONTARIO BUILDING CODE.

CONCRETE

THE COMPRESSIVE STRENGTH OF CONCRETE AFTER 28 DAYS SHALL NOT BE LESS THAN:
- 32 MPA (4650 PSI) WITH 5 TO 8 % AIR ENTRAINMENT FOR GARAGE FLOORS, CARPORTS FLOORS AND ALL EXTERIOR FLATWORK.
- 20 MPA (2900 PSI) FOR INTERIOR FLOORS OTHER THEN THOSE FOR GARAGES AND CARPORTS
- 15 MPA FOR FOUNDATION WALLS, COLUMNS, FOOTINGS, PIERS AND OTHER APPLICATIONS

SITE BATCHED CONCRETE SHALL CONFORM TO THE ONTARIO BUILDING CODE REQUIREMENTS.

WHEN THE AIR TEMPERATURE IS BELOW 5°C CONCRETE SHALL BE KEPT AT A TEMPERATURE OF NOT LESS THAN 10°C OR MORE THAN 25°C WHILE BEING PLACED AND MAINTAINED AT A TEMPERATURE OF NOT LESS THAN 10°C FOR 72 HOURS AFTER PLACING. NO FROZEN MATERIAL OR ICE SHALL BE USED IN THE CONCRETE.

FOOTINGS

FOOTINGS AND PADS ARE TO BE PLACED ON UNDISTURBED SOIL, ROCK, OR COMPACTED GRANULAR FILL, TO AN ELEVATION BELOW FROST PENETRATION WITH A MINIMUM SOIL BEARING CAPACITY OF 75 KPA. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO VERIFY THE SOIL BEARING CAPACITY PRIOR TO CONSTRUCTION. IF A LESSER BEARING CAPACITY IS ENCOUNTERED IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO HAVE THE FOUNDATION REDESIGNED BY A QUALIFIED PROFESSIONAL TO SUIT SITE CONDITION.

WHERE WATER TABLE LEVELS ARE WITHIN A DISTANCE BELOW THE BEARING SURFACE LESS THAN OR EQUAL TO THE WIDTH OF THE FOOTING, THE FOOTINGS SHALL BE DOUBLED IN WIDTH UNDER WALLS AND DOUBLED IN AREA UNDER POSTS.

FOUNDATION WALLS

FOUNDATION WALLS TO EXTEND A MINIMUM 8" ABOVE FINISHED GRADE.

GRADE LINES ON PLANS ARE ASSUMED, OWNER/CONTRACTOR TO VERIFY.

WHERE EXTERIOR FINISHED GROUND LEVEL IS AT A HIGHER ELEVATION THAN THE GROUND LEVEL INSIDE THE FOUNDATION WALLS SHALL BE DAMP PROOFED & WHERE HYDROSTATIC PRESSURE OCCURS WATER PROOFING IS REQUIRED.

DEADBOLT

DOORS THAT REQUIRE A DEADBOLT SHALL BE EQUIP WITH A DEADBOLT LOCK WITH A CYLINDER HAVING NO MORE THAN FIVE PINS AND A BOLT THROW NOT LESS THAN 25MM LONG, PROTECTED WITH A SOLID OR HARDENED FREE-TURNING RING OR BEVELED CYLINDER HOUSING

WOOD FRAMING GENERAL

ALL WOOD FRAMING SHALL COMPLY WITH SECTION 9.23 OF THE ONTARIO BUILDING CODE.

ALL STRUCTURAL FRAMING LUMBER SHALL BE GRADE STAMPED AS SPRUCE - PINE - FIR (S-P-F) NO.2 OR BETTER WITH A MOISTURE CONTENT OF 19% OR LESS AT TIME OF CONSTRUCTION.

WOOD FRAMING MEMBERS THAT ARE NOT TREATED WITH A WOOD PRESERVATIVE AND BEAR ON CONCRETE OR IN DIRECT CONTACT WITH THE GROUND SHALL BE SEPARATED WITH A 6 MIL POLY OR TYPE 'S' ROLL ROOFING.

ALL NOTCHING AND DRILLING OF FRAMING MEMBERS SHALL CONFORM TO SUBSECTION 9.23.5 OF THE ONTARIO BUILDING CODE.

FLUSHED FRAMED WOOD MEMBERS SHALL BE SUPPORTED WITH APPROPRIATE JOIST HANGERS AND FASTENERS.

ROOF FRAMING

ROOF SHEETING SHALL BE INSTALLED WITH THE SURFACE GRAIN AT RIGHT ANGLES TO THE ROOF FRAMING JOINTS PERPENDICULAR TO ROOF RIDGE SHALL BE STAGGERED WITH EDGES SUPPORTED ON TRUSSES. IF TONGUED AND GROOVED EDGE PANEL TYPE SHEETING IS NOT USED THAN EDGES PARALLEL TO THE ROOF RIDGE SHALL BE SUPPORTED BY METAL 'H' CLIPS OR NOT LESS THAN 1.5"X1.5" BLOCKING SECURELY NAILED BETWEEN FRAMING MEMBERS.

VENTILATION OF ROOF SPACE TO BE VENTED TO A MINIMUM OF OF 1/150 OF INSULATED ROOF AREA.

MECHANICAL & ELECTRICAL

MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.

SMOKE ALARMS

SMOKE ALARMS SHALL CONFORM TO CAN/ULC-S531 "SMOKE ALARMS"

SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING AND BE INSTALLED AS PER CAN/ULC-S553 "INSTALLATION OF SMOKE ALARMS"

SMOKE ALARMS SHALL HAVE A VISUAL SIGNALLING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE"

SMOKE ALARMS SHALL BE INSTALLED WITH PERMANENT CONNECTIONS TO AN ELECTRICAL CIRCUIT. C/W BATTERY BACKUP AS PER O.B.C REQUIREMENTS

ALL SMOKE ALARMS SHALL BE INTERCONNECTED SO THE ACTIVATION OF ONE ALARM WILL CAUSE ALL ALARMS TO SOUND

STAIR AND GUARD INFORMATION

STAIR DIMENSIONS

STAIRS SHALL HAVE A WIDTH OF NOT LESS THAN 34"

THE CLEAR HEIGHT OVER STAIRS SHALL BE NOT LESS THAN 6'-4"

RISERS SHALL HAVE A UNIFORM HEIGHT IN ANY ONE FLIGHT WITH A MAXIMUM TOLERANCE OF, $\frac{1}{4}$" BETWEEN ADJACENT TREADS AND $\frac{3}{8}$" BETWEEN THE TALLEST AND SHORTEST RISERS IN A FLIGHT.

TREADS SHALL HAVE A UNIFORM RUN WITH A MAXIMUM TOLERANCE OF, $\frac{1}{4}$" BETWEEN ADJACENT TREADS, AND $\frac{3}{8}$" BETWEEN THE DEEPEST AND SHALLOWEST TREADS IN A FLIGHT

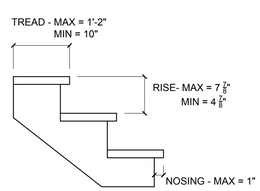
HANDRAILS

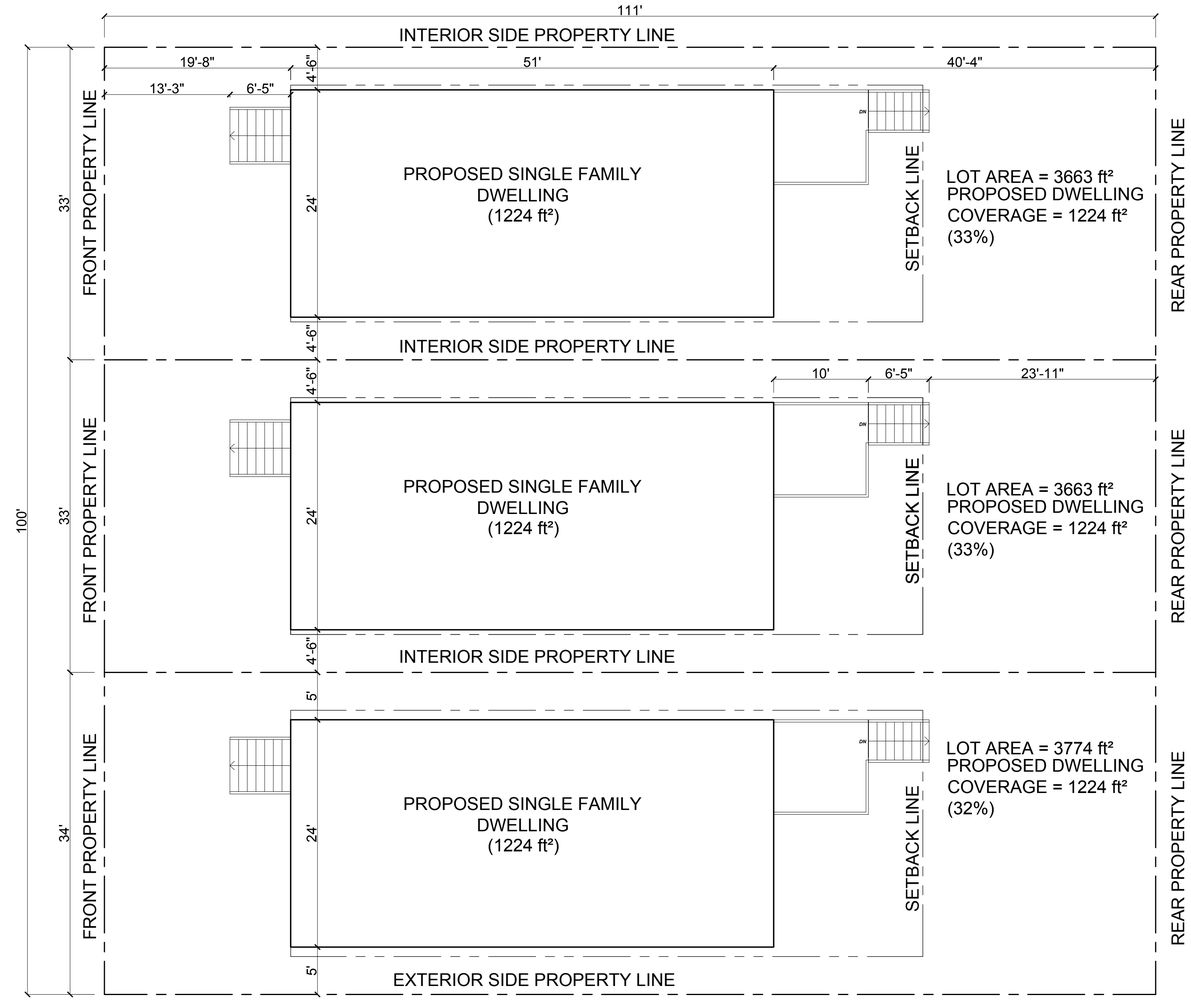
THE HEIGHT OF HANDRAILS ON STAIRS AND RAMPS SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38"

GUARDS

THE MINIMUM HEIGHT OF GUARDS SHALL BE NOT LESS THAN 36"

ALL GUARDS SHALL BE CONSTRUCTED AS PER SB-7 REQUIREMENTS





DO NOT SCALE

CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK

THIS DESIGNER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ERRORS OR OMISSIONS NOT REPORTED BY THE CONTRACTOR OR HIS SUBTRADES.

THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR THE CONTRACTOR OR HIS SUBTRADES FAILURE TO CARRY OUT THE WORK ACCORDING TO THESE PLANS, SPECIFICATIONS AND RELATED DOCUMENTS.

CONSTRUCTION MUST COMPLY WITH THE LATEST STANDARDS OF THE ONTARIO BUILDING CODE AND ANY OTHER APPLICABLE LAWS.

ALL DRAWINGS AND SPECIFICATION ARE THE PROPERTY OF THE DESIGNER AND ARE PROTECTED BY COPY RIGHT.

I Ashley Kozachanko declare that I take responsibility for the design of this plan. I am qualified and registered with the Ministry of Municipal Affairs and Housing.

Individual BCIN: 37168 Firm BCIN: 43361

AG DESIGN
Windsor, ON
Phone : 519-965-7176

NEW DWELLING
3495 BLOOMFIELD ROAD
WINDSOR, ON

GENERAL NOTES & SITE PLAN

Date : February 21, 2024
Scale : 1/4" = 1'-0"
Project No. : 007/24
Drawing No. :
A-0.1

LEGEND

FW1 — FOUNDATION WALL
BITUMINOUS DAMP PROOFING
10" POURED CONCRETE FOUNDATION WALL
ON 20"X8" POURED CONCRETE FOOTING ON
UNDISTURBED SOIL.

W1 — EXTERIOR WALL
4" TYPICAL FACE BRICK W/ 1" AIR SPACE
GALVANIZED METAL TIES INSTALLED WITH GALVANIZED
SPIRAL NAILS OR SCREWS @ 16" O/C HORIZONTAL 24"
VERTICAL
AIR BARRIER
SIDING ABOVE
$\frac{3}{4}$" PLYWOOD EXTERIOR GRADE SHEETING
2X6 WOOD STUDS @ 24" O/C
R20 BATT INSULATION
6 MIL POLY V.B
$\frac{1}{2}$" DRYWALL

MAIN FLOOR LOAD BEARING INTERIOR WALL
2X6 WOOD STUDS @ 16" O/C W/ SINGLE BOTTOM PLATE
AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD
BLOCKING @ 3'-11" O/C HORIZONTAL
1/2" DRYWALL ON BOTH SIDES OF STUDS

BASEMENT LOAD BEARING INTERIOR WALL
2 x 6 BEARING WALL ON SILL GASKET WITH LAG BOLTS @
4'-0" O.C. ON ONE COURSE OF 6" SOLID CONCRETE
BLOCK ON A 16" x 8" DEEP POURED CONCRETE FOOTING
(CONTINUOUS)

P1 — INTERIOR PARTITION
$\frac{1}{2}$" DRYWALL ON BOTH SIDES OF 2"X4" WOOD
STUDS @ 16" O/C

EF — DENOTES EXHAUST FAN VENTED DIRECTLY TO
EXTERIOR AS PER O.B.C REQUIREMENTS.

#" — DENOTES NEW INTERIOR DOOR SIZE. SITE VERIFY

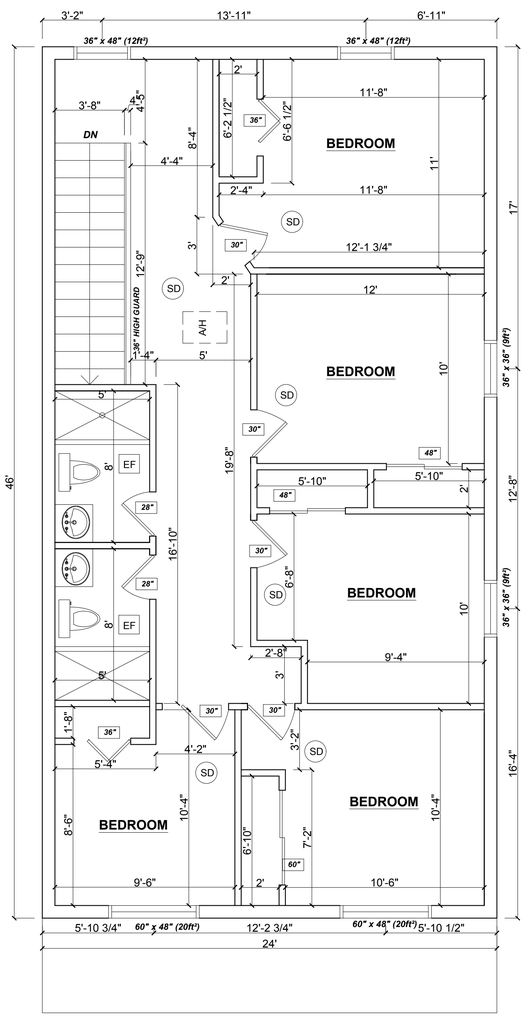
RH — DENOTES RANGE HOOD VENTED DIRECTLY TO
EXTERIOR AS PER O.B.C REQUIREMENTS.

SD — DENOTES SMOKE ALARM C/W CO^2 DETECTOR. REFER
TO GENERAL NOTES.

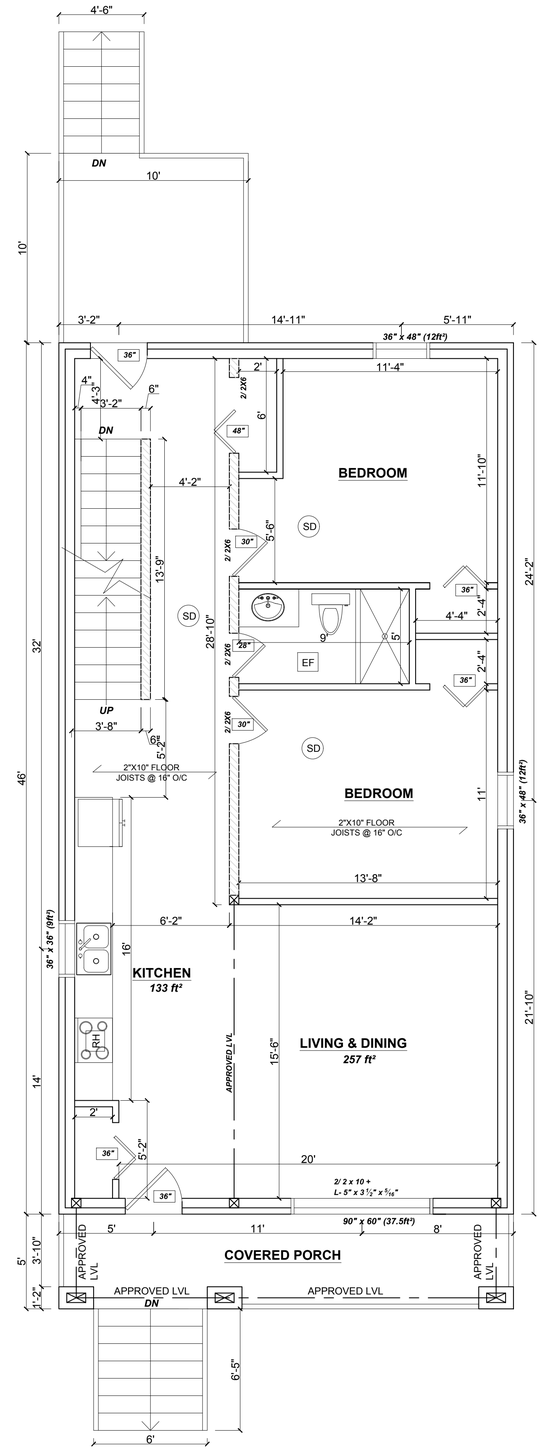
A/H — ATTIC SPACE ACCESS HATCH 32"X24" MINIMUM.
INSTALLED AS PER OBC REQUIREMENTS.

NOTES

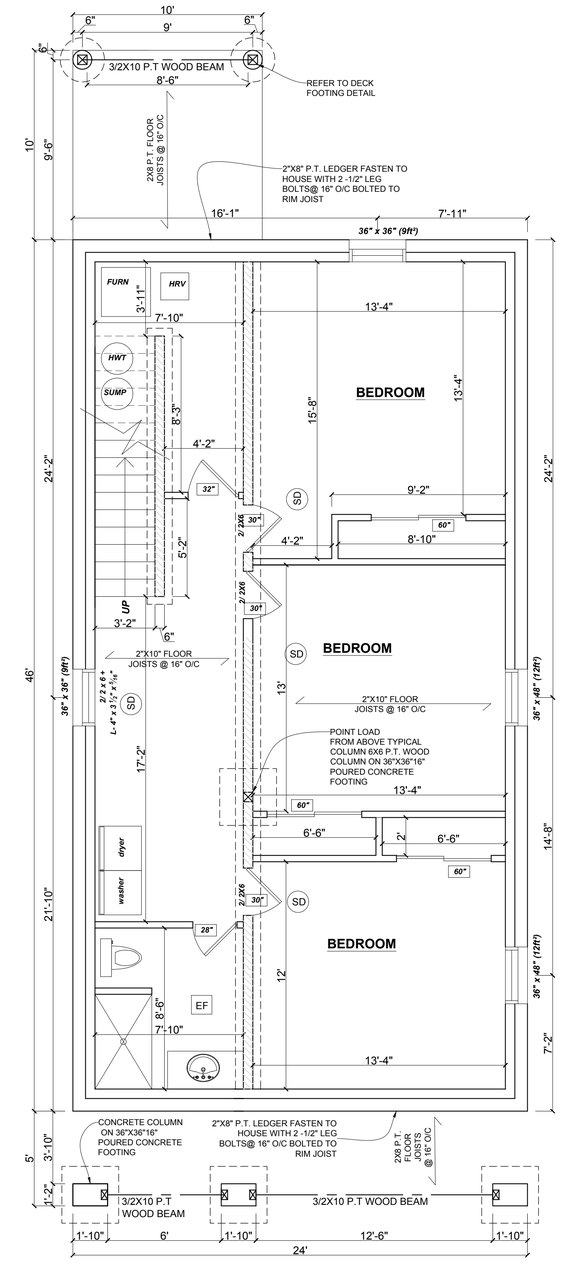
1. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.
2. ALL NEW INTERIOR WALLS TO BE P1 UNLESS NOTED OTHERWISE.
3. SITE VERIFY ALL DIMENSIONS.
4. ALL LINTELS TO BE 2 PLY 2X6 UNLESS NOTED OTHERWISE
5. ALL BRICK STEEL LINTELS TO BE L-4" X3 $\frac{1}{2}$" X $\frac{5}{16}$" UNLESS NOTED OTHERWISE



SECOND FLOOR PLAN



MAIN FLOOR PLAN



BASEMENT PLAN

CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK

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CONSTRUCTION MUST COMPLY WITH THE LATEST STANDARDS OF THE ONTARIO BUILDING CODE AND ANY OTHER APPLICABLE LAWS.

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DO NOT SCALE

I Ashley Kozachanko declare that I take responsibility for the design of this plan. I am qualified and registered with the Ministry of Municipal Affairs and Housing.

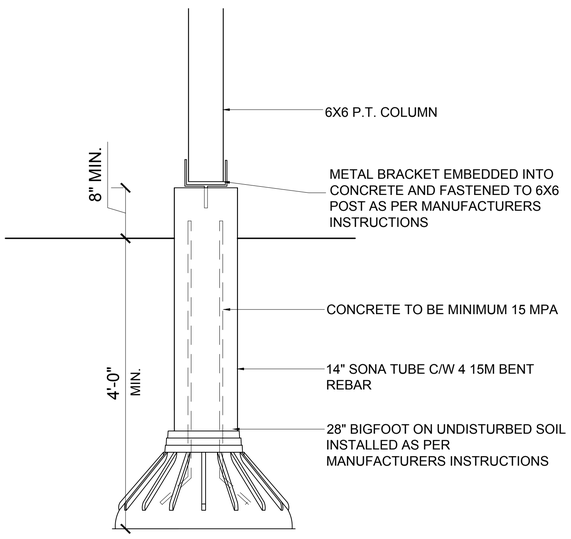
Individual BCIN: 37168 Firm BCIN: 43361

AG DESIGN
Windsor, ON
Phone : 519-965-7176

NEW DWELLING
3495 BLOOMFIELD ROAD
WINDSOR, ON

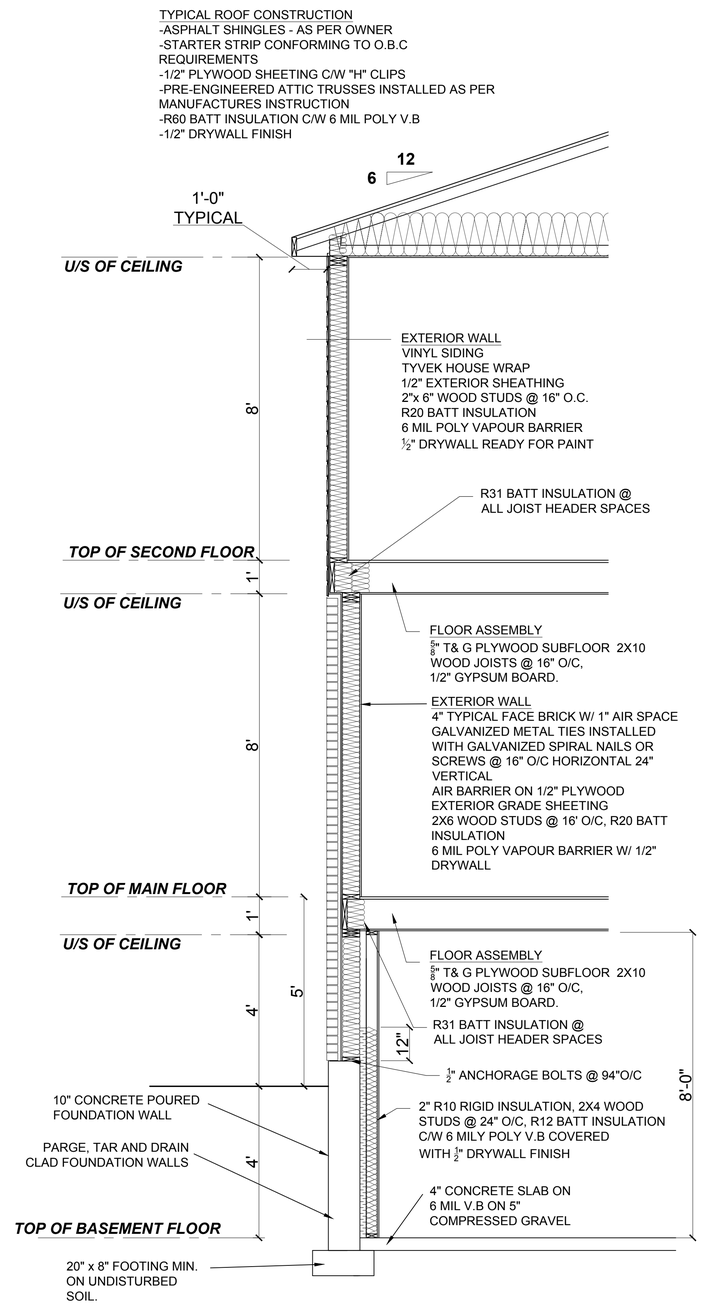
FLOOR PLANS

Date : February 21, 2024
Scale : 1/4" = 1'-0"
Project No. : 007/24
Drawing No. :
A-1.0



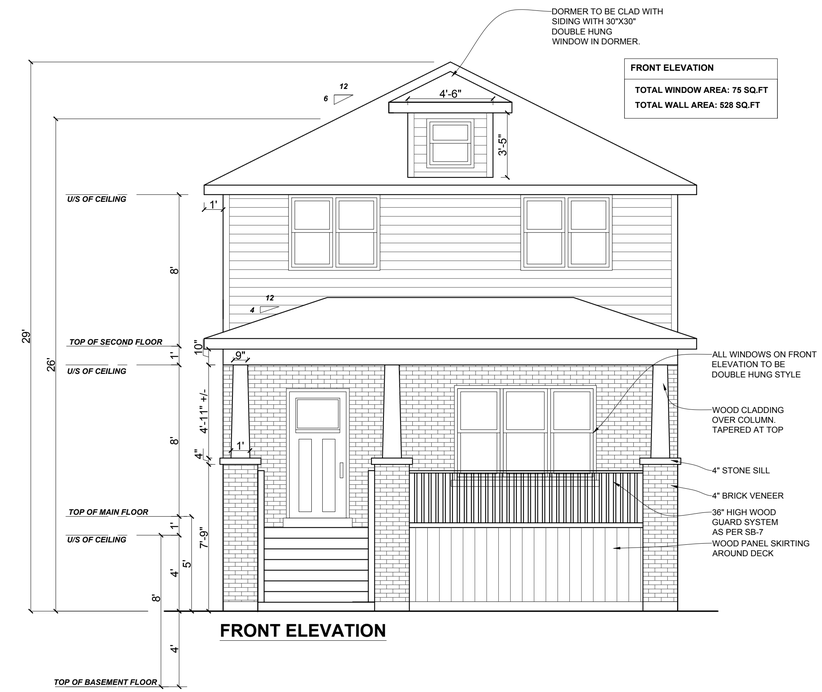
DECK FOOTING DETAIL

SCALE - 1" = 1'-0"

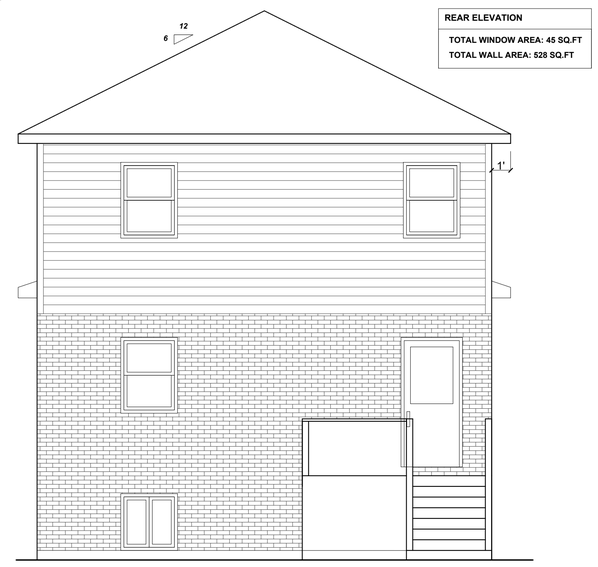


WALL SECTION

SCALE - ½" = 1'-0"



FRONT ELEVATION



REAR ELEVATION

DO NOT SCALE

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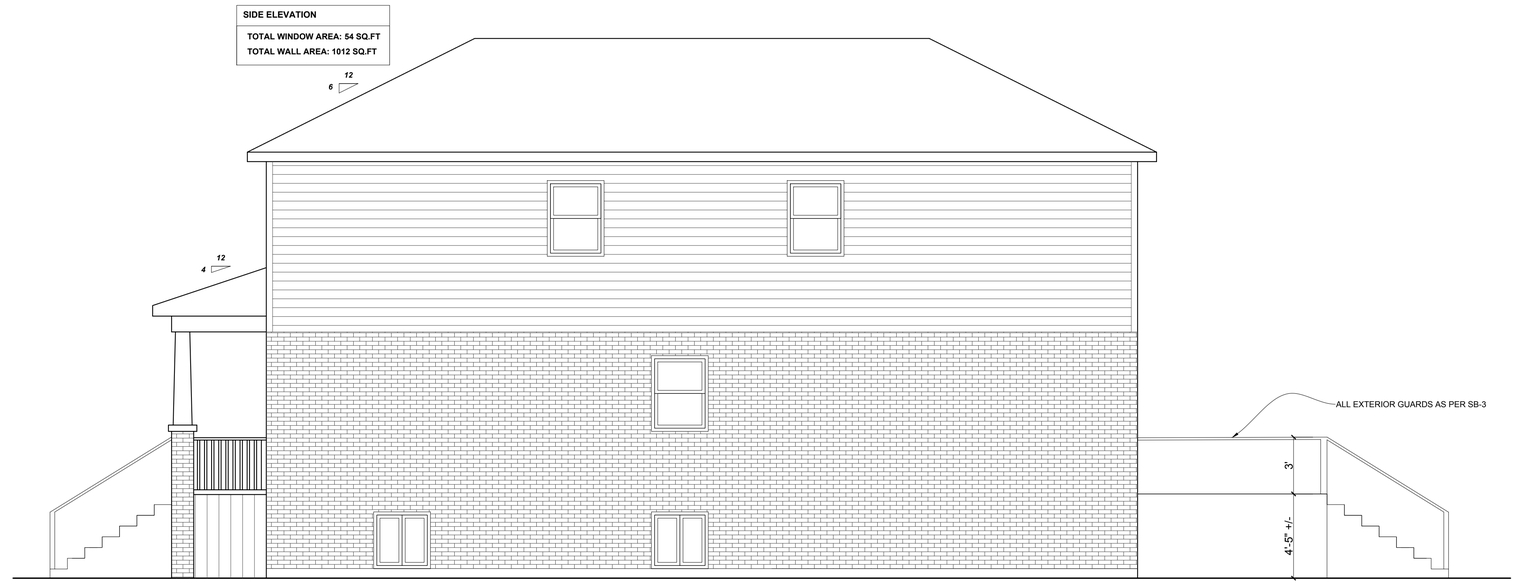
AG DESIGN
Windsor, ON
Phone : 519-965-7176

NEW DWELLING
3495 BLOOMFIELD ROAD
WINDSOR, ON

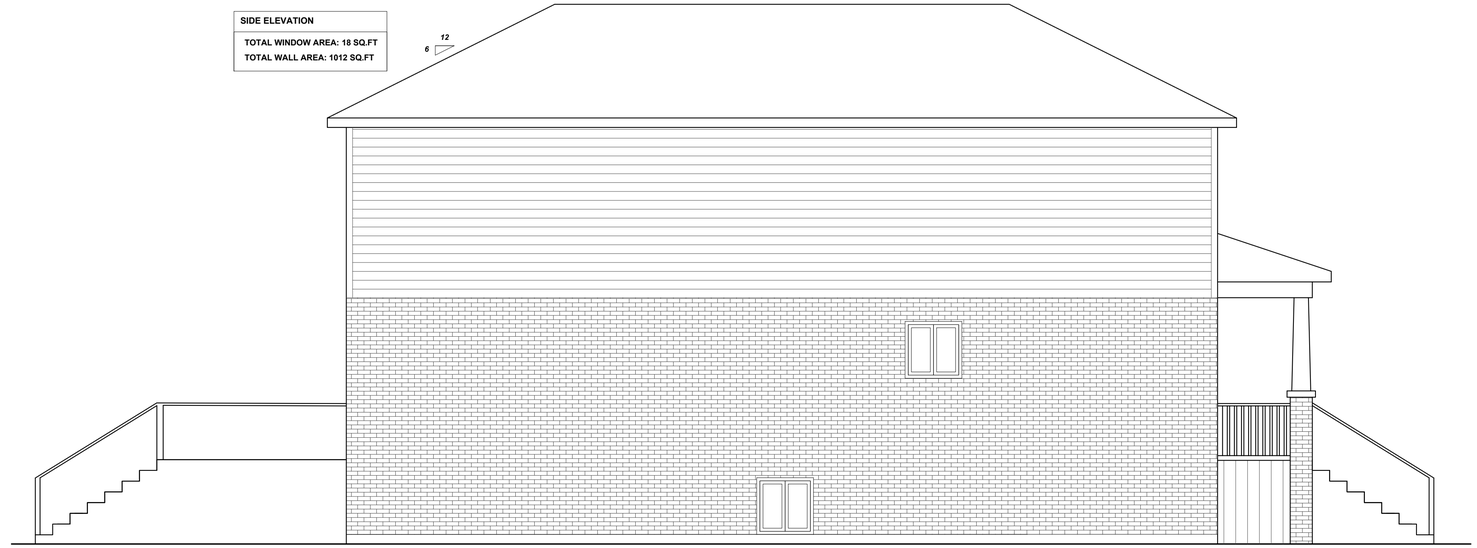
ELEVATIONS & DETAILS

Date : February 21, 2024
Scale : 1/4" = 1'-0"
Project No. : 007/24
Drawing No. :

A-2.0



SIDE ELEVATION



SIDE ELEVATION

DO NOT SCALE

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AG DESIGN
Windsor, ON
Phone : 519-965-7176

NEW DWELLING
3495 BLOOMFIELD ROAD
WINDSOR, ON

ELEVATIONS

Date : February 21, 2024
Scale : 1/4" = 1'-0"
Project No. : 007/24
Drawing No. :

A-2.1

Committee Matters: SCM 182/2024

Subject: Windsor Archaeological Management Plan Review (City-wide)

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

Decision Number: **DHSC 622**

I. THAT the update to the Windsor Archaeological Management Plan (WAMP) attached hereto in the Appendices **BE ADOPTED** by City Council; and further,

II. THAT Council **DIRECTS** Administration to **DEVELOP** Corporate Procedures to implement the Windsor Archaeological Management Plan (WAMP); and further,

III. THAT Administration **UNDERTAKE** a search for an appropriate location to study, curate, store and display significant archaeological resources resulting from future archaeological investigations within the municipal limits of Windsor and report back to City Council on options which may be available should a future need arise; and further,

Whereas on February 2, 2024 the 2024 Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently City Council **SUPPORT** expenditures of up to $75,000, be it further resolved,

IV. THAT a new "Windsor Archaeological Fund" reserve fund **BE ESTABLISHED** to be used as needed for unexpected studies and/or surveys, or other related costs that may be required during the execution of capital projects as it relates to Stage 3 and Stage 4 archaeological assessments; and further,

V. THAT the City Treasurer **BE DIRECTED** to transfer $75,000 from the Pay-As-You-Go Reserve, Fund 169, to this new "Windsor Archaeological Fund" Reserve to provide initial funding; and further,

VI. THAT the City Treasurer **BE DIRECTED** to bring forward a request to establish an annual transfer to the Windsor Archaeological Fund in the amount of $50,000 to a new Corporate Account as part of the 2025 Operating budget for consideration of future funding; and further,

VII. THAT the City Treasurer **BE AUTHORIZED** to approve the allocation of the "Windsor Archaeological Fund" to projects as required; and that the use of this Reserve **BE REPORTED** to City Council semi-annually through the semi-annual variance report; and,

VIII. THAT administration **BE REQUESTED** to report back with an update related to the implementation of the Windsor Archaeological Management Plan prior to the end of 2024.

Carried.

Report Number: S 15/2024
Clerk's File: SPL/14797

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.

2. Please refer to Item 10.1 from the Development & Heritage Standing Committee held on June 3, 2024.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240603/-1/10488

Subject: Windsor Archaeological Management Plan Review (City-wide)

Reference:

Date to Council: June 3, 2024
Author: Kristina Tang, MCIP, RPP
Heritage Planner
ktang@citywindsor.ca
519-255-6543 X 6179
Planning & Building Services
Report Date: 1/30/2024
Clerk's File #: SPL/14797

To: Mayor and Members of City Council

Recommendation:

I. THAT the update to the Windsor Archaeological Management Plan (WAMP) attached hereto in the Appendices **BE ADOPTED** by City Council; and further,

II. THAT Council **DIRECTS** Administration to **DEVELOP** Corporate Procedures to implement the Windsor Archaeological Management Plan (WAMP); and further,

III. THAT Administration **UNDERTAKE** a search for an appropriate location to study, curate, store and display significant archaeological resources resulting from future archaeological investigations within the municipal limits of Windsor and report back to City Council on options which may be available should a future need arise; and further,

Whereas on February 2, 2024 the 2024 Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently City Council **SUPPORT** expenditures of up to $75,000, be it further resolved,

IV. THAT a new "Windsor Archaeological Fund" reserve fund **BE ESTABLISHED** to be used as needed for unexpected studies and/or surveys, or other related costs that may be required during the execution of capital projects as it relates to Stage 3 and Stage 4 archaeological assessments; and further,

V. THAT the City Treasurer **BE DIRECTED** to transfer $75,000 from the Pay-As-You-Go Reserve, Fund 169, to this new "Windsor Archaeological Fund" Reserve to provide initial funding; and further,

VI. THAT the City Treasurer **BE DIRECTED** to bring forward a request to establish an annual transfer to the Windsor Archaeological Fund in the amount of $50,000 to a new Corporate Account as part of the 2025 Operating budget for consideration of future funding; and further,

VII. THAT the City Treasurer **BE AUTHORIZED** to approve the allocation of the "Windsor Archaeological Fund" to projects as required and THAT the use of this Reserve **BE REPORTED** to City Council semi-annually through the semi-annual variance report.

Executive Summary:

The Windsor Archaeological Management Plan (WAMP) 2024 Update is ready for Council adoption after a fulsome exercise of modeling the archaeological potential, reviewing of related legislation, and consulting with Indigenous and other stakeholders. The 2024 version replaces the original 2005 WAMP, to identify and conserve archaeological resources throughout the City boundaries. Further implementation of the WAMP would be executed through development of Corporate Procedures, potential future study for curation of significant artifacts, and establishment of a proposed "Windsor Archaeological Fund" for more in-depth archaeological assessments conducted by the City.

Background:

The City of Windsor is an area rich in archaeological resources from both Indigenous peoples and early settlers. City Council recognized this through adoption of the Windsor Archaeological Master Plan (WAMP) and associated Official Plan policies in 2005 and 2006, including a map of Archaeological Potential which has been used to identify when and where archaeological assessments (investigations) are required prior to land disturbances initiated by both private and public proponents. Windsor was at the forefront and was one of the earliest communities to adopt an Archaeological Management Plan. Since then, Archaeological Management Plans have become strongly encouraged by the Ministry and are a much more common tool used across municipalities and regions in Ontario to assist in managing and conserving archaeological resources.

After using the current WAMP for the past few decades and in keeping with other municipalities, Administration brought information forward to Council about the commencement and updates to the WAMP review project in 2020 and 2021 (S 71/2020 & S 18/2021). The Development & Heritage Standing Committee was appointed as the Steering Committee for the purpose of the project. The project objectives are to update the WAMP to reflect current legislation and standards (including in the area of Indigenous Engagement), and to refresh the Archaeological potential model with new data collected from the past 20 years, so as to bring more clarity to the locations of potential archaeological resources in Windsor.

Archaeological Services Inc. (ASI) was engaged as the archaeological consultants to lead the WAMP review project with Fisher Archaeological Consulting (FAC) as sub-consultants. The Ministry regulates the practice of archaeology (now under Ministry of Culture & Multiculturalism MCM and referenced as the Ministry in this report) and was consulted throughout the project.

The key project components involved:

- Data collection of all archaeological assessments conducted up to year 2020 with continual updates to-date
- Technical Working Group input (Ministry & Ontario Archaeological Society, Windsor Branch)
- Indigenous Engagement
- Public stakeholder engagement (eg. parties in the development sector)
- Internal city departments consultation
- Background Research & Policy
- Archaeological Modelling & Mapping
- Preparation of Draft WAMP Report & Appendices
- Implementation, Education & Training

The draft updated 2024 WAMP is now complete and ready for Council Decision and subsequent implementation (attached in appendix). Like the 2005 WAMP, the updated 2024 WAMP will also apply to both private and public proponents of land disturbances. For private proponents, only when Planning Act process is triggered does archaeological review/requirement get considered. For public proponents, the requirement from 2024 WAMP references adherence to the Municipal Class EA (MCEA) document. As per applicable law, standard building permits alone do not trigger Archaeological Assessments unless someone in the course of their work unexpectedly encounters archaeological resources or remains.

Discussion:

Legislative Context and Policy Basis

The following provides brief references to select legislation and policy. Refer to associated Council Report S 16/2024 and Official Plan Amendment OPA 181 [OPA/7170].

Planning Act

Section 2 of the *Planning Act* identifies the conservation of features of significant archaeological interest as a matter of Provincial interest and requires that any decision made pursuant to the Planning Act by the Minister, City Council, and the Ontario Land Tribunal to have regard to this matter.

Section 3 of the Planning Act sets out further municipal responsibilities in regard to the Provincial Policy Statement by indicating that a decision of the council of a municipality, in respect of the exercise of any authority that affects a planning matter, “shall be consistent” with the policy statement.

Provincial Policy Statement

2.6 Cultural Heritage and Archaeology

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

Environmental Assessment Act

The Environmental Assessment Act (1997) applies to public sector projects and designated private sector projects. The Environmental Assessment Act requires the preparation of an environmental assessment document or a class environmental assessment, containing inventories, alternatives, evaluations, archaeological assessment and mitigation of the environment. Studies of archaeological resources, are therefore necessary to address the requirements of the Environmental Assessment Act.

Ontario Heritage Act

The Ontario Heritage Act governs the general practice of archaeology in the province to maintain a professional standard of archaeological research and consultation. The Archaeology Program Unit at the Ministry of Citizenship & Multiculturalism is responsible for licensing archaeologists and reviewing archaeological assessments. Part VI of the *Ontario Heritage Act* legislates the conservation of resources of archaeological value, restricting archaeological activities, alteration or removal of artifacts on both land-based and marine archaeological sites to licensed archaeologists. All archaeological assessment reports are submitted to the Ministry of Citizenship & Multiculturalism as a condition of an archaeological license and are reviewed by Ministry staff to ensure that the activities conducted under a license meet current technical guidelines, resource conservation standards, and the regulations of the Ontario Heritage Act.

Funeral, Burial and Cremation Services Act

Burial locations uncovered on archaeological sites are under the jurisdiction of the Funeral, Burial and Cremation Services Act. The discovery of such burials requires further archaeological investigation in order to define the extent and number of interments, and either the registration of the burial location as a cemetery, or the removal of the remains for re-interment in an established cemetery. The Registrar of Burial Sites in the Ministry of Public and Business Service Delivery assists the coordination and negotiation between various parties and ensures that burial site investigations by licensed archaeologists meet provincial policies, standards, and guidelines.

Windsor Archaeological Management Plan

The updated Main WAMP Report is divided into Part 1: Archaeological Potential Model, and Part 2: Archaeological Resource Management. Appendices A & B correspond to Part I and Appendices C & D to Part 2.

Part 1- Archaeological Potential Model

Creation of the Archaeological Potential Model

The Archaeological Potential Model is one part of the backbone of the WAMP in that it directs where archaeological assessments (further detailed in this report) should be undertaken prior to land disturbances. The archaeological potential model for Windsor was created by ASI, using methodology that has not changed fundamentally since ASI started doing Archaeological Management Plans (AMPs) since the late 1980s. What has changed tremendously since then has been the introduction of Geographic Information System (GIS) technology and the increasing scope and resolution of the datasets available to work with. The environmental history of each municipality is factored to tailor to their model, even though the modeling principles have been the same.

The overall approach to archaeological potential is always the same. ASI used an inductive/deductive approach, basing potential on geographic/environmental factors that would increase archaeological potential while also looking at the existing archaeological record and determining which environmental/social/geographic factors would affect the potential. The specific modeling in each AMP is tailored to what best suits the archaeology of the area. This is dictated by the geography, history, archaeological record, and availability of spatial data.

A composite archaeological potential layer was created first from a combination of the cultural heritage accumulation from the Pre-Contact Indigenous Archaeological Site Potential and the Colonial Period Archaeological Site Potential. Water-based predictors and pre-contact Indigenous sites were selected as the most useful for Pre-Contact considerations (reflected in detail in Appendix A of the WAMP). The Colonial Period Archaeological Site Potential was created from mapping of historical features which included historical settlement centres, early structures, transportation features, cemeteries, and registered archaeological sites (detail in Appendix B of the WAMP). The composite layer was then compared against information about archaeological integrity and previously assessed lands, to form the Archaeological Potential Layer. Within that layer, special areas where there is elevated archaeological interest and risk, are identified as part of the Archaeologically Sensitive Area (ASA) layer, which requires heightened consideration.

New 2024 Model compared to original 2005 Model

Windsor's original 2005 model used a point system that differentiated between low and high potential. Compared to the 2005 model, ASI was able to access more datasets and a larger archaeological record for reference. To test the efficacy of the 2005 model, ASI reviewed archaeological sites registered after 2005 and found that the 2005 model only captured 63% of those sites whereas ASI in all previous work tries to build a

potential layer that captures close to 80% of all sites. Through this test, ASI evaluated that the 2005 methodology could be problematic and lead to a loss of archaeological resources, thereby abandoning the 2005 methodology.

In the 2024 model, ASI used more datasets than in the 2005 model. The two main factors that increased the area of the potential layer are the greater use of historical data and the reconstruction of the ancient shoreline. Both factors were not present in the 2005 model. Prior to the 2011 Ministry- established Standards & Guidelines for Consultant Archaeologist (2011 S&G), it was very common to write off late 19th century sites as being less significant. Historical data in the 2005 model followed a mid-19th century cut off date, stating that post 1850s sites are less significant in the archaeological record unless they are unique in some way. To that extent, historical features that are visible in Windsor's 1880s mapping (but not visible in the 1857 mapping) were not included in the 2005 model's potential layer. However, a site's uniqueness is usually only discovered after a Stage 1 archaeological assessment background research and cannot be assessed based on a map review alone. In accordance with the 2011 S&G, a more contemporary approach to late 19th century sites is to conduct more exhaustive background research through a Stage 1 archaeological assessment to determine its significance. Therefore, ASI included all historical features that were present in late 19th century mapping into the 2024 model.

In summary, some of the historical sources that ASI used in the 2024 Model that were not present in the 2005 model were:

- Historical cores identified in late 19th century historical mapping;
- Roads identified in late 19th century historical mapping;
- Historical watercourses, from historical maps and early 20th century topographic maps; and,
- Indigenous trails.

The additional sources have created a much more robust potential layer that captured more sites. This was tested on the 2024 potential layer which now captures 89% of sites that were registered after 2005.

Application of the Archaeological Potential Model

The 2024 Archaeological Potential Model would be used to identify when and where archaeological assessments are required prior to land disturbances. Archaeological Assessments are classified in four Stages, as detailed by the Ministry's Archaeological Program Unit on their website:

"**Stages of an assessment**

During the first three stages, the consultant archaeologist will:

- discover any archaeological resources on the lands being developed;
- evaluate the cultural heritage value of any archaeological resources found on the property; and

- recommend the most appropriate strategies for conserving archaeological sites prior to land development activities.

The consultant archaeologist will recommend a fourth stage — mitigation of development impacts — where warranted. Not all stages will be necessary for all projects.

Stage 1: background study and property inspection

The archaeologist determines whether there is potential for archaeological sites on the property. They review geographic, land use and historical information for the property and the relevant surrounding area, visit the property to inspect its current condition and contact the ministry to find out if there are any known archaeological sites on or near the property. A Stage 2 assessment is required when the consultant archaeologist identifies areas of archaeological potential.

Stage 2: property assessment

The archaeologist surveys the land to identify any archaeological resources on the property. For a ploughed field, they will walk back and forth over it looking for artifacts on the surface. In forests, overgrown pasture areas or any other places that cannot be ploughed, they will dig parallel rows of small holes, called test pits, down to sterile subsoil at regular intervals and sift the soil to look for artifacts. They may use other strategies if properties are paved, covered in fill or have deeply buried former topsoils (such as floodplains or former sand dunes). The archaeologist will determine whether any archaeological resources found are of sufficient cultural heritage value or interest to require Stage 3 assessment.

Stage 3: site-specific assessment

The consultant archaeologist determines the dimensions of the archaeological site, evaluates its cultural heritage value or interest and, where necessary, makes recommendations for Stage 4 mitigation strategies. To this end, they conduct further background research and fieldwork that expands the information gathered in Stage 2. They map the spatial limits of a site and acquire further information about the site's characteristics by excavating one-metre by one-metre square test units across the site. Based on circumstances, some sites (for example, ones that have been paved or are deeply buried) may require specialized methods of assessment. The archaeologist will determine whether any archaeological sites have sufficient cultural heritage value or interest to require Stage 4 mitigation of development impacts.

Stage 4: mitigation of development impacts

This stage involves implementing conservation strategies for archaeological sites. Determining the best approach for conserving the site may include reviewing possible strategies with the development proponent, the municipality or other approval authority, Indigenous communities, and other heritage stakeholders. Conserving archaeological sites does not mean stopping development. Conservation can involve putting long-term protection measures in place around an archaeological site to protect it intact. The site is then avoided while development proceeds around it. This is called protection in situ

and is always the preferred option for mitigation of development impacts to a site. If protection is not viable, mitigation can involve documenting and completely excavating an archaeological site before development takes place.

Archaeological Potential Model as a Risk-Management Tool

The Archaeological Potential Model is a risk management tool. The level of risk is on a continuum from very high risk (such as the Archaeologically Sensitive Area ASA) to a more moderate risk (areas of archaeological potential) to a low risk (areas of no potential). The WAMP includes statements for discretion in managing the risk: "In exceptional situations, when a development proponent can demonstrate to the satisfaction of city officials that all archaeological integrity has been completely removed (eradicated) by previous development of the entire subject property (e.g., a building with a basement covers the whole property), the City of Windsor may exercise discretion in not requiring an archaeological assessment. However, given the potential for residual archaeological resources to remain even within developed urban landscapes, a Stage 1 archaeological assessment will almost always or likely remain the minimum default requirement for the above. Only a licensed consultant archaeologist, undertaking a Stage 1 assessment, can determine that no archaeological potential survives within an area identified using the archaeological potential map of the WAMP GIS."

Part 2- Archaeological Resource Management

The Archaeological Resource Management portion of WAMP guides how the Archaeological Potential Model is to be used and would serve as an update to the existing 2005 WAMP Implementation Manual. The updated plan outlines the background and legislative framework around archaeological resources in Ontario, proposes Official Plan amendments (Appendix D of WAMP), and offers direction for practical application in different development situations. Roles are laid out for private or public proponents and consultant archaeologists. Step-by-step processes and flowcharts are provided for clarity. Additionally, Appendix C is a stand-alone contingency plan outlining measures to be followed should an archaeological site or human remains be discovered outside of the archaeological assessment process. The continual upkeep of the Model will be guided by periodic updating of site inventory and through updates to the archaeological assessment repository. As archaeological assessments continue to be carried out according to the model, significant artifacts may become available. It will be important to find an appropriate location for these artifacts so that they can be studied, curated, displayed and stored, in consultation with Indigenous First Nations and Communities if Indigenous artifacts are involved.

Implementation/Next Steps

The recommendations of this report (identified in italics) were taken either from the WAMP or created through feedback collected from consultation. Further explanation is provided below for some recommendations:

I. *THAT the update to the Windsor Archaeological Management Plan (WAMP) attached hereto as Appendix A* ***BE ADOPTED*** *by City Council.*

The 2024 WAMP would replace the 2005 version.

*II. THAT Council **DIRECTS** Administration to **DEVELOP** Corporate Procedures to implement the Windsor Archaeological Management Plan (WAMP).*

Through the consultation process, it was evident that with staff turnover, the current 2005 WAMP is not always referenced or understood by corporate staff, sometimes resulting in project delays, unanticipated budget overruns and potential loss of archeological resources. Therefore, the recommendation for development of a Corporate Procedure would allow for standardized adoption and implementation of the WAMP by each corporate department and service area. Separate Corporate Procedures may be developed by some service areas to provide guidance specific to their area of work. To assist City staff in understanding and implementing the WAMP, training of municipal staff by the Archaeological consultant (ASI) will be scheduled (training included in the original WAMP Review project contract with ASI), while the Heritage Planner will remain as a resource for centralized information about archaeology in Windsor. The training will be recorded and this knowledge transfer on archaeology will be sustained through the Corporate procedure and department customization.

The development of the Corporate Procedures will help establish internal processes for municipal departments to refer to the WAMP in order to properly pre-empt archaeological concerns when municipal infrastructure, projects, or works are proposed. There would also be development of standardized approaches such as embedded archaeological conditions/wording in infrastructure contracts, information to tenders, etc.

Through the consultation process of this project, City Administration have raised concerns about the identification of archaeology, and financial and technical resources to properly handle archaeology. City Administration have brainstormed the idea to pro-actively conduct archaeological assessments of any City property that has potential for development/ground disturbance activities to occur, to allow for archaeological studies and clearances to be in place before proposed projects are commencing in order to expedite process of work on city sites and more accurately budget for capital works. The corporate procedure and training would help City departments to contemplate inclusion of preliminary budgets to undertake necessary archaeological assessments prior to any work. It should be noted that it is very difficult to accurately budget for these assessments as the time and effort needed depend on the findings of the assessments. This includes highlighting any city capital projects in an upcoming budget year that may be at risk due to an archaeological component to better anticipate budgets. City departments should also consult with Asset Planning staff to ensure these budgetary concerns are reflected in Asset Management Plans and similar Lifecycle renewal studies/plans. These measures can all be considered in the Corporate Procedure.

The corporate procedure/training would also cover more specific specialty items such as reference to the City of Windsor Parks Metal Detecting Permit, Protocol, Procedure which were created prior to the WAMP updates, to be made consistent with the changes in the WAMP with respect to mapping (require annual or as needed updates) and a one-time update for the procedure and protocol.

It can also cover topics such as proposed standardized archaeological precautions that are recommended to be included during the issuance of Building Permits, Right-of-Way

Permits, or any other Site Alteration Permits. The precautions would provide proponents with some basic understanding and steps to follow should any archaeological resources be encountered in the middle of the construction/demolition/alteration works. Also under discussion for implementation of the WAMP, is to explore the development of a system within future updates to the Building Permit system to automatically flag confidential registered archaeological sites. By way of example from another municipality, it is recommended that Windsor adopts an approach that would make this confidential data clear to relevant City Staff prior to Permit issuance.

*III. THAT Administration **UNDERTAKE** a search for an appropriate location to study, curate, store and display significant archaeological resources resulting from future archaeological investigations within the municipal limits of Windsor and report back to City Council on options which may be available should a future need arise;*

Currently, Ontario law stipulates that artifacts be safekept by the licensed archaeologist, or be deposited in public institutions (coordinated through the licencee with the Ministry). Most artifacts have generally been safekept with the license holder and not afforded the opportunity to be shared for public viewing. There is also no inventory of the artifacts that are currently held by consulting archaeologists and public agencies from Windsor sites. The WAMP recommends that all artifacts found on City property be reported for review and possible acceptance and curation by a museum in cases where it is determined by Museum Windsor to be significant. The Windsor community can also benefit where there are significant artifacts from private lands. Donation and curation at a museum would provide the public with a greater understanding of archaeology. However, if artifacts are transferred to a museum, such a museum would require storage and display space, especially because significant artifacts would likely be required to be transferred intact and alongside the entire collection of artifacts that was retrieved. If the collection fits within Museum Windsor current collections policy and resources are available including staff and space, then Museum Windsor will move forward with the transfer. However, if the collection does not fit within Museum Windsor collection policy and resources are insufficient for curation then the recommendation is that a search be undertaken by staff from the Community Services area to find an appropriate location or facility and report to Council with recommendations. Some options could include not receiving the collection, depositing into the Collection Care Services at The Museum of Ontario Archaeology (https://archaeologymuseum.ca/), or further request for storage locally. A Deposit Agreement with Museum Windsor and Archaeological Collection Deposit form would also need to be reviewed and approved by the Ministry prior to artifact deposition. Consultation with Indigenous First Nations and Communities would be required if Indigenous artifacts are involved.

Additional Steps

The following are additional administrative and operational measures that need to be taken in addition to the Recommendations, in order to implement the WAMP:

- Planning Department to create a process for site inventory and repository of archaeological assessments within Windsor, and to review and update such process on an annual basis, or at a schedule which aligns with the process;

- Coordinate with Purchasing Department to further develop the roster of consultant archaeologists who are both qualified to provide archaeological services and locally available to attend to the site of anticipated and unanticipated archaeological discoveries in a short amount of time;

- As suggested by the Ministry, prioritize providing the landowner within ASA with a list of consultant archaeologists capable of responding immediately by posting the roster of consultant archaeologists on the project website;

- Notify external stakeholders, namely consultant archaeologists, of the new WAMP requirement to submit GIS mapping of the study area in association with the archaeological assessment reports for purposes of updating and maintaining the WAMP GIS;

- Request to hyperlink WAMP updates into the City's consolidated "Environmental Assessments / Master Plans" page on website https://www.citywindsor.ca/residents/Construction/Environmental-Assessments-Master-Plans/Pages/default.aspx;

- Provide the Unanticipated Remains discovery contingency section to the Windsor Police (Appendix C); and,

- Coordinate with Departments before launching training on WAMP to municipal staff to have input into the development of training and implementation materials for municipal staff regarding the WAMP.

Risk Analysis:

Risk to not approving the draft WAMP is the continual use of dated information from the current WAMP with an outdated Archaeological Potential Model. This lack of clarity in identification of archaeological resources can lead to threat or risk of destruction and loss of archaeological resources, and budgeting overruns for city projects due to a lack of early understanding of Archaeological constraints. The above can lead to project delays, a lack of consistency across Corporate Departments, and lack of compliance to relevant legislation, as well as the undermining of reconciliation efforts with First Nations.

There is risk to the Corporation due to the lack of qualified technical internal resources available to address archeological concerns and indigenous relations on City projects. As noted previously, it is difficult to quantify the costs and effort associated with archeological assessments at the time of budget development since the actual assessment findings will drive the process moving forward, including the degree of First Nations engagement and/or consultation. This has resulted in significant cost overruns on past projects such as the Sandwich Street roundabout. This risk is in part mitigated

by the WAMP which helps to identify risks early, however the uncertainty and financial risks remain on a case by case basis.

This risk is further exacerbated by the limited number of licenced archeologists practicing in the Windsor-Essex region. All archeologists who carry out fieldwork in Ontario are required by law to hold an archaeological licence issued by the Ontario government. Due to the above, it is increasingly likely, with the implementation of the 2024 WAMP and the growing need for archeologist Province-wide, that delays to projects, and non-competitive pricing may be experienced as the City competes with the private sector for these limited resources.

It may be beneficial to explore the idea for the Corporation to hire a licensed archaeologist on-staff to provide an in-house expert for consistency, and so as not to rely fully on out-sourcing of work to Archaeological Consultants, who can be hard to find and may have more restrictions on availability. Independent third party archaeology consultants may also have additional requests or processes when engaging with First Nations that is outside of City of Windsor processes. Additionally, external contracts dictate timelines and acceptable work, so a City staff can instead work according to City priorities on City projects. Should an in-house corporate staff archaeologist be requested in the future as an FTE, there may be an opportunity for cost revenue for this position through establishment of Fees for Service for developers or use of service by non-City parties. Potentially, there may also be cost savings experienced from a corporate staff archaeologist as opposed to external vendor rates.

It is currently difficult to quantify the annual number of and costs associated with archeological assessments due to their inconsistent application in recent years, however with the approval of the WAMP, clear instruction has been provided to aid Administration in providing this type of analysis moving forward. Administration will continue monitoring the volume of archaeological assessments conducted by the City and should there be a business case for the FTE, Administration will bring the request for Council consideration as part of the annual budgeting process.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

The funding for the WAMP Review was previously approved, and the project cost included the training of municipal staff by archaeological consultants ASI after adoption of the WAMP.

Administration recommends that the costs of Stage 1 and Stage 2 archeological assessments be included in the budget of all capital projects where they may apply.

Further, Administration recommends that a new “Windsor Archaeological” reserve fund be established to provide funding for unexpected studies and/or surveys, or required Stage 3 or 4 archaeological assessments that may be necessary during the execution of capital projects. Should any capital project require Stage 3 and Stage 4 assessments, consideration will be given to cost estimates and project scope reductions and if funding from the reserve fund is insufficient, an additional funding request may be brought back to City Council.

Administration recommends that the City Treasurer be directed to transfer $75,000 in unallocated funding from the Pay-As-You-Go Reserve, Fund 169, to the newly created reserve fund. Furthermore, to provide ongoing funding to the newly created reserve, the City Treasurer be directed to bring forward a request to establish an annual transfer in the amount of $50,000 to a new Corporate Account as part of the 2025 Operating Budget process for consideration of future funding. Administration also recommends that the City Treasurer be responsible to approve the allocation of the reserve funds to capital projects, as required. Any allocation of funds will be reported to Council via the semi-annual capital variance report.

Consultations:

Indigenous Engagement

The project team reached out to 14 Indigenous First Nations and Communities to invite their engagement in the WAMP project:

- **Aamjiwnaang First Nation;**
- Aboriginal Education Centre – Turtle Island at the University of Windsor;
- **Caldwell First Nation;**
- Can-Am Indian Friendship Center;
- **Chippewa of the Thames First Nation;**
- Delaware Nation;
- **Haudenosaunee Confederacy Chiefs Council**;
- **Huron-Wendat Nation;**
- Kettle and Stony Point First Nation;
- Métis Nation of Ontario;
- Oneida of the Thames First Nation;
- **Six Nations of the Grand River First Nation**;
- **Walpole Island First Nation;** and,
- Wyandot of Anderdon

The list above was compiled by ASI based on established or potential Aboriginal or Treaty rights within the Study Area, or those who have an established interest in the City. Seven (7) Indigenous First Nations responded with Interest (highlighted above in bold) and their comments have been incorporated into the Project or noted as beyond the scope of the WAMP. Notice of Study Commencement and Project Updates, as well as invitation to review the draft WAMP, were circulated to the Indigenous contacts. Should Council decide to accept the Plan, a notice of study completion will also be sent to the Indigenous communities. The Indigenous Engagement is summarized in a report attached as part of the Appendix.

One of the major points identified by First Nations communities during the engagement process was the request for a formal and ongoing relationship between the City and First Nations' communities, which is beyond the scope of this WAMP review project. To that end, the City has recently approved the creation of an Equity, Diversity, and Inclusion Division within Corporate Services. Administration is actively recruiting for an Executive Director to lead that area, and this Executive Director will lead the work on formalizing a relationship with First Nations. As this area develops, the intent is to grow the internal expertise and resources toward fostering indigenous relationships.

Technical Working Group

A technical working group was established to provide more hands-on support, input, and oversight for the project. The members of this working group include key City of Windsor staff (Planning staff & Staff representing Museum Windsor/Recreation & Culture); key members of the consultant team; representatives from the Ministry; and the President of the Windsor Chapter of the Ontario Archaeological Society.

Stakeholder & Public Engagement

Besides the presentation overview of the WAMP project provided by ASI at the DHSC March 2021 Meeting, two public engagement sessions were also held virtually on June 16, 2021 to inform the public and gather input on the key background studies informing the Archaeological Management Plan update. A total of 44 people attended the public information sessions.

Municipal Departments were solicited for their input and involvement in the project in 2021, and circulated the draft WAMP for review in 2022, and again to separate departments in 2023 and 2024.

Where feedback was received, it was incorporated into the WAMP review and/or incorporated into the Recommendations of this report.

Departments Circulated:

- Planning
- Building
- Infrastructure Services
- Parks & Facilities
- Finance
- Recreation & Culture (Museum Windsor)
- Legal

Conclusion:

As the approval authority, the City of Windsor undertook an update to the current Windsor Archaeological Management Plan to satisfy the requirements of current legislation, and to update the archaeological potential model to better conserve archaeological resources in the community. The WAMP and its resulting recommendations should be considered by Council with the knowledge that the

respective policy and schedule changes will be incorporated into the Official Plan as part of a separate report S16/2024.

Planning Act Matters:

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

Insert Name, Title

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

Insert CLT Initials

Approvals:

Name	**Title**
Neil Robertson	Deputy City Planner- Growth
Thom Hunt	City Planner / Executive Director Planning & Building
Mark Nazarewich (on behalf of Wira Vendrasco)	City Solicitor (Acting)
Mark Winterton	Commissioner, Infrastructure Services and City Engineer (A)
Ray Mensour	Commissioner, Community Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Dana Paladino	Commissioner, Corporate Services (A)
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	**Address**	**Email**

Name	Address	Email
List provided to Clerk's office.		

Appendices:

1 Windsor Archaeological Management Plan 2024
2 WAMP Appendix A – Pre-Contact Indigenous Archaeological Site Potential
3 WAMP Appendix B – Colonial Period Thematic History
4 WAMP Appendix C – Contingency Plan for the Protection of Archaeological Resources in Urgent Situations
5 WAMP Appendix D – Proposed Policy Revisions to the City of Windsor Official Plan
6 Indigenous Engagement Summary Report

City of Windsor
Archaeological Management Plan

2024 Update

May 2024

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Project Archaeologist:	David Robertson, M.A., Partner
Project Manager:	Martin Cooper, M.A., Senior Associate Eric Beales, M.A., Project Manager
Geomatics Manager:	Jonas Fernandez, M.A.
Geomatics Specialist:	Adam Burwell, M.Sc. Peter Bikoulis, Ph.D.

Fisher Archaeological Consulting

Project Archaeologist:	Jacqueline Fisher, M.A., Principal Archaeologist
Project Archaeologist:	Jim Molnar, Ph.D., Manager
Project Archaeologist:	Ruth Macdougall, M.A., Project Manager

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Executive Summary

The archaeological sites that are the physical remains of the City of Windsor's 13,000-year settlement history represent a fragile and non-renewable cultural heritage resource that must be conserved and protected. This document and associated mapping, developed on a geographical information system (GIS) platform, update Windsor's archaeological management plan (WAMP) based on best practices in archaeological resource management. With this updated WAMP, the City of Windsor can more easily identify where archaeological assessments are required in the land use planning and development process—or any other municipal processes involving land disturbance—and manage archaeological resources within its jurisdiction.

Through its GIS mapping of known archaeological sites and areas of archaeological potential, the WAMP allows the City of Windsor's Planning and Building Services Department, along with other city departments, property owners, developers, and prospective land buyers, to know whether archaeological investigations are necessary prior to land disturbing activities. Thus, the WAMP reduces the risk of unfortunate surprises occurring during land altering activities (such as disturbing an Indigenous burial site or a nineteenth century building foundation), and considerably enhances public awareness of archaeological resources. The WAMP also allows residents to know and appreciate their community's history better. For example, caring for and sharing information about Windsor's Indigenous archaeological heritage is an important step towards reconciliation with local Indigenous nations.

More specifically, the City of Windsor's archaeological management plan has three major objectives, as follows:

- the compilation of detailed, reliable inventories of registered archaeological sites within Windsor;

- the development of an archaeological site potential model specific to the City of Windsor, based on known site locations, past and present land uses, environmental and cultural-historical data, and assessment of the likelihood for survival of archaeological resources in various contexts; and,

- the provision of recommendations concerning the preparation of archaeological resource conservation and management guidelines for the City of Windsor.

The development of an archaeological site potential model was undertaken based on both an inductive and deductive approach to predicting where additional pre-contact Indigenous sites are most likely situated and detailed historical research to map historical archaeological potential. It was determined that the pre-contact Indigenous archaeological site potential layer captures all previously identified pre-contact Indigenous sites in Windsor excluding isolated finds.

The identification of areas in the Colonial Period archaeological potential layer involved the digitization of relevant nineteenth century residential, commercial, and industrial features and transportation routes from historical mapping and cemeteries, and captures all the colonial period archaeological sites previously discovered in Windsor.

The role of the City of Windsor in the conservation of cultural heritage resources is crucial. Although heritage conservation is regulated by the Province of Ontario, planning and land use control are predominantly municipal responsibilities and the impact of municipal land use decisions on archaeological resources is significant. This is particularly the case since municipally approved developments constitute most land disturbing activities in the Province. The primary means by which these resources may be protected is through the planning and development approval process.

The WAMP provides a series of policy recommendations within the planning and

development approvals process, to be integrated into Windsor's Official Plan, which will ensure the conservation of these valuable cultural heritage resources within the overall process of change and growth in the city. The WAMP policy recommendations are consistent with the Provincial Policy Statement (2020) and the Ontario Heritage Act (2005).

Development of the WAMP also benefitted from engagement with Indigenous nations. Windsor lies within the traditional territory of the Anishinaabe nations that comprise the Three Fires Confederacy: Ojibwa (Chippewa), Odawa (Ottawa), and Potawatomi. It is also within the scope of treaties signed by the British Crown, including Treaty #2 (also known as the 1790 McKee Purchase), signed with representatives of these Anishinaabe nations together with representatives of the Huron (Wendat/Wyandot) Nation, and the 1701 Nanfan treaty, signed with the Haudenosaunee Confederacy (Five Nations) at Albany, NY. These nations were also signatories of the 1701 Great Peace of Montreal treaty, negotiated between the government of New France and thirty-nine Indigenous nations, that ratified the Dish With One Spoon principle for sharing resources while respecting sovereign territories (Jacobs & Lytwyn, 2020). The WAMP recommends continued engagement with Indigenous nations in Windsor's archaeological review and planning approvals processes.

In summary, in having developed and updated this archaeological management plan, the City of Windsor joins with other major Ontario municipalities in pursuing the best approach available to ensuring archaeological site conservation within its jurisdiction.

1 Introduction

1.1 Study Objectives

The WAMP represents a comprehensive approach to the conservation of archaeological resources. The most effective means of protecting archaeological sites is through adoption of planning and management guidelines that are informed by both the known distribution and character of archaeological sites and by assessment of the potential location of additional sites that have yet to be discovered.

This report presents an archaeological potential model and planning and management guidelines that are consistent with provincial legislation. The archaeological potential model was developed using an ArcGIS® Geographic Information System to summarize and map various data sets as separate, but complementary layers. Modelling criteria specific to Windsor were then derived through analysis of these layers and applied to produce a final archaeological potential zone. This layer will be used by Windsor staff to evaluate planning applications and other municipal infrastructure projects for the necessity of carrying out archaeological resource assessments. While the archaeological potential zone has been derived with respect to land-based archaeological resources, adjacent water bodies may also have archaeological potential.

The report is divided into two main parts. Part l presents the archaeological potential model for both pre-contact Indigenous and colonial period sites. Part II addresses archaeological resource management, including outlines of the threats to archaeological resources and the legislative framework at the provincial and municipal levels to address those threats; how Windsor will apply the archaeological potential model across departments that participate in planning and development processes and infrastructure projects; and an explanation of the various roles that different agencies play in these processes. The report also addresses contingency planning for unexpected archaeological emergency finds, ownership and curation of archaeological artifacts, and periodic review of the archaeological potential model.

There are four appendices to the report as follows:

- Appendix A: Pre-contact Indigenous Archaeological Site Potential;
- Appendix B: Colonial Period Thematic History;
- Appendix C: Contingency Plan for the Protection of Archaeological Resources in Urgent Situations;
- Appendix D: Proposed Policy Revisions to the City of Windsor Official Plan.

1.2 Defining Archaeological Resources

Archaeological resources are scarce, fragile, and non-renewable and therefore must be managed in a prudent manner if they are to be conserved. The Government of Ontario, through various statutes and policies, asserts the stewardship interests of the provincial Crown on behalf of its citizens with respect to archaeological resources. In addition, the City of Windsor lies within the traditional territory of the Anishinaabe nations that comprise the Three Fires Confederacy: Ojibwa (Chippewa), Odawa (Ottawa), and Potawatomi. The land was acquired by the British Crown in the late eighteenth and nineteenth centuries through Treaty #2 (also known as the McKee Purchase) and a series of subsequent negotiated purchase agreements signed with representatives of these Anishinaabe nations together with representatives of the Huron (Wendat/Wyandot) Nation. Windsor also lies within the precincts of the Beaver Hunting Ground Deed (also known as the Nanfan treaty) signed between the Haudenosaunee Confederacy (Five Nations) and the British Crown at Albany, NY, in 1701. In addition to the provincial Crown, these nations assert their interests with respect to archaeological heritage management.

Effectiveness in incorporating archaeological heritage conservation and management within the overall land-use planning and development process requires a clear

understanding of the physical nature, variety of forms, and overall significance and value to society of archaeological resources.

The Provincial Policy Statement (2020), which is issued under the authority of Section 3 of the Planning Act, defines archaeological resources (Section on Definitions) as including "artifacts, archaeological sites, and marine archaeological sites."

Individual archaeological sites are distributed in a variety of locational settings across the landscape, being locations or places that are associated with past human activities, endeavours, or events. These sites may occur on or below the modern land surface or may be submerged under water. The physical forms that these archaeological sites may take includes the following: surface scatters of artifacts; subsurface strata which are of human origin or incorporate cultural deposits; the remains of structural features; or a combination of these attributes.

The Ontario Heritage Act (Ontario Regulation 170/04) provides the following definitions:

- "archaeological site" is "any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest;"
- "artifact" is "any object, material or substance that is made, modified, used, deposited or affected by human action and is of cultural heritage value or interest;"
- "marine archaeological site" is "an archaeological site that is fully or partially submerged or that lies below or partially below the high-water mark of any body of water;" and,
- "archaeological fieldwork" is "any activity carried out on, above or under land or water for the purpose of obtaining and documenting data, recovering artifacts and remains or altering an archaeological site and includes monitoring, assessing, exploring, surveying, recovering, and excavating."

1.3 Archaeological Background

Windsor is an area rich in cultural heritage resources and diverse cultural traditions. The Detroit River corridor is unquestionably an area of high cultural and historical significance not only to the First Nations who have lived here for millennia, but to the Europeans who settled here in the more recent centuries. For thousands of years, the river has facilitated the movement of both peoples and goods throughout the interior of the continent. In addition, the rich resources found in the water and the surrounding lands encouraged intensive Indigenous and early European settlement along its banks.

The shoreline comprises the earliest continuous European settlement in Ontario. The European influx began in the early eighteenth century with French settlement that grew up around Fort Pontchartrain (later Fort Detroit) on the north side of the river. The south shore, now Windsor, was settled later in the eighteenth century by French families from the St. Lawrence River settlements. By the 1790s, British settlement of the area was well underway, but although the interior of Essex County was surveyed, the population remained concentrated along the lakes and river shores for many decades. On the main thoroughfare of the Great Lakes, the Windsor area was pivotal as a base for the expansion of the eighteenth and nineteenth century fur trade and settlement throughout much of the interior and saw military action during the War of 1812, and the 1837 Upper Canada Rebellion. By the late nineteenth century, Windsor was becoming an industrial city important for international trade and shipping, a trend which expanded rapidly in the twentieth century with the influx of automobile plants and other manufacturing complexes.

Due to the limited extent of archaeological research undertaken in the Windsor area, the complexity of its archaeological heritage is poorly understood. Traces of Windsor's significant cultural and historical legacy have, however, been evident in the relatively small number of archaeological sites that have been identified within or immediately adjacent to the City. Documented Indigenous sites within the Windsor area include camps and villages spanning more than 10,000 years of habitation. Of particular

sensitivity are the various burial sites relating to both pre-contact and colonial period Indigenous settlement in the Windsor area. Colonial period sites include a wide range of domestic, military, commercial and industrial features primarily scattered along the Detroit River shoreline. Despite the minimal amount of systematic archaeological investigation carried out in the Windsor area, the presence of these sites indicates the potential for other similar sites throughout the region, reflecting over 13,000 years of human history.

Part 1: Archaeological Potential Model

2 Pre-contact Indigenous Archaeological Site Potential

2.1 Introduction

Only limited locational data exist for pre-contact Indigenous archaeological sites in the City of Windsor. While access to distributional information for all sites would be a significant advantage to land-use planners and heritage resource managers, the undertaking of a comprehensive archaeological survey of Windsor to compile a complete inventory is clearly not feasible. As an alternative, therefore, staff must depend on a model which predicts how sites are likely to be distributed throughout the city.

Archaeological site potential modelling can trace its origins to a variety of sources, including human geography, settlement archaeology, ecological archaeology, and paleoecology. The basic assumption is that pre-contact Indigenous land use was constrained by ecological and socio-cultural parameters. If these parameters can be discovered, through archaeology and paleoecology, pre-contact Indigenous land-use patterns can be reconstructed.

Two basic approaches to predictive modelling can be described. The first is an empirical or inductive approach, sometimes referred to as correlative (Sebastian and Judge 1988) or empiric correlative modelling (Kohler and Parker 1986). This method employs known site locations, derived from either extant inventories or through sample surveys, as a guide for predicting additional site locations. The second is a theoretical or deductive approach, which predicts site locations based on expected behavioural patterns as identified from suitable ethnographic, historical, geographical, ecological, and archaeological analogues. While data requirements or availability tend to influence the orientation of the study, every

modelling exercise will incorporate both inductive and deductive elements. Foremost is the need to employ all available data effectively and expeditiously.

Appendix A presents the detailed model of pre-contact Indigenous archaeological site potential developed for the City of Windsor. It begins with a brief review of the method and theory associated with pre-contact Indigenous site potential modelling and is followed by delineation of the modelling approach, which employs a descriptive reconstruction of pre-contact landscapes in Windsor together with a reconstruction of pre-contact Indigenous land-use patterns informed by both known site locations as well as archaeological and ethnographic analogues. This information is brought together in a list of criteria which are used to define a zone of pre-contact Indigenous archaeological potential on GIS mapping for Windsor.

2.2 Deductive Model

Throughout much of pre-contact Indigenous history, the inhabitants of Windsor were hunter-gatherers who practiced an annual subsistence round to exploit a broad range of natural resources for food and raw materials for such needs as shelter construction and tool manufacture. Assuming that access to natural resources influenced and constrained the movement and settlement of Indigenous peoples, the goal was to understand what these resources were, how they may have been distributed, how their use and distribution may have changed over time, and how the landscape itself may have constrained movement and access to resources as well as settlement location. The investigation proceeded chronologically since certain aspects of Windsor have changed dramatically through the period of human occupation.

2.2.1 Late Pleistocene/Early Holocene (ca. 13,000 – 11,000 cal BP)

The First Peoples began to move into what is now southwestern Ontario as the continental ice sheet retreated at the end of the last ice age. As populations increased in southeastern North America around 13,000 years ago, small groups of people gradually moved north into a newly revealed land (Chaput et al., 2015; Lothrop et al., 2016). The landscape that greeted them would have been open and

cold, sparsely vegetated with tundra plants such as lichens and sedges, with spruce and tamarack trees growing up over time (McCarthy et al., 2015; Stewart, 2013; Yu, 2003). The spruce parkland was home to mammoth, mastodon, stag-moose, giant beaver, caribou, arctic fox and snowshoe hare, California condors, and many other boreal species which no longer call the area home (Ellis, 2013; Stewart, 2013; Storck & Speiss, 1994). The first peoples would have moved across this post-glacial landscape in small groups, following herds of migrating animals and searching for food. As they travelled, they often followed the shoreline of glacial Lake Algonquin or one of the waterways that shifted across the clay plains, camping close to the water's edge (Deller, 1976, 1979; Jackson et al., 2000; Storck, 1984, 1988). They gathered nearby stones to support a portable shelter, cooked meals prepared from animals hunted, trapped, or fished, and resharpened large, fluted spear points or remade them into smaller tools for other uses (C.A.R.F., 1992; Ellis, 2013; Julig & Beaton, 2015).

Archaeological sites left behind by these First Peoples are usually small and ephemeral, the results of short-lived camps located close to ancient shorelines or at strategic inland locations (Jackson, 1997, 1998). Artifacts at these sites tend to consist of a few large spear points coupled with waste stone from the production of these tools, as organic materials such as wood, bone, and furs do not preserve on these exposed strandlines over the millennia. In combination with Indigenous oral histories, the archaeological record of these sites has the potential to illuminate the lives of the original residents of Windsor.

Sites dating to this earliest period are sparse in Ontario, and none have been identified within the bounds of the City of Windsor. There is, however, an unconfirmed report of contemporary artifacts having been recovered during an archaeological survey of the Turkey Creek valley conducted in 1968 and 1969 by Father Jack Lee (Baumann, 1978). Unfortunately, the sites from where these artifacts were recovered were not registered and their exact character and location are unclear. Sites which have been identified elsewhere in the province are located primarily on relict strandlines of glacial Lake Algonquin and its correlate in the Erie basin, and many have been discovered through targeted survey of these geological features

(Storck, 1984, 2004). If any of the earliest sites exist in Windsor, they would likely be situated near or above the estimated level of glacial Lake Algonquin (186 metres asl), although sites dating to later phases of this period may occur on recessional strandlines below this elevation.

The closest sites to Windsor, dating to the latter phase of this period, are the Holcombe Beach group of sites located about 15 kilometres north of Detroit. The Holcombe Beach sites were interpreted as temporary camp sites used to process barren ground caribou and make and repair stone tools and were located on a sand ridge overlooking a shallow glacial lake (Fitting et al., 1966). Chert types and the workmanship identified on projectile points link Holcombe to sites in Ohio, the Delaware Valley of the eastern US, and to quarrying areas around Saginaw Bay in Michigan and on the northeastern shore of Lake Erie (Ellis & Deller, 1990, p. 41; Fitting et al., 1966, pp. 90–92); groups moving between these areas would have passed through Windsor. Isolated Holcombe and Hi-Lo projectile points have been located within Windsor including within Sandwich West along the drainage of Turkey Creek, and on the grounds of the Windsor Airport along the drainage of the Little River (Ellis & Deller, 1990, p. 55; Garrad, 1971; Stantec, 2014), and it is possible that undiscovered sites also exist. Desirable site locations would have shifted as animal habitats and migratory routes changed with the retreat of glacial Lake Algonquin and early Lake Erie and the resulting alterations of local watersheds and drainages but raised sand ridges and glacial strandlines possess significant potential for sites from this period.

As time passed and Indigenous communities became more familiar with the seasonal changes and the habits of local animals, they began to establish regular camps to return to on a seasonal basis. Resources may have been initially quite limited, as the forest evolved from a conifer-dominated community to a more mixed community with nut-producers like oak. Although the ability of interior habitats to sustain hunter-gatherer bands through the warm season improved over time, reduced cold season carrying capacity would require bands to spread out their population over the winter. During the cold seasons, these bands likely dispersed themselves by smaller kinship groups into interior hunting territories.

Such hunting territories would likely have been organized on a sub-watershed basis, with individual families occupying adjacent stream catchment areas. Riparian wetlands and swamps would have provided fuel, building materials, roots and tubers, and small game. Archaeological evidence of such sites may be difficult to distinguish from warm season hunting camps, although the sustained occupation of a site over several months would likely leave a more substantial artifact assemblage. The few sites of this period in Windsor are situated in the middle and upper reaches of headwater streams and may reflect seasonal forays from coastal base camps later eradicated by the Nipissing highstand.

Throughout the lower Great Lakes there is evidence of seasonal camps being situated at toolstone (e.g., chert) sources, at wetlands where waterfowl gathered annually to lay eggs and raise young, or at river crossings where migrating herds of caribou were forced to slow down and bunch up (Ellis, 2013; Roosa & Deller, 1982). The most evocative example of large, seasonally visited sites is the evidence, now submerged beneath the waters of Lake Huron, of caribou hunting structures on the Alpena-Amberley Ridge (AAR). The network of hunting blinds, drive lines, cairns, caches, stone rings, and shelters are all that remains of a landscape in which, between 10,000 and 7,000 years ago, many of those living in the Great Lakes area would gather to take advantage of a constricted area on the annual caribou migration route (Julig & Beaton, 2015; Lemke & O'Shea, 2015; O'Shea & Meadows, 2009). While this is a good distance to the north of what is now Windsor, there are few landscapes like the AAR which can be examined on a large scale archaeologically, but the identification of sites of a similar age near Windsor is difficult due to their probable scarcity and small size. It is also possible that the Windsor area was less desirable during the lowstands in the Huron-Michigan and Erie basins, when flow into the St. Clair River and through Lake St. Clair and the Detroit River to Lake Erie was minimal or suspended.

2.2.1 Early/Middle Holocene (ca. 11,000 – 5,000 cal BP)

As the climate continued to warm after 11,000 years ago, the land in southern Ontario became more hospitable and food resources more abundant. Isostatic

rebound altered drainages and caused water levels in the Great Lakes basins to begin rising again, but Lake Stanley (in the Huron basin) still drained northward via the North Bay outlet and not through the Detroit River and Lake St Clair. Some groups began to establish claims over specific areas of land and to follow the seasonal round within a more restricted territory, often within a particular watershed (Ellis 2013). One side effect was that access to the highest quality tool stone—none of which outcrops in the Windsor area—was no longer available to all groups (Fox 2013). Poorer quality local chert sources were sufficient for making everyday tools, but as a result the spear points and other lithic objects were never as finely made as those carried by earlier hunters (Ellis 2013; Fox 2013). Ground stone axes and adzes were added to the toolkit as coniferous forests established themselves in southern Ontario and the people made wooden dugout canoes and cooking troughs; other new ground stone tools were used to process a diversifying array of plant resources, or as weights for fishing nets (CARF 1992; Ellis 2013; Kapches 2013).

Ways of life changed over the next few millennia, as deciduous woodlands replaced the coniferous forests, and the post-glacial tundra became a distant cultural memory. Adaptive patterns would have completed the shift from the initial ecological framework outlined above in response to the establishment of the hardwood forest, with many nut-producing trees, abundant wetlands, and the wider range of available plant and animal resources. Warm season macroband camps would have still been situated at coastal river mouths to intercept spawning fish while interior stands of mast-producing trees (e.g., oak, hickory, beech) would have attracted both Indigenous foragers and game animals (e.g., deer, raccoons, squirrels, passenger pigeons) in the fall.

Warmer waters in the Great Lakes, and stable stream- and riverbeds provided new habitats for many of the fish species still found in the region today. These were caught using fishhooks made of bone or antler, or copper transported by canoe from the western end of Lake Superior (Ellis 2013; Fox 2013). Increasingly, large groups of people gathered together during spring and autumn fish spawning runs to catch fish in nets and to cooperate in the cleaning and processing of large catches

(Needs-Howarth, 2013). In parts of Ontario, fish weirs built at river narrows during this period were subsequently used for thousands of years; even when no longer used to harvest fish, the weirs still served as important gathering places for ceremonies and trading (Needs-Howarth, 2013). More changes to food gathering came with the introduction of the bow and arrow, which allowed hunters to target smaller game with something other than traps and snares (Needs-Howarth, 2013). A surplus of food, hides, or fur could be exchanged in trade or as gifts for exotic materials, allowing copper from Lake Superior, marine shells from the Atlantic coast and the Gulf of Mexico, and finely made Onondaga chert bifaces from the Niagara Peninsula to find their way into the hands of people living in diverse parts of eastern North America (Ellis, 2013; Fox, 2013). By about 3,500 years ago, favoured resource sites on the seasonal round were being re-inhabited year after year, with some groups beginning to establish cemeteries for their dead, marking ritually and territorially important places on the landscape (Ellis, 2013; Spence, 2013; Stewart, 2013).

2.2.2 Late Holocene (ca. 5,000 – 400 cal BP)

After the Nipissing highstand, water levels in the Huron-Michigan and Erie basins gradually fell to modern levels (Morrison, 2017) and by about 4,000 cal BP the physical and biotic landscape of Windsor was essentially similar to that which existed immediately prior to the colonial period. While the environment continued to fluctuate and evolve as a result of natural processes such as forest fire and windthrow, re-modelling of waterways, organic in-filling of wetlands, animal population cycles, and others, these generally cannot be resolved with currently available paleoenvironmental data. Nor is it necessary to do so given the scope and analytical scale of this study. The lifestyle of Late Holocene hunter-gatherers seems to have been relatively unchanged from that practiced by their ancestors.

Around 3,000 years ago, people in southern Ontario began to make low-fired ceramics, a change in technology which would eventually have a profound impact on ways of life. The earliest pots broke or wore out quickly, and so were made and used in the same camp and disposed of before moving on to a new location

(Kapches, 2013). They did not at first replace the string bags, birch bark containers, and skin sacks which were already being used as storage vessels but were instead used to cook foods at a simmer, allowing the integration of more plant foods into the diet (Kapches, 2013; Williamson, 2013).

Changes that had begun on a small scale in earlier times were now more entrenched, especially regarding treatment of the dead. The ancestors were buried in knolls, sandbanks, and other visible natural features, often close to a favoured camp re-inhabited on an annual basis (Spence, 2013; Williamson, 2013). The remains of those who died close to the cemetery were buried soon after death, some with finely made stone objects, or with red ochre, or with exotic traded materials like marine shells or galena (natural form of lead sulphite) obtained through exchange networks built up over the preceding millennia (C.A.R.F., 1992; Spence, 2013; Williamson, 2013). The remains of those who died at a distance from the cemetery were temporarily laid to rest on platforms or cremated, until they could be reunited with their community in the cemetery, often bundled together with other ancestors (C.A.R.F., 1992; Spence, 2013). The gatherings around this reinterment may have coincided with the spring resource harvest and included feasting and the presentation of gifts to the ancestors in the form of caches of stone tools, gorgets, and food such as turkey, deer, fish, and dog which were buried within the bounds of the cemetery but not necessarily with any particular individual (Spence, 2013).

Over the next several centuries, the daily life and sense of identity of those living in the Windsor area began to diverge from that of people living farther east. Some of this was a result of the widespread influence of mound-building peoples in the Ohio and Mississippi river valleys, whose extensive trade networks introduced new materials such as Flint Ridge chalcedony for stone tools, and new ceremonies involving the construction of earthworks and burial mounds (C.A.R.F., 1992; Fox, 2013; Watts, 2016; Williamson, 2013). These earthworks usually consisted of a circular or semicircular embankment with associated ditches and mounds, enclosing an open area “from around 100 m^2 to more than a hectare”; their use

likely varied depending on time and context, providing defensive capabilities, an open space for trading, or for ceremonies (Watts, 2016, p. 1).

Life continued to follow a seasonal round; people congregated in larger groups for the warm season, usually in a succession of camps near the Detroit River, and dispersed to smaller, single-family camps in the interior during the cold season, with visits to numerous other small satellite camps throughout the year to take advantage of specific resources as they became available (Spence, 2013). Harvesting fish formed a major dietary focus, with different water and environmental conditions requiring the use of a wide variety of tools: harpoons, spears, leisters, and fishhooks to catch single fish; and seine nets to take advantage of spawning runs of fish such as walleye in spring, and freshwater drum in summer (Foreman, 2011; Needs-Howarth, 2013). Ceramic construction improved during this time: grit temper was added to clay to strengthen the fabric, and coil-built pots were fired at higher temperatures than they had been previously (C.A.R.F., 1992; Kapches, 2013). Regional differences in ceramic decoration and stone tool knapping across southern Ontario indicated that people held distinct identities tied to their places of settlement, which would be further delineated as life became increasingly settled (Monckton, 2013; Williamson, 2013).

By about 1,200 years ago, those living in the Windsor area shared their way of life with the people living in what would become southeastern Michigan and northwest Ohio but lived according to a different pattern than those living in south-central Ontario (Lennox & Dodd, 1991; Stothers & Abel, 2002). Spring was a time of gathering, when people reconnected to harvest spring spawning fish and to feast and hold ceremonies with the ancestors buried nearby (Killion et al., 2019; Lennox & Dodd, 1991; Stothers & Abel, 2002; Wright, 1977). The warm season, from spring until early autumn, was spent in large, multi-family settlements on the shores of the Detroit River. Houses were small, oval, bark-covered structures for one or two families each, which could be disassembled and moved to new locations (Ferris, 2013; Warrick, 2013). Here, the coastal marshes provided an abundance of animal and plant resources, as well as a defensive advantage in the event of the inter-

group violence which was on the rise (Stewart, 2013; Warrick, 2013; Williamson, 2013).

Women of the villages gathered clay from well-known spots along the riverbank, prepared it to remove impurities and strengthen it, then shaped the vessels and fired them in shallow pits covered in brush and wood, situated a good distance away from the settlement to avoid setting structures alight (Kapches, 2013). In most cases women made pots for themselves and their daughters and decorated them with motifs with personal or ancestral significance; children learned to make pots by watching their mothers, and by playing with clay to make small, rudimentary pinch pots of their own (Kapches, 2013; St John & Ferris, 2019; Williamson, 2013).

Both directly and indirectly, favoured wild plants were encouraged to establish themselves close to re-inhabited settlements, whether through replanting them just outside the village or by depositing food waste in nearby middens (Monkton 2013). These husbanded plants included raspberries, plums, elderberries, and other fruits along with chenopod, sumac, cattail, and spikenard. Techniques developed in husbanding wild plants began to be applied to new crops which had spread to Ontario from central America along exchange networks developed over the preceding millennia: first maize, then later squash, beans, sunflowers, and tobacco (Carroll, 2013; Monckton, 2013; St John & Ferris, 2019; Stothers & Abel, 2002; Williamson, 2013).

Deep storage pits were excavated to cache surplus food in large ceramic pots for later use (Ferris, 2013; Kapches, 2013). With the arrival of autumn, people dispersed from the warm season villages to small, one- or two-family cabins in the interior, located to take advantage of nut harvests, and as a base from which to set trap lines and for sugaring in winter (Ferris, 2013; Lennox & Dodd, 1991; Warrick, 2013). The autumn nut harvest was also an opportunity to hunt terrestrial animals such as deer, turkeys, squirrels, and raccoons, all of which were attracted to nut groves for their own subsistence purposes (Foreman, 2011). The colder months were also the most intensive time for deer hunting using blinds, drives, and corrals

in addition to the bow and arrow (Needs-Howarth, 2013). In addition to meat, deer were a critical source of hides for clothes and shoes, antlers for tools, bones for awls and needles, and marrow and grease for food flavouring; a surplus of hides could potentially have been exchanged with those living to the east around Lake Ontario (Foreman, 2011; Needs-Howarth, 2013).

In the following centuries maize and other imported crops, initially consumed only at feast times or as a minor supplement to husbanded or wild local plant foods, began to form an increasingly significant part of the daily diet (Monckton, 2013; Stothers & Abel, 2002; Williamson, 2013). The greater investment in time required to grow large quantities of these domesticates conflicted with the timed gathering of other food resources: spring planting occurred around the time of fish spawning runs, and the autumn harvest conflicted with nut gathering and deer hunting (Foreman, 2011).

As a result, warm season settlements were located in places with good ground for crop planting, as well as access to a wide variety of aquatic foods which would be available for most of the season (Foreman, 2011; Needs-Howarth, 2013; Stothers & Abel, 2002). Women and children would catch turtles and amphibians and gather shellfish from the rich marsh environments; deer, squirrels, raccoons, turkeys, and other animals attracted to the crops were hunted in small numbers year-round rather than primarily in the autumn (Foreman, 2011; Lennox & Dodd, 1991; Needs-Howarth, 2013). The crops did not require constant monitoring and so smaller groups still spent time hunting and fishing at satellite camps, with locally available fish from the Detroit River forming an increasingly important part of subsistence (Foreman, 2011; Lennox & Dodd, 1991).

Warm season residences began to resemble the longhouses of the peoples to the east, though with a smaller footprint and different internal structure. Settlements were surrounded by palisades and sometimes by earthworks to add some measure of protection and were inhabited for more months out of the year (Ferris, 2013; Lennox & Dodd, 1991; St John & Ferris, 2019; Stothers & Abel, 2002). The increased time spent living in large communities had an effect on social organisation, with

more emphasis placed on matrilineal descent and identification with lineage groups (Carroll, 2013; Ferris, 2013; Spence, 2013; Williamson, 2013). Inter-community conflict borne out of stronger internal group identities and competition for access to exchange networks was partially mitigated through lavish feasting and gift giving, maintaining social networks across the lower Great Lakes region (Carroll, 2013; Jamieson, 2013; Killion et al., 2019; Spence, 2013; Stothers & Abel, 2002). Political leaders were men, selected by influential women, responsible for diplomacy with nearby settlements, scheduling the seasonal round, organising raids, and other tasks, and governance was by consensus rather than by decree (Jamieson, 2013).

By the early 1500s, pressure from the westward expansion of Iroquoian peoples living around Lake Ontario caused many of those living in the Windsor area to relocate west and south for several decades, beginning to return to the area just before the onset of profound changes set in motion by European contact (C.A.R.F., 1992; Lennox & Dodd, 1991).

2.3 Inductive Model

While the preceding deductive model paints a general picture of pre-contact Indigenous land use in Windsor throughout the millennia, the sample of registered pre-contact Indigenous sites also allows for the development of an inductive model from which to extrapolate pre-contact Indigenous archaeological potential based on locations of known sites. This requires some understanding of site types and ages since land-use patterns changed over time. The inductive modeling also included observations based on distance to water, soil types and slope.

The total number of archaeological sites in Windsor is 115, of which 25 have pre-contact Indigenous components. Some, however, are isolated finds of flakes or projectile points lost while traveling through the landscape and are therefore not useful in the modeling exercise. Thus, the total number of pre-contact Indigenous sites used for inductive modeling was 14.

2.3.1 Distance to Water

For pre-contact Indigenous sites, the proximity of major lakes and rivers is considered to have always been a significant factor influencing land-use patterns in Windsor by acting as travel and settlement corridors. While the locations of the major shorelines have changed significantly over time, the layout of the inland drainage systems has remained relatively constant since the late Pleistocene. The middle and upper reaches of the inland drainages may have comprised seasonal hunting grounds analogous to those recorded historically throughout the Great Lakes-St. Lawrence region.

While the main source of hydrographic data used in the inductive site potential model was modern watercourse data, the dataset was found to be missing certain streams noted on various historical map sources. Accordingly, these were added manually to the hydrographic layer of the GIS.

Based on the above data, it was determined that a buffer of 250 metres from water sources captures 100% of the modellable registered pre-contact Indigenous sites in Windsor.

2.4 Summary of the Pre-contact Indigenous Potential Model

In light of these deductive and inductive modeling considerations reviewed above, ultimately four water-based criteria (Table 1) were chosen as the most useful predictors of pre-contact Indigenous archaeological potential (In a relatively small area such as a city, especially one like Windsor with very limited topographical/geo-physical variability, other factors were decided to be excluded as irrelevant or as redundant due to overlaps). The criteria used to create the pre-contact Indigenous archaeological site potential layer, were as follows: all current and former watercourses; all waterbodies, including lakes, ponds, and wetlands. First, all river and major stream segments—defined as those represented by two lines (i.e., banks) on the hydrographic layer—were buffered at 250 metres from the top of bank. Second, all subordinate streams—defined as those watercourses represented by a single line on the hydrographic layer—were buffered by 250

metres on both sides of the line. Third, all lakes, ponds, and wetlands were buffered at 250 metres. The 250-metre buffer was employed since it captures 100% of the sites employed for inductive modeling within Windsor. Figure 1 presents the pre-contact Indigenous archaeological site potential layer.

Table 1: Pre-contact Indigenous Archaeological Potential Modelling Criteria

Environmental or Cultural Feature	Buffer Distance (metres)	Buffer Qualifier
Rivers and streams	250	• from top of bank for former; from centreline for latter; on all soil types
Lakes and ponds	250	• exterior buffer from current limits, all soil types
Wetlands	250	• 200m exterior buffer and 50m interior buffer. Only for verified wetlands
Registered Indigenous archaeological sites	100 250	• Camps and other small sites • Villages and other large settlements

Figure 1: Pre-contact Indigenous Archaeological Potential Layer

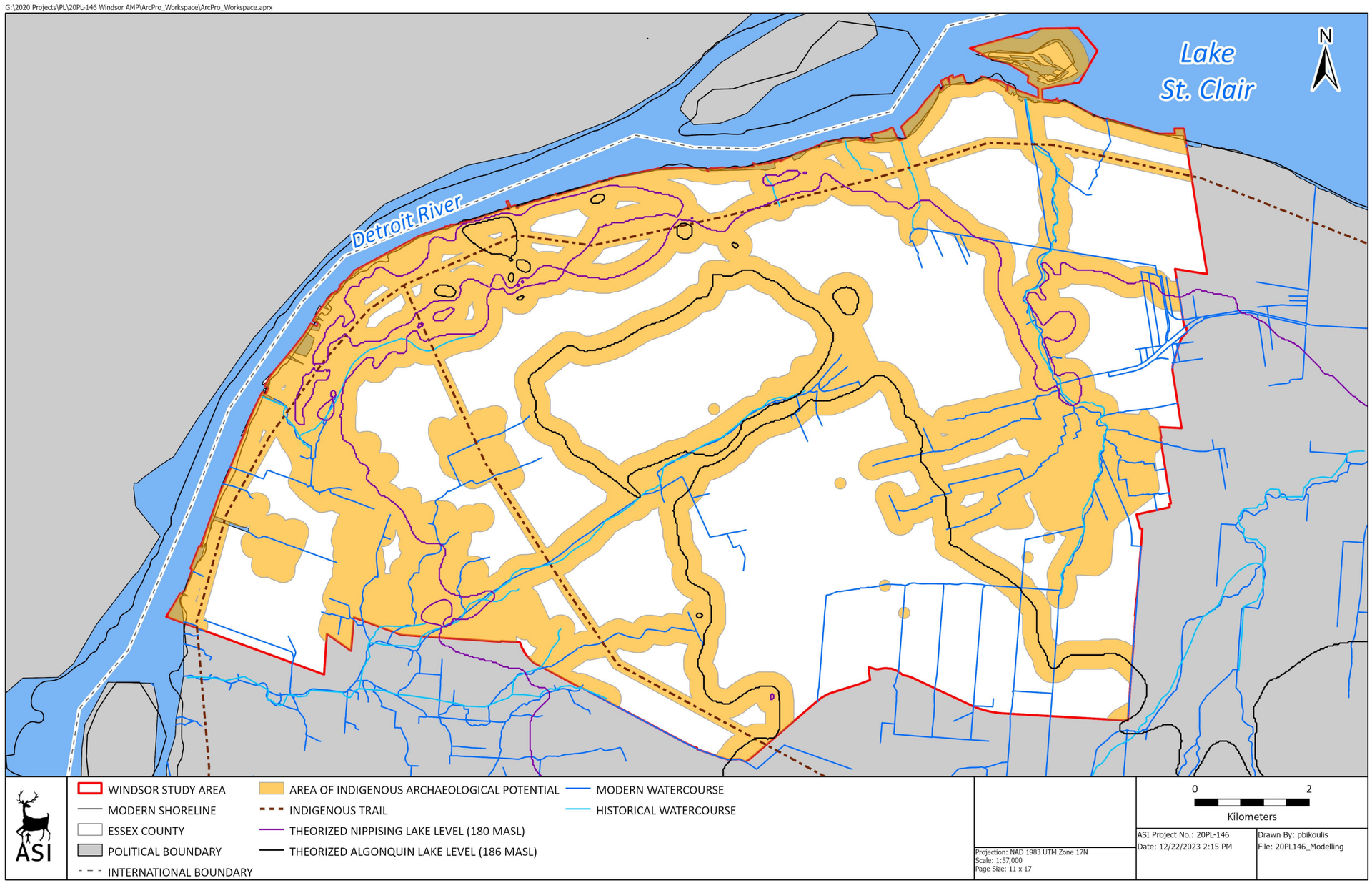

Figure 1: Precontact Indigenous Archaeological Potential

3 Colonial Period Archaeological Site Potential

3.1 Introduction

In contrast to the deductive and inductive modelling employed to create the pre-contact Indigenous archaeological site potential layer, the colonial period archaeological site potential layer was created primarily from historical mapping, historical thematic research, and the application of buffers to some features of historical interest. While it is primarily a terrestrial model, certain features (e.g., water-powered mills) may have marine archaeological components associated with them. In accordance with provincial standards and guidelines for consultant archaeologists, as detailed in Appendix B, attribution of archaeological significance focussed on historical features dating prior to 1900 (MTC, 2011, p. 41), especially those dating prior to 1870 (MTC, 2011, p. 59).

Europeans began mapping North America—commonly known as Turtle Island by Indigenous nations—soon after their arrival in the sixteenth century, and over the course of the seventeenth century several maps of Nouvelle France had been created by various explorers and cartographers working from their notes. One of the earliest maps depicting Indigenous settlement in the Windsor area is the 1641 “Novvelle France” map that shows locations of Great Lakes Indigenous peoples prior to the dispersals of the late seventeenth century (Heidenreich, 1988; Steckley, 1990). Peoples named just west of the Detroit and St. Clair Rivers include the Sauk and the Potawatomi (Steckley, 1990, p. 21). Other Algonquian-speaking peoples were living to the south and west in an area that is collectively marked “Gens du Feu” or Fire Nation.

Following the establishment of Fort Pontchartrain at present-day Detroit, more detailed mapping of the area ensued. Henri-Louis Deschamps de Boishébert, commandant of Detroit, produced several important early maps, including one entitled “Carte du Detroit et Partie du Lac Erie, et du Lac Ste. Claire” (Boishebert, 1731) that indicates the locations of several Indigenous villages on both sides of the river. Other eighteenth-and nineteenth-century maps of the area provide locations

of Indigenous communities, military installations, farmsteads, early roads and railways, crossroad communities, urban cores, public buildings, cemeteries and some early industrial sites (Belden, 1881; de Lery, 1764; McNiff, 1791; McPhillips, 1892; Pinney, 1857; Walling, 1877).

In the eighteenth century, the land use patterns of Indigenous and settler cultural groups overlapped (for details, see Appendix B). Farmsteads laid out during the French regime using the seigneurial system of land tenure, which provided waterfront access to all, situated all the early French farms along the Detroit River in a zone that also exhibits high potential for pre-contact Indigenous settlement. In contrast, nineteenth-century settlement under the British regime imposed an artificial grid structure on the inland landscape as townships were surveyed in rectangular patterns, lands drained, and roads constructed along concession boundaries throughout Essex County. Potential for finding the archaeological remains of historical structures exists within early urban boundaries, along settlement roads or waterways, and within the vicinity of known sites. The 1881 urban boundaries of Windsor, Sandwich and Walkerville, as indicated in the *Illustrated Historical Atlas of Essex County* (Belden, 1881), are useful in this regard.

3.2 Recording Location of Features Present on Historical Maps

Several sources of historical mapping were used to identify the location of historical features of interest as well as settlement centres within the City of Windsor (Belden, 1881; McPhillips, 1892; Pinney, 1857). Digital versions of these maps were imported into GIS software and georeferenced using present lot boundaries as well as modern landmarks. The locations of historical features of interest identified on these maps were then digitized into geographic space in order to be included in the colonial period archaeological potential layer.

While every effort was made to reduce potential errors, there are numerous potential sources of error inherent in such a process. These include the vagaries of map production (both past and present), the need to resolve differences of scale and resolution, and distortions introduced by reproduction of the sources. To a large degree, the significance of such margins of error is dependent on the size of

the feature being plotted, the constancy of reference points, the distances between them, and the consistency with which both they and the target feature are depicted on the period mapping.

3.3 Recording Location of Features Identified through Thematic History

A thematic history of the City of Windsor was compiled to identify extant or former historical features that might yield associated archaeological deposits (Appendix B). Each of these was checked against the historical site archaeological potential layer generated from Pinney's 1857 map (Pinney, 1857), Belden's historical atlas (Belden, 1881) and other sources (see Section 3.1, above) to ensure that they were included in the mapping. For those features that were not represented by either the 1857 or 1881 maps, further research was conducted to ascertain the true location so that they could be included in the historical site potential layer.

Early roads were identified by comparing nineteenth-century maps to twentieth-century topographic and City of Windsor mapping. Since a portion of the original Front Road, along the Detroit River, south of Sandwich, appears to have fallen into disuse and perhaps eroded into the river, between 1881 when the Belden atlas (Belden, 1881) was produced and the 1909 topographic mapping, part of that original trail could not be placed accurately. Most of the road alignments, however, appearing in Belden 1881 and on Walling 1877 (Walling, 1877), are still in existence. These include Riverside Drive, Huron Church Line, and Talbot Road lying along former Indigenous trails, and Grand Marais Road associated with the Turkey Creek marsh. Concession and sideroads in place by the mid-nineteenth century include Howard Avenue, Walker Road, Pilette Road, Lauzon Road and Malden Road running north to south, and Tecumseh Road, Cabana Road/Division Road and the former Second Concession aligned with E.C. Row expressway. Sprucewood Avenue and Morton Drive in Ojibwa are also early settlement roads with Sprucewood providing access to LaFrere's mill on Turkey Creek. With the exception of E.C. Row, all of these may retain some archaeological potential along portions of their routes.

The Great Western (now CNR) was the first railway into Windsor (1854). It was followed in the subsequent decades by several others, most of which still maintain their original corridors. These include the Lake Erie, Essex and Detroit River (later Pere Marquette, now CSX), the Canadian Pacific, Conrail (formerly Canada Southern, Michigan Central), and the Essex Terminal built to join up the various lines. The Sandwich, Windsor and Amherstburg, and The Windsor and Tecumseh electric street railways have also been mapped, as remnants of them may remain below current pavements, and former stations and terminals may still exist along the routes.

Although private and public wharves have been added along the Windsor shoreline, several shoreline structures on the Detroit River in Sandwich, apparent on the Belden (Belden, 1881) map, have not been mapped, as it was impossible to place them accurately along the shoreline. As the full extent of industrial land making along the riverfront through Sandwich and Ojibway is not known, the presence of early shoreline structures, now under water or fill, should be considered along with land-based archaeological resources during shoreline alterations in those areas.

Some well-known early industrial sites have been noted, including the Walker Distilleries (Walling, 1877), the early Ford factory (McKay, 1905), and Walkerside industrial dairy (1908 topographic). Detailed information on such sites is not consistently accessible and undoubtedly many other significant small industries, located in the urban cores, will be located as individual properties are assessed. Many small craft industries, such as blacksmith shops, mills and harness or carriage makers, often located in crossroad service communities, would all be considered to be of potential archaeological interest. Only one such operation, a blacksmith shop depicted on the northwest corner of Talbot Road and Howard Avenue (Belden, 1881), could be specifically located within the city limits. Early mill sites are also located within the city limits. Baby's mill in Sandwich has not yet been definitively located, but the site of the Badichon-Labadie (alternatively known as the Lassaline-Montreuil) windmill, which stood on what is now Walker distillery land, has likely been destroyed. Windsor now encompasses several nineteenth-century crossroad villages such as Meros Corners (Pilette Corners), Jackson's Corners (Roseland),

Pelton (Walker Junction) and North Pelton (Belden, 1881; Walling, 1877). These have been plotted according to the general boundaries indicated in Belden (Belden, 1881). Crossroad communities traditionally are the sites of important local services such as craft industries, hotels, churches, and schools.

Military sites in the Windsor area include two barracks sites, an 1812 American encampment, and several American landing sites along the river. The location of General Hull's 1812 American camp, sometimes referred to as Fort Gowie, could be mapped as it is known to have been on Lot 76, Concession I, a property purchased by Robert Gowie *circa* 1805 (Museum Windsor record M214 3/RR). The bastioned fortification has been depicted on an 1812 military engineer's map (Archives of Ontario record RG1 B-11) but due to various inconsistencies, the site could not be accurately mapped. With the exception, however, of the Windsor Barracks in Civic Square, all are within the high potential strip identified along the Detroit River frontage. The Sandwich barracks on the site of Brock School has been excavated.

All cemeteries identified on the historical mapping and the Ontario Genealogical Society, City of Windsor, and Bereavement Authority of Ontario databases were added to the colonial period archaeological site potential layer. Unregistered family burial plots may also be found unexpectedly on any early farmstead. The Ontario Genealogical Society's listing of cemeteries in Essex County was examined for unmapped family plots, but none were identified within the City boundary. Sometimes churchyards, which were in use as cemeteries in the past, no longer display evidence of grave markers. The Sandwich Baptist Church on Peter Street may be one example, as it is thought to have been used for burials in the nineteenth century.

The oldest church burial ground in Windsor is the Assumption Parish cemetery. It has, however, occupied several locations throughout its 250-year history, the latest of which is still in use and has been mapped. The earlier cemetery grounds are poorly documented and could not be pinpointed. They exist in the general areas north of Assumption Church in association with Vista Place and Patricia Road. Some parts of

these burial areas may be intact where buildings have not been constructed over them.

The two large eighteenth-century Indigenous cemeteries are shown generally on several early maps, particularly McNiff's map (McNiff, 1791). Both are also associated with village sites. Unfortunately, neither the villages nor cemeteries can be mapped with precision due to the inherent inaccuracy of the original maps. Nevertheless, an attempt has been made to place them generally in relation to landmarks such as unregistered Indigenous burial finds, French lot locations, and oral history about burial locations. In addition, certain parcels within the City of Windsor, including the Huron Reserve and the Huron Church Reserve (Surtees, 1984, p. 51), are of archaeological and other interest to regional First Nations (see also Section 7.2, below).

3.4 Summary of the Colonial Period Potential Model

The modelling of colonial period site potential is based on the premise that archaeological resources, including structures, are most likely to be found in and around documented cultural features. The proximity model assumes that most buildings and landscape alterations were built with access to nearby transportation routes, business trade, or specific resources such as waterpower. Urbanization on several scales also engenders clustering of structures creating city neighbourhoods and crossroad villages. Aspects of the roads, railways, and wharves themselves also contain potential for technological information.

Although historical maps provided general locations for former structures, they could not be relied upon for pinpoint accuracy because of differences of survey methodology, scale, and completeness. To allow for these variances, buffer zones using criteria listed in Table 2 were applied to the mapped features to determine general areas of potential. A 100-metre buffer zone was drawn around each specific registered archaeological site, early residential, institutional, or commercial structures where known, in order to capture associated outbuildings and make allowance for unreliable eighteenth- and nineteenth-century mapping. Buffer zones were not added to historical sites which fell within areas of high potential for pre-

contact Indigenous occupation, as they would already be captured. Several known wharves along the Detroit River, which represent both underwater and land-based potential, are marked with a 50-metre buffer zone to allow for approximate historical mapping.

Settlements and transport routes from the first half of the nineteenth century were considered to hold high potential for attracting roadside dwellings, businesses, utility buildings and route stations. Early routes considered significant were Riverside Drive (Front Road), Tecumseh Road (the first inland concession road), Grand Marais Road, Huron Church Road, Talbot Road, and farm lot sideroads leading from Riverside to Tecumseh (Howard, Walker, Lauzon, Pillette). The locations of farmsteads along settlement roads, although roughly illustrated on McNiff (McNiff, 1791) and Walling (Walling, 1877), were not individually plotted, as almost all lie within a short distance of an early road or the Detroit River within a buffer zone of 100 metres to either side of roadways. The buffer zones were plotted to catch most of these potential structures associated with the corridor rights-of-way. Similarly, 50-metre buffer were applied for early railways.

Developed urbanized areas, referenced as historical settlement centres, cannot automatically be eliminated from having potential because of the assumed disturbance of heritage resources by later construction. All areas within early to mid-nineteenth-century urban limits were considered to have archaeological potential, as many of them may encompass relatively undisturbed green patches and paved areas. Development dating prior to the 1950s has often been shown to only partially affect the integrity of pre-existing archaeological sites, and portions of such sites are often found to remain intact (see Section 4.1, below).

Registered cemeteries were given a buffer of 10-metres beyond known limits and other suspected or pioneer ones were marked with 100-meters buffer around a point.

Figure 2 presents the colonial period archaeological potential layer.

Table 2: Colonial Period Archaeological Potential Modelling Criteria

Environmental or Cultural Feature	Buffer Distance (metres)	Buffer Qualifier
Historical settlement centres	polygon as mapped	• none
Early residential, institutional, or commercial structures	100	• none
Early settlement roads	100	• none
Early wharves	50	• none
Early railways	50	• none
Cemeteries	10 100	• Registered cemeteries with known limits. 10 m beyond limits of cemetery • Suspected cemetery or pioneer cemetery. 100 m around point
Registered archaeological sites	100	• none

Figure 2: Colonial Period Archaeological Potential Layer

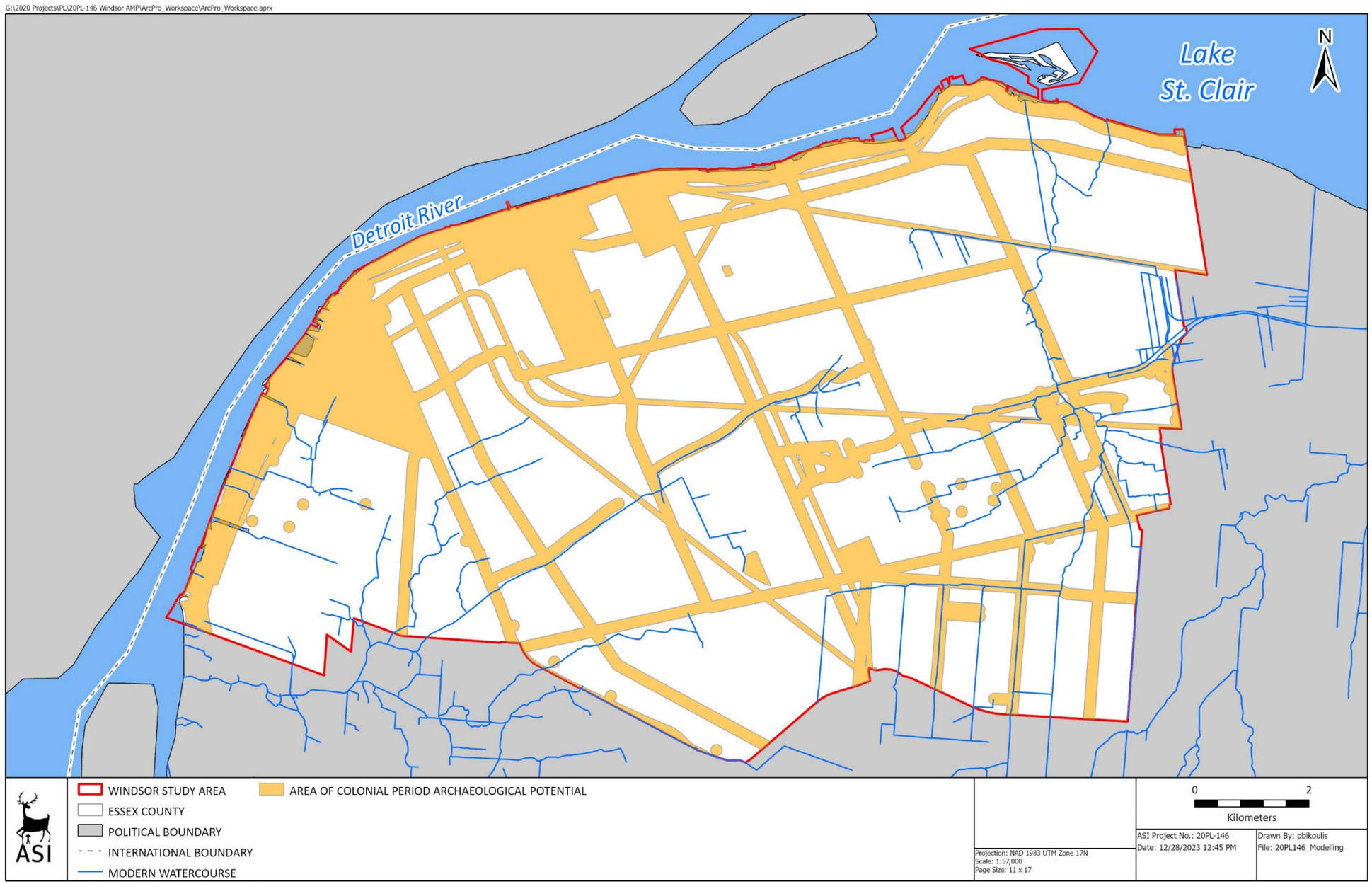

Figure 2: Colonial Period Archaeological Potential

4 Creating the Archaeological Potential Map

4.1 Archaeologically Sensitive Area Layer

Several known archaeological localities and settlement centres have been defined as "Archaeologically Sensitive Areas" (ASAs). In general, ASAs represent concentrations of interrelated features of considerable scale and complexity, some of which are related to single particularly significant occupations or a long-term continuity of use. Some may have an array of overlapping but potentially discrete deposits, including human burials. As such, the risk of encountering archaeological resources within an ASA are significantly elevated from the remainder of the archaeological potential zone. For Windsor, the following criteria were used to define ASAs: 250 metre proximity to the Detroit River; estimated area of the Huron Village and Jesuit Mission; estimated area of the Odawa Village and cemetery; approximate settlement limits of pre-1800 Sandwich; approximate limits of pre-1800 Euro-Canadian settlement; approximate limits of 1835 Euro-Canadian settlement.

4.2 Composite Archaeological Potential Layer

The composite archaeological potential layer (Figure 3) consolidates the pre-contact Indigenous archaeological potential layer (Figure 1) and the colonial period archaeological potential layer (Figure 2), as defined through application of the various modelling criteria (Tables 1-2).

As indicated in Tables 1 and 2, registered archaeological sites are included in the archaeological potential buffers. The original 2005 WAMP included discussions of unregistered archaeological sites and Indigenous burials (Sections 3.3 and 3.4, respectively). Although these sections have not been included in this update, the information has been reviewed and incorporated into Appendices A and B if the sites have been registered or sufficient information is provided to contribute to potential modeling. The remainder have not been included in this update, so readers are referred to the 2005 WAMP for details.

4.3 Integrity and Previously Assessed Lands Layers

The term archaeological integrity refers to the extent that development has modified or disturbed the physical landscape and, consequently, impacted archaeological resources through such activities as excavating, grading, filling, or compacting the soil. Land that has been extensively disturbed typically retains little or no archaeological integrity, whereas land that has been subjected to little or no disturbance exhibits a high degree of integrity. The latter may include parking lots, schoolyards, parks, farm fields, and golf courses. Certain settlement centres and registered archaeological sites that have not been completely excavated were also considered to retain integrity. The integrity GIS layer identifies areas that are deemed to possess low archaeological integrity and therefore do not warrant archaeological assessment.

The original WAMP integrity layer was compiled utilizing land use information within the city limits, aerial photographs flown in the year 2000, and a windshield survey through most major areas of the City of Windsor. For this update, integrity was reviewed using Google Earth ortho-imagery. Since detailed visual reconnaissance for integrity on a property-by-property basis was not feasible, and property-specific datasets for details such as individual building footprints with year of construction and presence of basements do not exist, the evaluation of integrity was based on a number of secondary sources. Areas such as landfills, brine holding areas, major industrial areas, and other large-scale landscape alterations were considered to have low integrity and were identified as such. City street maps were also utilized to check for street names which may have held some clue as to the history of a particular area, and to identify green spaces. Earlier topographic maps were also consulted, since some areas currently designated as green spaces were in fact, former land fill areas, which would have low integrity. Minimal visual reconnaissance was conducted to assess the general condition of green spaces, the overall age of various neighbourhoods, and any recent unmapped disturbances.

Areas deemed to have no remaining archaeological integrity were excluded from the zone of archaeological potential. Buffers extending from paved road

centrelines, sufficient to capture standard roadbeds (7.5 metres), are considered to have been disturbed and not retaining integrity. Additionally, those portions of active quarry sites which have been subject to deep excavation were considered to not retain integrity. It should be noted that refinements to the integrity layer may result from a detailed Stage 1 archaeological resource assessment which demonstrates clearly that a study area has been severely disturbed, thereby negating archaeological potential.

Certain areas in Windsor have already been subject to archaeological assessments by licensed archaeological consultants and deemed to be free of further archaeological concern. As with lands with no archaeological integrity, these areas are also excluded from the archaeological potential zone. The areas with no archaeological integrity and/or having already been cleared of further archaeological concern are illustrated in Figure 4.

4.4 Archaeological Potential Map

The archaeological potential map will be used when assessing a development application or municipal infrastructure project area for archaeological potential. This map is the composite archaeological potential layer minus areas that have no archaeological integrity and/or have previously been subject to archaeological assessments and require no further work. The archaeological potential map also features the Archaeologically Sensitive Areas (ASA), and is illustrated in Figure 5.

Figure 3: Composite Archaeological Potential Layer

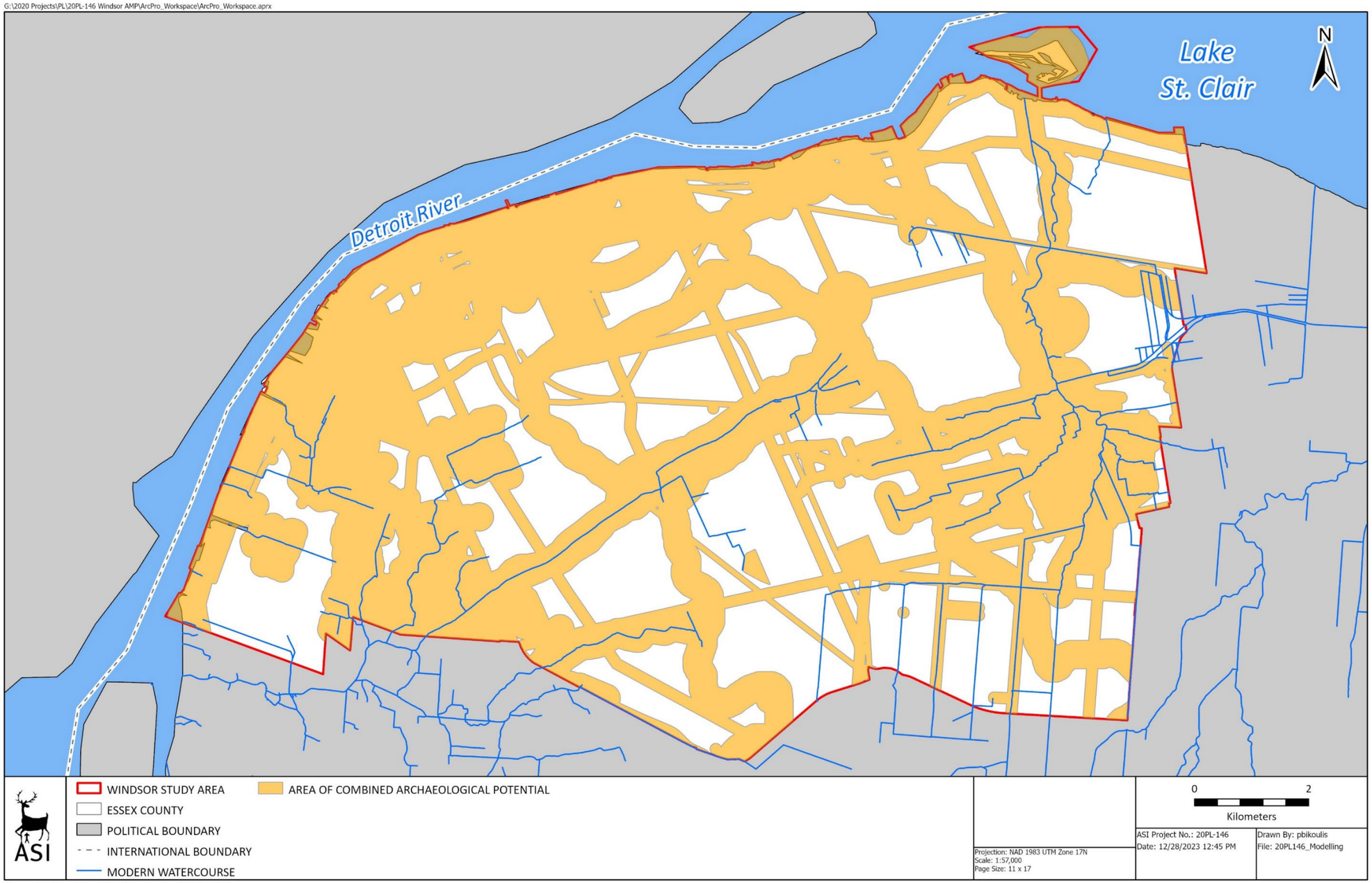

Figure 3: Combined Archaeological Potential

Figure 4: Lands With No or Low Archaeological Integrity

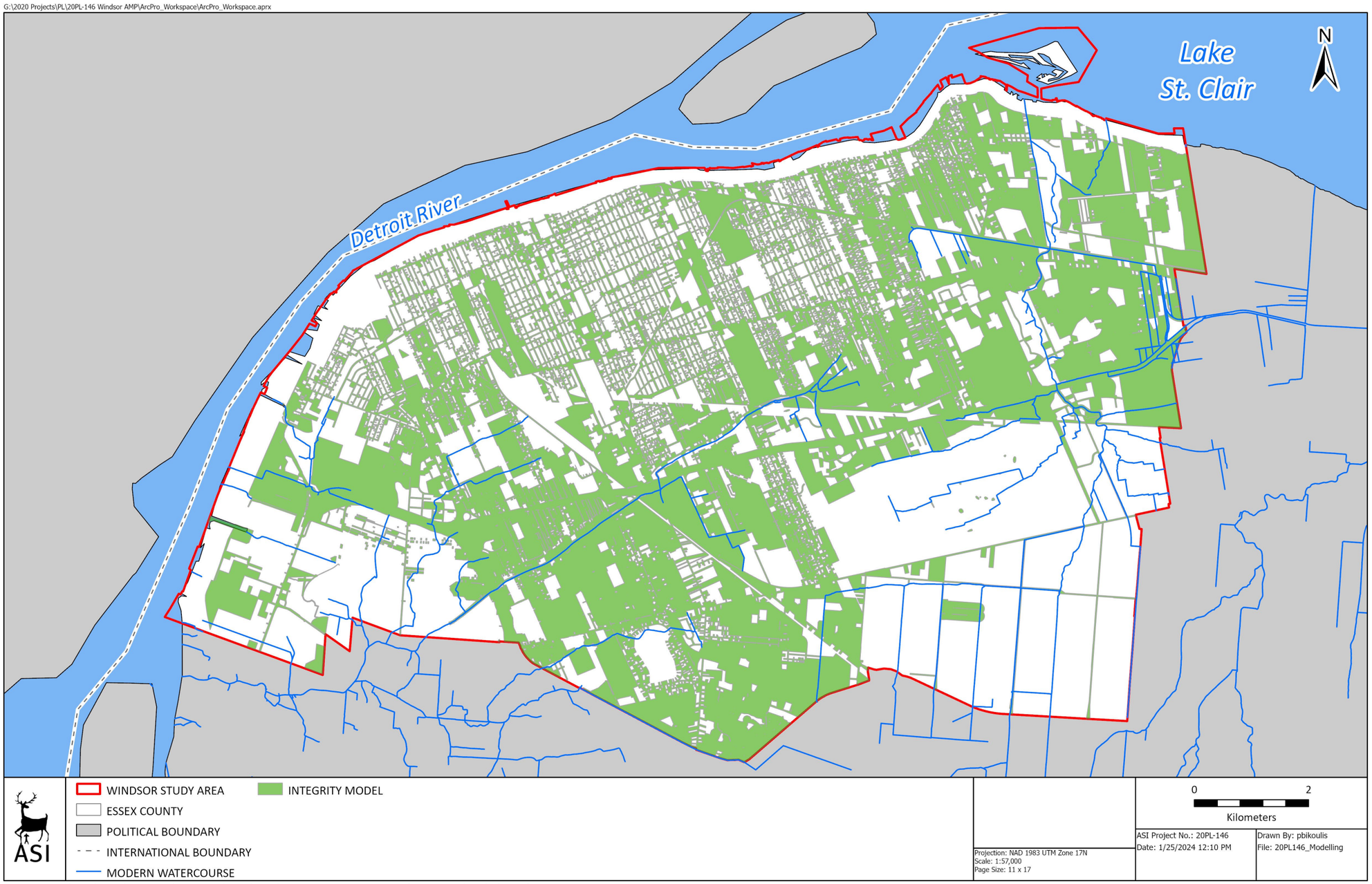

Figure 4: Archaeological Potential Zone and Lands with No Integrity or Previously Assessed and Cleared

Figure 5: Archaeological Potential in the City of Windsor

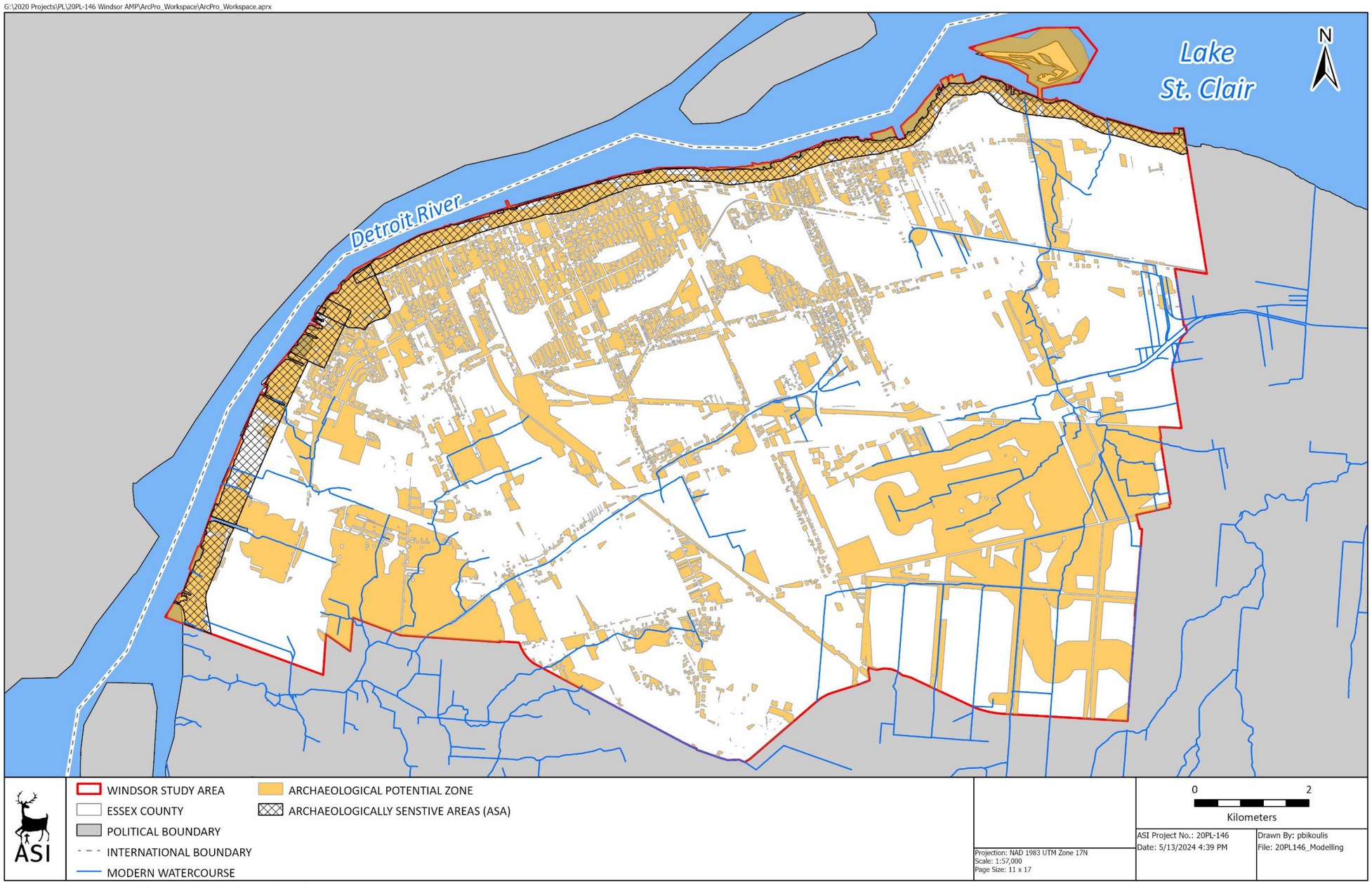

Figure 5: Archaeological Potential Zone and Archaeologically Sensitive Areas

Part 2: Archaeological Resource Management

It is the principal objective of Windsor's archaeological management plan to judiciously and uniformly apply the archaeological potential model across the city. The archaeological resource review and management approaches presented in this part of the Windsor Archaeological Management Plan are consistent with provincial legislation regulating archaeological resource conservation.

This part of the archaeological management plan also addresses site identification and mitigation through excavation, Indigenous nation engagement for archaeology, artifact care and the encouragement of greater citizen awareness of Windsor's archaeological record.

5 Archaeological Resource Conservation and Planning

In Ontario, the conservation of cultural heritage resources is an objective of planning activity, as it is in many other provinces and countries. As Section 2 of the Planning Act states, "the conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest" is a matter of provincial interest.

This provides a key mechanism for protecting archaeological resources in Windsor to ensure that future development (e.g., residential, industrial, recreational and infrastructure construction) clearly respects and follows provincial policy. In response to this provincial direction, the conservation of archaeological resources is addressed in Windsor's Official Plan, which sets the goals and priorities to shape the future growth, conservation, and evolution of the city.

5.1 Threats to Archaeological Resources

Protecting archaeological sites has become especially important in southern Ontario

where landscape change has been occurring at an ever-increasing rate since 1950, resulting in substantial losses to non-renewable archaeological resources.

The scale of the threats facing the finite and non-renewable archaeological record of southern Ontario was considered in a study in which rates of demographic and agricultural change were examined over the last century for south-central Ontario, and estimates generated of the number of archaeological sites that have been destroyed (Coleman & Williamson, 1994). The period of initial disturbance to sites was from 1826 to 1921 when large tracts of land were deforested and cultivated for the first time. During this period, disturbance typically resulted in only partial destruction of archaeological data as most subsurface deposits remained intact.

Unprecedented population growth in the post-World War II period, however, resulted in large amounts of cultivated land being consumed by urban growth, significantly threatening Ontario's archaeological resources. It is possible that more than 10,000 sites were destroyed in the period between 1951 and 1991. Of these, 25% represented significant archaeological features that would have merited some degree of archaeological investigation since they could have contributed meaningfully to an understanding of the past (Coleman & Williamson, 1994).

Archaeological sites also face a less direct, but equally serious threat from man-made changes to the landscape that inadvertently alter or intensify destructive natural processes. Increased run-off of surface water in the wake of forest clearance, for example, or hydrological fluctuations associated with industrial and transportation development may result in intensified rates of erosion on certain archaeological sites due to natural processes such as inundation. The amount of land (and hence the potential number of archaeological sites) which has been subjected to these destructive forces is impossible to quantify but is likely considerable.

There has been a marked reduction in the rate of archaeological site destruction since provincial planning regulations were strengthened in the 1990s and almost all major

municipalities in southern Ontario have carried out archaeological management plans and adopted progressive planning policies concerning archaeological site conservation. The potential for the loss of archaeological resources in the future remains great, however, due to continuing growth and development.

In the process of landscape change, archaeological resources may be affected in several ways. Change may result from some action that is purposefully induced in the environment, such as development activities (e.g., road construction, residential building). Change may also be a gradual and natural process of aging and degeneration, independent of human action, which affects artifacts, building materials, human memories, or landscapes. One objective of land use planning is to ensure that change, when it does result from human activity, is controlled. Any impacts upon archaeological resources resulting from land disturbing activities must be either averted or minimized.

5.2 Provincial Legislative Framework

One of the objectives of the preparation of the WAMP was to review and ensure the City of Windsor is compliant with all current applicable provincial legislation and policy. This section outlines this legislation and policy, and the following sections provide guidance on how Windsor will adhere to it.

5.2.1 Provincial Legislation

The specific provincial legislation governing planning decisions is complex but provides for several opportunities for the integration of archaeological conservation at the municipal level. The two main pieces of provincial legislation that create triggers for archaeological resource assessment are the Planning Act and the Environmental Assessment Act, while the Ontario Heritage Act regulates archaeological practice and conservation and protection of cultural heritage resources. The Provincial Policy Statement, 2020 (PPS) encourages municipalities to develop and implement archaeological management plans. Approximately 500 to 800

archaeological sites have been documented annually in southern Ontario since 1990 because of municipalities implementing this provision.

5.2.2 Planning Act & Provincial Policy Statement

Conservation of features of significant archaeological interest is identified as a matter of provincial interest under Section 2 of the Planning Act. Section 2 of the Planning Act also indicates that municipalities "shall have regard to" matters of provincial interest when making decisions pursuant to the Planning Act. This is reinforced through the PPS, which is issued under Section 3 of the *Planning Act*. Section 3(5) of the *Planning Act* also lays out municipal responsibilities in regard to the Provincial Policy Statement:

> *a decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, "shall be consistent" with this policy statement.*

Thus, all decisions made during the land development process, regardless of the nature of the proposed development or site alteration, should address known or potential impacts to archaeological resources. The provisions in the Planning Act make it clear that archaeological resources must be conserved on public or private lands prior to the approval of a planning or development application.

Section 51 (17) of the *Planning Act* sets out the information required to be submitted with an application for subdivision approval. Schedule 1 of O. Reg. 544/06 (under the Planning Act), indicates the prescribed information that the applicant has to provide to the approval authority (i.e., City of Windsor) as follows:

Section 23. Whether the subject land contains any areas of archaeological potential.

Section 24. If the plan would permit development on land that contains known

archaeological resources or areas of archaeological potential:

a) an archaeological assessment prepared by a person who holds a license that is effective with respect to the subject land, issued under Part VI (Conservation of Resources of Archaeological Value) of the Ontario Heritage Act; and

b) a conservation plan for any archaeological resources identified in the assessment.

Additionally, Section 34 (3.3) of the Planning Act indicates that Zoning by-laws may be passed by the councils of local municipalities for "prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a significant archaeological resource."

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use and development. This vision and policy statement now guide all provincial and local planning authorities in their land use planning decisions. With respect to archaeological resources, the PPS states that:

> *Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved…. [Conserved]"means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments (*Provincial Policy Statement*, Ontario Ministry of Municipal Affairs and Housing, 2020).*

In PPS archaeological resources are defined as those which "includes artifacts, archaeological sites and marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*." Areas of archaeological potential "means areas with the likelihood to contain *archaeological resources*. Criteria to identify archaeological potential are established by the Province. The Ontario Heritage Act requires archaeological potential to be confirmed by a licensed archaeologist."

The PPS also includes policies recognizing Indigenous interests in the land use planning and development process. This recognition acknowledges the importance of Indigenous peoples' history and cultural heritage and the need to engage with Indigenous communities when planning decisions are made that may affect their Aboriginal or treaty rights in accordance with Section 35 Constitution Act, 1982.

Note: At the time of preparation of this document the Province of Ontario proposed amendments to the Provincial Policy Statement 2020 through PPS 2024, which may impact the above provision. Therefore this document may need to be updated in the future to incorporate the provisions of proposed PPS 2024.

5.2.3 Environmental Assessment Act

The Environmental Assessment Ac*t* applies to public sector projects and designated private sector projects. Private sector projects that are designated by the Province as subject to the *Environmental Assessment Act* are usually major projects such as landfills. The purpose of the *Environmental Assessment Act* is "the betterment of the people ... by providing for the protection, conservation and wise management in Ontario of the environment" (Section 2).

Environment is very broadly defined to include "the social, economic and cultural conditions that influence the life of humans or a community" [Section 1(c) (iii)] and "any building, structure, machine or other device or thing made by humans" [Section

1(d) (iv)]. Within this definition, archaeological artifacts are included in the "things" made by humans, and archaeological remains of residential structures, for example, fall within the "buildings" and "structures" made by humans.

The Environmental Assessment Act requires the preparation of an environmental assessment document, containing inventories, alternatives, evaluations, and mitigation. It is subject to formal government review and public scrutiny and, potentially, to a tribunal hearing. In Section 6.1 (2), it is noted that "the environmental assessment must consist of," among other things, "(i) a description of the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly; (ii) the effects that will be caused or that might reasonably be expected to be caused to the environment, and (iii) the actions necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment." Studies of archaeological resources, as well as built heritage resources and cultural landscapes, are therefore necessary to address the requirements of the *Environmental Assessment Act*.

The Municipal Class EA process is a streamlined environmental assessment used for proposed municipal infrastructure projects like water supply, sanitary sewage, and road/transportation projects. These projects are categorized under four schedules according to their impacts on the environment; Schedule A and A+ projects are anticipated to have negligible to minimal effect on the environment and do not often require cultural heritage or archaeological assessments. Archaeological assessments are more commonly undertaken as part of Schedule B and Schedule C Municipal Class EA projects, where environmental impacts range from adverse to significant. Impacts to the Cultural Environment (archaeological resources and built heritage resources) must be inventoried to adequately consider the effects of a project on the environment. Archaeological assessments are a critical piece in the suite of considerations that inform the Municipal Class EA process, as it reviews existing conditions and develops and assesses alternatives for the proposed infrastructure

project.

Various provincial ministries are establishing protocols related to activities subject to the environmental assessment process in order to ensure that cultural heritage resource conservation in their respective jurisdictions is addressed. The Ontario Ministry of Transportation's *Environmental Reference for Highway Design* (2006), for example, ensures that archaeological assessments are undertaken in advance of all new road construction to ensure that no archaeological sites will be unknowingly damaged or destroyed. Similarly, the Ontario Ministry of Natural Resources and Forestry prepared the *Forest Management Guide for Cultural Heritage Values* (2014) to help protect archaeological sites, areas of archaeological potential, cultural heritage landscapes, historical Indigenous values, and cemeteries during forest operations.

5.2.4 Ontario Heritage Act

The Ontario Heritage Act governs the general practice of archaeology in the province to maintain a professional standard of archaeological research and consultation.

Pursuant to s.2 of the Ontario Heritage Act, the Minister is responsible for determining policies, priorities, and programs for the conservation, protection, and preservation of the cultural heritage of Ontario. These goals are partially accomplished through the provisions of the PPS and the legislated processes, such as those in the Planning Act and Environmental Assessment Act, rather than directly through the Ontario Heritage Act.

The Heritage Branch of the Ministry [1] has the primary administrative responsibility

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1 Provincial management of cultural heritage resources has been carried out by operation units attached variously to the Ministry of Citizenship, Culture and Recreation (1993-1998), the Ministry of Tourism, Culture and Recreation (1998-2002),

under the Planning Act and Ontario Heritage Act for matters relating to heritage conservation. The Archaeology Program Unit is responsible for licensing archaeologists and reviewing archaeological assessments. The Heritage Planning Unit provides advisory services related to conservation of cultural heritage resources within the land use planning framework. Under the Planning Act, it is the responsibility of the Approval Authority (e.g., municipality) to ensure that land development applicants have undertaken archaeological resource identification and mitigation in advance of development through an archaeological assessment carried out by an archaeologist licensed under the Ontario Heritage Act for lands that contain any areas of archaeological potential.

Under Section 48 (1) of the Ontario Heritage Act, no person shall carry out archaeological fieldwork or, knowing that a site is a marine or other archaeological site within the meaning of the regulations, alter the site or remove an artifact or any other physical evidence of past human use or activity from the site unless the person applies to the Minister and is issued a licence that allows the person to carry out the activity in question.

The Ontario Heritage Act also contains significant penalties for altering an archaeological site without a permit. Under Section 69 (1) of the Ontario Heritage Act, anyone who disturbs or alters an archaeological site or removes an artifact from a site without a licence can be fined or imprisoned. A person or a director of a corporation on conviction under the Ontario Heritage Act or its regulations can face a fine of up to $50,000 or imprisonment for up to one year or both. A corporation on conviction

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the Ministry of Culture (2002-2010), the Ministry of Tourism, Culture and Sport (2011 to 2019), Ministry of Heritage, Sport, Tourism and Culture Industries (2019 to 2022), Ministry of Tourism, Culture, and Sport (2022), and Ministry of Citizenship and Multiculturalism (2022).

under the Ontario Heritage Act or the regulations can face a fine of up to $250,000.

While the filing of charges is at the discretion of the Ontario Provincial Police, Section 62 (1) of the Ontario Heritage Act empowers the Minister, should they and the Ontario Heritage Trust be of the opinion that property is of archaeological or historical significance and is likely to be altered, damaged, or destroyed by reason of commercial, industrial, agricultural, residential or other development, to issue a stop work order directed to the person responsible for such commercial, industrial, agricultural, residential or other development and prohibit any work on the property for a period of no longer than 180 days. Within that period the Minister or any person authorized by the Minister in writing may examine the property and remove or recover artifacts from the property.

All archaeological assessment reports are submitted to the Ministry as a condition of an archaeological license and are reviewed by Ministry staff to ensure that the activities conducted under a license meet current technical guidelines, resource conservation standards, and the regulations of the Ontario Heritage Act.

5.2.5 Renewable Energy Approvals Regulation

The Renewable Energy Approvals regulation (O. Reg. 359/09), issued under the Environmental Protection Act, sets out the cultural heritage resource identification and mitigation requirements for obtaining approval to proceed with a renewable energy project. The regulation provides a streamlined approvals process, while simultaneously ensuring that the proposed project considers and avoids or mitigates impacts to the environment, including the cultural environment. O. Reg. 359/09 separates cultural heritage resources into “archaeological resources” and “heritage resources” (including both built heritage and cultural heritage landscapes) and addresses each separately (Sections 19 through 23 of O. Reg. 359/09). The Ministry has also issued a bulletin entitled Cultural Heritage Resources: An Information Bulletin for Projects Subject to Ontario Regulation 359/09 – Renewable Energy Approvals (2013).

The Renewable Energy Approvals regulation requires the development proponent to conduct archaeological and heritage assessments that identify and consider potential impacts to cultural heritage resources and propose strategies for mitigation of those impacts. Applicants may choose to undertake a self-assessment if there is reason to believe that there is low likelihood for archaeological and heritage resources to be present at the project location. The "self-assessment" is undertaken using Ministry checklists to determine if there is potential for archaeological resources present.

5.2.6 Aggregate Resources Act

The Ministry of Natural Resources and Forestry, which administers the Aggregate Resources Act (1990), recognizes the potential impact quarrying activities may have on cultural heritage resources such as archaeological sites. Pursuant to O. Reg. 244/97 under the Aggregate Resources Act, the process for addressing archaeological concerns is similar to that outlined for Planning Act related projects. This regulation indicates that a background study, field survey and detailed archaeological investigations are required in accordance with the Aggregate Resources of Ontario-Technical Reports and Information Standards. Furthermore, the development of a pit or quarry will often require an Official Plan Amendment or Zoning By-law Amendment, and thus would require involvement by the municipality.

5.2.7 Funeral, Burial and Cremation Services Act

The Funeral, Burials and Cremation Services Act, 2002 (formerly the *Cemeteries Act*, which was repealed in 2012) addresses the need to protect human burials, both marked and unmarked, which are yet another valuable link to the past. Burial locations uncovered on archaeological sites constitute "burial ground". The discovery of such burials requires further archaeological investigation in order to define the extent and number of interments, and either the registration of the burial location as a cemetery, or the removal of the remains for re-interment in an established cemetery. The actual workings of this process are complex and vary depending on the nature of the burial(s) (e.g., isolated occurrence or part of a more formal cemetery)

and on the cultural affiliation of the remains. In all cases, the success of the process is dependent upon the co-operation of the property owner, the next of kin (whether biological or prescribed), and the Registrar of Burial Sites in the Ministry of Public and Business Service Delivery (formerly Ministry of Government and Consumer Services). The role of the Ministry is to assist in co-ordinating contact and negotiation between the various parties and ensuring that burial site investigations by licensed archaeologists meet provincial policies, standards, and guidelines.

5.3 Compliance and Enforcement

The City of Windsor has an important role to play when municipal approval is engaged, in not only ensuring compliance with the statutory obligations outlined above, but in facilitating and enforcing compliance in conjunction with the Windsor Police Service, the Ontario Provincial Police, and the Archaeology Program Unit of the Ministry. If municipal approval processes are not engaged, then only provincial jurisdiction and enforcement applies.

Protections afforded to archaeological resources under the Ontario Heritage Act make it illegal to alter or remove artifacts from a site except under licence issued by the Ministry (see Section 5.2.4, above). This pertains not only to archaeological management in the context of various approvals processes and other major soil-disturbing activities, but also activities pursued by avocational archaeologists and hobbyists, including artifact hunting on cultivated agricultural lands, prospecting on archaeological sites, or metal detecting. To pursue such activities legally, individuals must obtain an Avocational Licence from the Ministry.

The WAMP is a tool that Windsor can use to inform all stakeholders of the locations of archaeological potential to comply with the obligations under various legislation. Additionally, the City of Windsor issues Metal Detecting Permits for City Parks outside of archaeological potential zones. The permit system and protocol began around 2020, after approval and review by the Ministry and First Nations representatives.

However, the provisions of WAMP and all relevant legislation apply in the event that any archaeological resources are encountered.

6 Municipal Policy

6.1 Official Plan

The City of Windsor Official Plan enables the implementation of the WAMP.

The current Official Plan's heritage policies (Chapter 9 Heritage Conservation) provide for the identification and conservation of archaeological sites in accordance with the Ontario Heritage Act. For reference, these policies are included here in Appendix D, Section 2.

These policies provide a strong foundation for the protection and sound management of archaeological resources in the City of Windsor. As part of the preparation of this archaeological management plan, the Official Plan policies will be amended to align with the 2020 Provincial Policy Statement under the Planning Act as it relates to archaeological conservation and engagement with Indigenous nations. Accordingly, amendments to some of the existing policies are presented in Appendix D, Section 3, of this report.

7 Indigenous Engagement in the Archaeological Assessment Process

7.1 Principles and Methods of Indigenous Engagement

Canadian society is striving to rebalance the relationship with Indigenous peoples guided by statutory rights and obligations, including those established in the Canadian constitution and developing case law, principles, such as those outlined in the United Nations Declaration on the Rights of Indigenous People (UNDRIP), and recommendations, such as the Calls to Action of the Truth and Reconciliation

Commission of Canada (TRC) (Association of Municipalities Ontario, 2021a; Ontario Professional Planners Institute, 2019).

This section is intended to provide Windsor with contextual information to help understand its Indigenous engagement role specifically as it pertains to the protection of Indigenous archaeological heritage resources. It may help inform Windsor's broader role and Indigenous engagement responsibilities, but it should not be considered a substitute for enterprise-level municipal engagement policies and procedures, nor for advice from legal counsel who specialize in Indigenous law and the constantly evolving case law and government policy.

7.1.1 Crown Duty to Consult and Accommodate

Public sector agencies who represent the Crown, including federal, provincial, and territorial governments and certain Crown agencies and regulatory bodies in some situations, bear the Crown duty to consult and accommodate Indigenous nations when making decisions that may affect Aboriginal and/or Treaty rights. These agencies are generally alert to this duty and often have professionals in their ranks with the responsibility of guiding the process. While they cannot delegate the Crown duty, they may delegate procedural aspects to other agencies and municipalities to assist in its fulfillment (Kleer et al., 2011).

Since municipalities are not identified as the Crown in Canada's constitutional legislation, municipalities do not have the Crown's duty to consult Indigenous nations. However, from a practical point of view municipalities and their service providers (such as consulting archaeologists – described below) are often either subject to regulatory requirements related to the Duty to Consult Indigenous peoples or are actually delegated responsibilities related to these duties.

The PPS mandates Indigenous engagement in the planning process. Private sector land development proponents also need to be aware of these changes and the fact that engagement with Indigenous peoples is becoming a more rigorous feature of the

planning approvals process across Ontario and throughout Canada (Yarahmadi, 2021).

7.1.2 Engagement Obligation of Licensed Archaeologists

The Ministry licenses archaeologists under the provisions of the Ontario Heritage Act. In carrying out their work, licensees have a statutory obligation to comply with *Standards and Guidelines for Consultant Archaeologists* (MTC, 2011). These include engaging with Indigenous nations when dealing with Indigenous archaeological sites.

Support for engagement by licensed archaeologists is in the best interest of the development proponent and the approval authority (City of Windsor) to develop and maintain positive working relationships with interested Indigenous nations.

In an effort to facilitate the engagement process, the archaeological resource management industry works with Indigenous nations to develop best practices for engagement. The approach that has gained the most widespread acceptance has been the training and inclusion of Indigenous practitioners, variously referred to as liaisons, monitors, or field liaison representatives, to work alongside consultant archaeologists in the field. With costs for these workers underwritten by development proponents, Indigenous nations gain both capacity funding, allowing them to participate in the engagement process, and first-hand knowledge of the archaeological fieldwork dealing with their cultural patrimony. Working with Indigenous liaisons, often from more than one Indigenous nation with overlapping treaty lands or traditional territories, has become routine practice for licensed archaeologists.

7.2 Legislative Context

Section 17 of the Planning Act requires that the Chief of every First Nation Council on a Reserve within one kilometer of proposed official plan or official plan amendments is circulated on notices for those applications, as part of the public notice process (O.

Reg. 543/06, s. 3 (9); O. Reg. 467/09, ss. 2, 3).

While there are no Reserves that fall within that distance of the boundaries of the City of Windsor, planning authorities in Ontario are further required to engage with Indigenous nations having interest in the area in the planning approvals process. This is affirmed in the PPS which states that:

"The Province's rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of engaging with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights. Planning authorities are encouraged to build constructive, cooperative relationships through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use planning processes and inform decision-making." (Part IV, Vision for Ontario's Land Use Planning System).

The Provincial Policy Statement also states the following:

- Planning authorities shall engage with Indigenous communities and coordinate on land use planning matters (Policy 1.2.2, Section 1.2 Coordination);

- This Provincial Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in Section 35 of the *Constitution Act, 1982* (Policy 4.3, Section 4.0 Implementation and Interpretation).

The Indigenous engagement process should be distinct and separate from the general public engagement process. While Indigenous nations may be invited to the public engagement meetings, they will expect to discuss these matters on a government-to-

government basis.

With respect to archaeological resources, the Provincial Policy Statement states that:

- Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources (Policy 2.6.5, Section 2.6 Cultural Heritage and Archaeology).

It is therefore recommended that the City of Windsor adopt an administrative process for engagement with the Indigenous nations identified in Section 7.4. This process should be tailored to the engagement and accommodation preferences of each community. It should involve relationship development and maintenance of a dialogue that is responsive to changing needs and capacities. Indigenous input can ultimately influence the development of plans which protect ecologically sensitive lands, significant archaeological sites, and other important areas, as well as the development of interpretation plans to share information about Indigenous heritage through plaques, signage, exhibits, social media posts, etc. The above-noted applications and projects have the greatest potential for impacting land use decisions and therefore would benefit from meaningful engagement with Indigenous nations. In turn, Indigenous input can ultimately influence the development of plans which protect ecologically sensitive lands, significant archaeological sites, and other important areas, as well as the development of interpretation plans.

Also, the Ministry *Standards and Guidelines for Consultant Archaeologists* (MTC, 2011) mandate engaging with Indigenous nations for Stage 3 and Stage 4 archaeological assessments as follows:

- In Stage 3, when assessing the cultural heritage value or interest of an Indigenous archaeological site that is known to have or appears to have sacred or spiritual importance or is associated with traditional land uses or geographic features of cultural heritage interest or is the subject of Indigenous oral histories [Section 3.4].

- At the end of Stage 3, when formulating a Stage 4 strategy to mitigate the impacts on the following types of Indigenous archaeological sites through avoidance and protection or excavation [Sections 3.4 and 3.5]:

    1. rare Indigenous archaeological sites;
    2. sites identified as sacred or known to contain human remains;
    3. Woodland period Indigenous sites;
    4. Indigenous archaeological sites where topsoil stripping is contemplated;
    5. undisturbed Indigenous sites; and,
    6. sites previously identified as of interest to an Indigenous community.

These standards are emphasized in the Ministry bulletin entitled *Engaging Aboriginal Communities in Archaeology: a Draft Technical Bulletin for Consultant Archaeologists* (Ministry of Tourism, Culture and Sport, 2011), which provides additional resources and guidelines to help licensed archaeologists fulfill their statutory obligation for engagement with Indigenous nations.

Much has changed since this engagement obligation came into effect and the engagement process continues to evolve as Indigenous nations seek to participate more fully in all stages of archaeological assessment and mitigation. For example, many nations now seek funding from development proponents to assign Indigenous monitors to Stages 2 through 4 archaeological fieldwork and this is becoming common practice throughout the province. It is expected that the engagement process will continue to develop through the coming years as Canadian society seeks to rebalance its relationship with Indigenous peoples in accordance with developing case law and other guiding declarations and principles (e.g., the Crown Duty to Consult and Accommodate Indigenous nations, the Truth and Reconciliation Commission Calls to Action (2015), and the United Nations Declaration on the Rights of Indigenous Peoples

(UNDRIP) with its tenet of Free, Prior and Informed Consent (FPIC)). All those involved in managing archaeological resources in the land-use planning process—including Indigenous nations, municipal planning approval authorities, development proponents, and licensed archaeologists—have important roles in proactively developing a respectful engagement process that best serves the needs of all concerned.

It is often assumed that the Indigenous nation that is geographically closest to a given project is the most suitable group with whom to engage lt. However, the complex histories of the Indigenous peoples of Windsor and vicinity, both before and after European contact and colonial settlement, means that such assumptions can be simplistic and detrimental to the success of the entire engagement process. Under these circumstances there should be an effort to identify all groups that are appropriate (on culture-historical grounds) to act as the designated descendants of those who occupied the region in the past, and who are willing to participate. This identification process is best achieved through communication with a variety of Indigenous nations and communities in order that they may arrive at the final decision. In this way, ancient sites are represented by several nations together.

7.3 Indigenous Treaty History and Traditional Territories

The City of Windsor lies within the traditional territory of the Anishinaabe nations that comprise the Three Fires Confederacy: Ojibwa (Chippewa), Odawa (Ottawa), and Potawatomi. The land was acquired by the British Crown in the late eighteenth and nineteenth centuries by Treaty #2 (also known as the McKee Purchase or the 1790 Treaty of Fort Detroit) and a series of subsequent negotiated purchase agreements signed with representatives of these Anishinaabe nations together with representatives of the Huron (Wendat/Wyandot) Nation. The latter community had taken sanctuary in the area at the invitation of their Anishinaabe allies in the early eighteenth century (Jacobs & Lytwyn, 2020; Walpole Island Heritage Centre, 2018).

The land also lies within the precincts of the Beaver Hunting Ground Deed (also known as the Nanfan treaty and the 1701 Treaty of Fort Albany) signed between the Haudenosaunee Confederacy (Five Nations) and the British Crown at Albany, NY, in 1701. That same year, the Anishinaabe and the Haudenosaunee signed the Great Peace of Montreal treaty, negotiated between the government of New France and thirty-nine Indigenous nations, that ratified the Dish With One Spoon principle for sharing resources while respecting sovereign territories (Jacobs & Lytwyn, 2020).

The advent and significance of historical treaties are rooted in the Royal Proclamation of 1763, issued by King George III. The Proclamation affirmed that Indigenous people live under the protection of the Crown and that they were not to be "molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to, or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds...." This statement recognized the existence of Aboriginal rights and title to vast areas within North America and beyond. In particular, the Royal Proclamation identified the lands west of the Appalachian Mountains, not including Rupert's Land in the north as being Indigenous land, and therefore subject to land acquisition agreements between the Crown and the affected nations.

Between 1764 and 1815, the government acquired the lands of the shoreline of the upper St. Lawrence as well as the lower Great Lakes. While the earliest treaties were related to the use of land for military and defensive purposes, following the American Revolutionary War many treaties were for the purposes of settling the roughly 30,000 United Empire Loyalists who refused to accept American rule. After the War of 1812, the colonial administration of Upper Canada focused on greater settlement of the colony, and land purchases were then concerned with those lands beyond this first range of settlement. These involved a swath of about seven million acres from the Ottawa River to the eastern shores of Georgian Bay. After 1836, many portions of the northern and northwestern sections of the province were acquired, including the Saugeen Peninsula, Manitoulin Island and the north shores of Lake Huron and Lake Superior (Hall, 2019; Indigenous and Northern Affairs Canada, 2010; Surtees, 1984).

While the Royal Proclamation of 1763 established that all lands had to be purchased by the Crown before being allocated to settlers, several land purchases in the Detroit area, including the Thames Valley, had been privately negotiated with Indigenous groups or were being occupied by illegal squatters (Surtees, 1984, p. 47). The fact that these land purchases had been negotiated prior to a formal agreement placed additional pressure on the Crown to legitimize these purchases and to protect these lands from encroachment from American or French settlement (Surtees, 1984, p. 51). To regulate the situation, and to ensure the protection of the western part of its territory, the Crown appointed Alexander McKee to negotiate on its behalf the cession of the lands north of Lake Erie.

McKee was Deputy Agent for the Crown and had strong relationships with Indigenous communities in the Detroit area, having served in this capacity for both American and British forces through the latter half of the eighteenth century (Horsman, 1979). Aware of the political situation, McKee toured the area to discuss with Indigenous nations the potential negotiation of lands North of Lake Erie. McKee's request was met positively, and he convened a meeting to formalize the purchase at Detroit in May 1790. Present at the meeting were the officers of the 60th Regiment at Detroit, fur traders, officials of the Indian Department and 27 chiefs, representing the Odawa, Chippewa, Potawatomi and Huron (Wendat/Wyandot) Nations (Surtees 1984:51). Communities received a single payment of £1,200 in Quebec currency worth of goods (Surtees, 1984, p. 51). The Treaty was signed on June 22, 1790 and covers a 5,440 square kilometre area north of Lake Erie going from the Detroit River to the west to the base of Long Point to the east and as far north as the Thames River (Crown-Indigenous Relations and Northern Affairs, 2016a; Surtees, 1984, p. 51).

As part of the original purchase, all the islands in the St Clair River were excluded from the purchased lands as well as two small tracts of land in the Windsor area, known as the Huron Reserve and the Huron Church Reserve (Surtees, 1984, p. 51). These lands were renegotiated throughout the nineteenth century, beginning with the cession of the 1,078-acre (436 ha.) Huron Church Reserve in 1800 under Treaty #12 (Crown-

Indigenous Relations and Northern Affairs, 2016b). The remaining Huron Reserve was ceded through multiple small transactions through the remainder of the nineteenth century and was concluded in 1876 when the Wyandots of Anderdon applied for enfranchisement under the Indian Act, thereby removing the land rights for the band (Surtees, 1984, p. 127).

In 2014, Walpole Island First Nation filed a specific claim with the Federal Government stating that the Crown did not fulfill its obligations to set apart the proper amount of land to form the Huron Church Reserve for the ancestors of the Walpole Island First Nation. This claim is still under negotiation (Aboriginal and Treaty Rights Information System, 2020).

7.4 Indigenous Nations With Interests in the City of Windsor

There are currently seven Indigenous nations that have an expressed interest in archaeological heritage in the City of Windsor, as follows:

- Walpole Island First Nation
- Caldwell First Nation
- Chippewas of the Thames First Nation
- Aamjiwnaang First Nation
- Haudenosaunee Confederacy Chiefs Council
- Six Nations of the Grand River
- Huron-Wendat Nation

These Indigenous nations have been provided the opportunity to comment on this WAMP update and the City of Windsor met with representatives of Walpole Island First Nation, Caldwell First Nation, Chippewas of the Thames First Nation, and

Aamjiwnaang First Nation in the course of the project.

7.5 Indigenous Perspectives on Stage 4 Mitigation

In 2013, during the preparation of archaeological policies and guidelines for York Region, a discussion was held with thirteen Indigenous nations that resulted in an outline of Stage 4 mitigative recommendations for sites of various time periods and types. The indicators for cultural heritage value that these Indigenous nations communicated for Indigenous sites were not based in any way on the provincial indicators outlined in Table 3 in Section 8.3.5. In their view, any Indigenous site should be deemed to be of significant cultural heritage value. As such, there is a preference by Indigenous nations in favour of protection and preservation of all Indigenous sites. In any case, engagement with Indigenous nations is a statutory requirement of licensed archaeologists, whether pursuing avoidance and protection or excavation as Stage 4 mitigative options (see Section 8.3.6).

While conversation is ongoing as it relates to policies and protocols within the City of Windsor, the City's archaeological policies similarly encourage protection as the preferred option to mitigate the impacts of proposed development on any archaeological feature.

8 Archaeological Assessment in the Development Review Process

Heritage conservation planning and management is generally concerned with ensuring that valued cultural heritage resources, including archaeological sites, are conserved and protected in a sound and prudent manner in the continuing and unavoidable process of change in the environment. The role of custodian and steward of these resources generally falls to the private property owner, as it is neither possible nor desirable that all resources be brought into public ownership. Therefore,

cultural heritage conservation management is undertaken by a variety of actors, and it is necessary, through legislation and education, to bring all of these actors together in pursuit of a common goal. In many instances, it is traditional planning mechanisms that seek to ensure that cultural heritage resources are conserved and/or maintained within the process of land use change.

8.1 Archaeological Review Process in Ontario – Roles and Responsibilities

8.1.1 Role of Province

Under the Planning Act, the Ministry has only limited responsibility for matters relating to cultural heritage including archaeological resources. Where the provincial government is involved in a process under the Planning Act (for example when a municipal planning document is circulated for provincial review through the Ministry of Municipal Affairs and Housing's One Window service), the Ministry's Heritage Planning Unit is the government's lead with respect to cultural heritage, including archaeological resources. Otherwise, the role of the Ministry with respect to archaeology is defined primarily by the Heritage Act, under which the Archaeology Program Unit of the Ministry is responsible for issuing archaeological consulting licenses to qualified individuals. All consultant archaeologists who undertake Stage 1 to 4 archaeological assessments in Ontario must be licensed by the Ministry. All work conducted by the consultant archaeologist must conform to the standards set forth in the most current *Standards and Guidelines for Consultant Archaeologists* authorized by the Ministry and the accompanying bulletins, such as, but not limited to:

- Engaging Aboriginal Communities in Archaeology: A Draft Technical Bulletin for Consultant Archaeologists in Ontario (2011);
- Land-Based Archaeological Licensing: A Bulletin for Archaeologists in Ontario (2017);

- Archaeological Reports: An Administrative Bulletin for Archaeologists in Ontario (2017);
- The Archaeology of Rural Historical Farmsteads: A Draft Technical Bulletin for Consultant Archaeologists in Ontario (2021);
- Project Information Forms: Protocols and Support for Licensed Archaeologists using Ontario's Past Portal (2013);
- Winter Archaeology: A Technical Bulletin for Consultant Archaeologists in Ontario (2013); and
- Forest Operations on Crown land: A Draft Technical Bulletin for Consultant Archaeologists in Ontario (2009).

The Ministry also has numerous fact sheets and memoranda on its website to explain the process of consultant archaeology in Ontario and, together with the *Standards and Guidelines for Consultant Archaeologists*, these supporting documents form the basis for evaluating archaeological fieldwork and determining whether it is compliant with the terms and conditions of the specific archaeological license and the Ontario Heritage Act. In order to determine where archaeological assessments are required, the Ministry has prepared checklists entitled *Criteria for Evaluating Archaeological Potential: A Checklist for the Non-Specialist* (2015) and *Criteria for Evaluating Marine Archaeological Potential: A Checklist for Non-Marine Archaeologists* which provide generic criteria for anyone to use to assess archaeological potential. Completion of the latter checklist indicates whether proposed in-water impacts require a marine archaeological assessment. Licensing, fieldwork and reporting on marine archaeology differs from the land-based archaeology process and are separate from the *Standards and Guidelines for Consultant Archaeologists*. Municipalities with archaeological management plans, like the City of Windsor, have access to much more detailed information specific to their jurisdictions which provide more effective and accurate means of determining archaeological potential and the need for archaeological assessments than the provincial checklists.

Most approval authorities rely on the Ministry review of archaeological assessment reports when deciding whether concerns for archaeological sites have been addressed by a development proponent. After reviewing an archaeological assessment report, Ministry staff will provide the consultant archaeologist with a review letter. If the archaeological assessment report complies with the Ontario Heritage Act, specifically the Ministry's *Standards and Guidelines for Consultant Archaeologists*, the letter will inform the consultant archaeologist that the archaeological assessment report has been accepted and entered into the Ontario Public Register of Archaeology Reports. The Ministry provides a copy of the review letter to the approval authority and development proponent, as identified by the consultant archaeologist, when submitting the report. The letter, in conjunction with the archaeological assessment report, can be used by the City of Windsor to verify that concerns for archaeological sites have been addressed for the property that was assessed or that further work is required.

The Ministry is also ultimately responsible for all matters related to the management of the archaeological resources documented, mitigation strategies proposed, and can provide advice or direction as needed should disputes arise between interested parties from the conservation of archaeological resources under the land use planning and development process.

8.1.2 Role of Consultant Archaeologists

As part of the land use planning and development process, development proponents rely on consultant archaeologists who hold a professional license issued by the Ministry. Consultant archaeologists carry out archaeological assessments to ensure that requirements for archaeological sites and features have been addressed and that previously unknown archaeological sites are identified. They also provide technical advice on appropriate measures for the mitigation and conservation of archaeological sites.

Only Ministry-licensed consultant archaeologists, engaged with descendant

communities, may determine the cultural heritage value or interest of archaeological sites. Moreover, **only licensed archaeologists have the skills and authority to evaluate archaeological potential and integrity on a parcel of land or underwater.**

8.1.3 Role of the Private-Sector Development Proponent

When an archaeological assessment is required by the City of Windsor for planning or development applications, it is the responsibility of the development proponent to retain a consultant archaeologist to carry out the requisite archaeological work (see Section 8.1.4 for similar responsibilities for municipal projects). In order to carry out any necessary archaeological work (typically Stage 1 and/or 2 assessments to begin with), the consultant archaeologist will usually require the following from the development proponent:

- signed consent to enter the property and carry out the fieldwork;
- a copy of the most recent development plan, if available, or plan of topographic survey, ideally in a digital format (e.g., GIS, CAD); and,
- the study area limits clearly marked on the plan/survey; this map should show existing conditions, including contour lines, trees and tree lines, fence lines, property lines, structures, driveways, watercourses, etc.

Should an archaeological resource with potential cultural heritage value or interest be found during Stage 2 field assessment, it must be subject to Stage 3 investigations prior to its protection or mitigative excavation (Stage 4). However, a Stage 3 assessment of that resource is not required should the development proponent decide to not proceed with the development that triggered the Stage 2 assessment provided that long-term protective measures are addressed in the Stage 2 report. In such an instance, the archaeological resource will be protected from further disturbance by Section 48(1) of the Ontario Heritage Act.

It is the responsibility of the development proponent to provide to the City of Windsor

copies of all archaeological assessment reports, including any revised reports, and GIS mapping of archaeological study area, produced in support of a proposed development as part of a complete application.

All licensed archaeological activities must comply with the most current Ministry *Standards and Guidelines for Consultant Archaeologists*. If the development proponent submits documentation for archaeological activities that pre-date the current standards and guidelines, the Ministry will assess the sufficiency of the documentation in accordance with the current standards and guidelines.

Frequent issues that arise between development proponents, their consultant archaeologists, and the Ministry include whether consultant archaeologists are able to undertake field assessments when there is snow on the ground (including Stage 1 assessments), whether a consultant archaeologist can provide a summary letter to the Ministry rather than a full Stage 1 report, whether a marine archaeological assessment is required, and if there is built-in flexibility in the *Standards and Guidelines for Consultant Archaeologists* which allows for a consultant archaeologist to deviate from the provincial requirements. Resolution to these issues often requires communication between the consultant archaeologist, the proponent, the Approval Authority, and the Ministry.

The Ontario Heritage Act mandates the reporting requirements of archaeological investigations carried out under license, and these requirements are detailed in the Ministry's *Standards and Guidelines for Consultant Archaeologists*. The Approval Authority should refuse to issue clearance to a property until an archaeological assessment report has been submitted and reviewed and a letter of review issued by the Ministry. Copies of all archaeological assessment reports, GIS mapping of the project area, and correspondence with the Ministry must be filed with the City of Windsor Planning and Building Services Department for purposes of updating and maintaining the WAMP GIS.

8.1.4 Role of the City of Windsor

An approval authority "is any public body (municipality, conservation authority, provincial agency, and ministry) that has the authority to regulate and approve development projects that fall under its mandate and jurisdiction (*Standards and Guidelines for Consultant Archaeologists*: 162)." It approves those planning applications where development proponents have met all local by-laws, other legislated requirements, and public concerns, including whether the lands to be developed contained archaeological potential that merited an archaeological assessment.

For the City of Windsor, the Council is the Approval Authority for land use planning applications. The City's Planning and Building Services Department is responsible for advising Council on matters concerning the mitigation and protection of archaeological resources related to the planning process. . Planning and Building Services Department staff, in particular a Heritage Planner, will also review archaeological assessment reports submitted by consultant archaeologists to ensure that the City's policies have been met.

If the City of Windsor determines that a property has archaeological potential using the archaeological potential map in the WAMP GIS (and the Ministry's *Criteria for Evaluating Marine Archaeological Potential* checklist, if applicable), it will advise the development proponent to retain a licensed consultant archaeologist to carry out an archaeological assessment before any soil disturbance, development, and/or site alteration occurs. This requirement will be communicated during the pre-application process as part of any application for Official Plan Amendments, Zoning By-law Amendments, Site Plan Control, Plans of Subdivision or Condominium, or Committee of Adjustment applications.

The City of Windsor must receive copies of all archaeological assessment reports conducted as part of proposed development as part of a complete application, including the Ministry letter(s) of acceptance for those reports. All archaeological

assessment reports will be submitted to the Heritage Planner at City of Windsor by the development proponent once completed. The Ministry will provide a copy of the acceptance letter to the consultant archaeologist and the development proponent, and may sometimes also copy the Heritage Planner at the City of Windsor. Regardless, the development proponent is responsible for providing the Ministry letter to the Heritage Planner. The archaeological assessment should be conducted early in the development process and Stages 1 and 2 if recommended, be submitted as part of the complete application.

It is also the responsibility of the City of Windsor that when it undertakes soil disturbance, development, and/or site alteration activities associated with project work in an archaeological potential zone, a consultant archaeologist must be retained to carry out an archaeological assessment before any soil disturbance occurs. Copies of all archaeological assessment reports, GIS mapping of the project area, and correspondence with the Ministry prepared by the City are to be filed with the City of Windsor Planning and Building Services Department for purposes of updating and maintaining the WAMP GIS.

All municipal public works projects must conform with Windsor's Official Plan which include its cultural heritage and archaeological resources policies. Works must also be consistent with the Provincial Policy Statement. It is understood that there are instances where public works may have an impact on known archaeological sites or lands identified within the archaeological potential map in the WAMP, such as the development or replacement of infrastructure (e.g., roads, bridges, sewage and water systems), the construction and maintenance of municipal assets (e.g., public service facilities), and public realm improvements such as parks and open spaces within Windsor's jurisdiction. While many of these examples are regulated by other legislation, such as the Environmental Assessment Act, the Ontario Water Resources Act and Drainage Act, an archaeological assessment is also required.

Refer to Section 8.3, Figure 6: Archaeological Review Process Flowchart for a graphic

summary of the process.

8.2 When Does the Archaeological Potential GIS Layer Apply?

An archaeological assessment may be required for the following types of development applications, if any portion of the subject lands is within the archaeological potential zone of the WAMP GIS:

- Official Plan Amendments (including Secondary Plans/ Secondary Plan Amendments) (as per Planning Act s.22);
- Zoning By-law Amendments (as per Planning Act s.34);
- Site Plans (as per Planning Act s. 41);
- Plans of Subdivision (including Plans of Condominium) (as per Planning Act s. 51);
- Consents or Minor Variance applications (where there is soil disturbance, which may include activities such as excavation and compaction.) (as per Planning Act sections 53 and 45 respectively);
- Permits involving Site Alteration (meaning activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site as per the Provincial Policy Statement Section 2.6.2); and,
- City of Windsor public works (as per Planning Act, s. 24). (ie. City of Windsor municipal works and projects)

In exceptional situations, when a development proponent can demonstrate to the satisfaction of city officials that all archaeological integrity has been completely removed (eradicated) by previous development of the entire subject property (e.g., a building with a basement covers the whole property), the City of Windsor may exercise discretion in not requiring an archaeological assessment. However, given the

potential for residual archaeological resources to remain even within developed urban landscapes, a Stage 1 archaeological assessment will almost always or likely remain the minimum default requirement for the above. Only a licensed consultant archaeologist, undertaking a Stage 1 assessment, can determine that no archaeological potential survives within an area identified using the archaeological potential map of the WAMP GIS. In cases where it is clear that a property has archaeological potential, and it is assumed that a Stage 2 archaeological assessment will be required as part of the complete development application, it is recommended that the development proponent retain a consultant archaeologist to undertake a combined Stage 1 and 2 archaeological assessment.

8.2.1 Official Plan Amendments

If a property owner or development proponent wishes to use, alter, or develop a property in a way that does not conform to the Official Plan, they must apply for an Official Plan Amendment. These applications require archaeological assessments of the subject lands if any portion of those lands fall within the archaeological potential zone identified in the WAMP GIS. The resultant report may recommend further archaeological assessment to be completed prior to soil disturbance, development, and/or site alteration.

8.2.2 Secondary Plans

Secondary Plans establish local development policies to guide growth and change in a defined area of a municipality. Secondary Plan policies adapt and implement the objectives, policies, land use designations and overall planning approach of the Official Plan to fit local contexts and are adopted as amendments to the Official Plan. Archaeological assessments undertaken at the Secondary Plan stage provide the best opportunity for protecting significant archaeological sites through development design. Typically, this is conducted as a Stage 1 archaeological assessment during the development of the Secondary Plan, and is the responsibility of the applicant of the Secondary Plan. Any future assessment is the responsibility of the development

proponent; a combined Stage 1 and 2 archaeological assessment can also be conducted, if feasible.

8.2.3 Zoning By-law Amendments

Section 34 of the Planning Act, authorizes municipalities to implement land use controls through Zoning By-laws. The Zoning By-law is the legal mechanism that implements policies and objectives described in the Official Plan and regulates the use and development of buildings and land by:

1. stating what types of land uses are permitted in various areas. Examples of these uses are residential, commercial, mixed commercial-residential, institutional, and industrial; and,
2. outlining how the land can be developed by establishing regulations for factors such as lot size and frontage, building setbacks, the height and built form of structures, the number and dimensions of parking and loading spaces and requirements for open space.

If a property owner wishes to make changes to a property that deviates from the permitted uses or the regulations of the Zoning By-law, the owner must apply for a Zoning By-law Amendment. A Zoning By-law Amendment process could be used to manage a known archaeological resource.

8.2.4 Holding Provision By-laws

In order to protect known archaeological resources, where an archaeological assessment cannot be undertaken immediately, a municipality may use its authority under Section 36 of the Planning Act to enact a holding provision by-law. As the Section states:

> 36. (1) The council of a local municipality may, in a by-law passed under section 34, by the use of the holding symbol “H” (or “h”) in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to

the by-law. R.S.O. 1990, c. P.13, s. 36 (1).

The wording of the holding provision by-law should be consistent with the objective to ensure that archaeological resources are investigated and if found are conserved in accordance with the provisions of the Ontario Heritage Act, the Planning Act, and/or the Provincial Policy Statement, such as:

- that the development proponent shall complete required archaeological assessment(s);
- that the development proponent shall conserve significant archaeological resources identified through the completed archaeological assessments;
- that the development proponent shall complete required engagement with Indigenous nations; and,
- that no soil disturbance, development, and/or site alteration shall take place on the subject property prior to the issuance of a letter of review by the Ministry.

8.2.5 Site Plans

Section 41 of the Planning Act authorizes municipalities to establish areas to be designated as areas of Site Plan Control. In Windsor, all lands within city limits have been designated areas of Site Plan Control .

Site Plan Control ensures that new developments or redevelopments meet municipal standards, policies, and guidelines. This authority provides a process that examines the design and technical aspects of a proposed development or redevelopment to ensure it is compatible with the surrounding area. Features such as building location, site access and servicing, waste storage, parking, loading, and landscaping are all subject to review.

Should a property subject to site plan application approval fall within an archaeological potential zone and ground disturbance is contemplated, an archaeological assessment report will be required.

8.2.6 Plans of Subdivision and Plans of Condominium

When a property owner wants to divide a piece of land into multiple parcels and offer them for sale, the subdivision provisions of the Planning Act require the submission of an archaeological assessment.

Applications for plans of subdivision and condominiums require archaeological assessments of the entire property if any portion of the property falls within the archaeological potential zone in the WAMP GIS. The resultant report may recommend further archaeological assessment to be completed prior to any soil disturbance, development, and/or site alteration.

8.2.7 Consent Applications

Consents provide property owners with some flexibility within the land subdivision control process. A consent application is required to sever land into new lots, add land to an existing lot, establish easements or rights-of-way, and lease land in excess of twenty-one years or register a mortgage.

Archaeological assessments will be required when the consent application will create two or more new lots and falls within an Archaeological Potential Zone (and where soil disturbance will occur or might be reasonably anticipated). When a consent application creates less than two new lots, archaeological assessments will not be required unless the application falls within Archaeologically Sensitive Areas (ASA) in the WAMP GIS.

For clarity, when a consent application falls within Archaeologically Sensitive Areas (ASA) and when soil disturbance will occur or might be reasonably anticipated, archaeological assessment(s) will be a condition of the consent application regardless of the number of lot(s) created. Where the intent is to develop the severed lands and not the retained lands, only the severed land is required to be archaeologically assessed.

8.2.8 Minor Variance Applications

Minor variance applications that fall within the Archaeologically Sensitive Areas (ASA) in the WAMP GIS, and where soil disturbance will occur or might be reasonably anticipated, must be subject to a condition requiring that an archaeological assessment be completed prior to approval. An accessory building constructed on slabs without footings, or a typical-sized garage or addition maybe exempt (eg. new construction of 50 square metres).

8.2.9 Building Permits

Building Permits do not require archaeological assessments since archaeological assessments are not defined as applicable law for the purposes of issuing building permits. However, during the Building Permit process, the City of Windsor may wish to advise owner(s) of properties containing a registered archaeological site of the provincial statute prohibiting its disturbance and provide notification of archaeological precautions. Standard archaeological warning clauses are recommended to be added to Building Permits.

8.2.10 Site Alteration

Site alteration include any construction activities requiring permits or approvals under legislation including the Building Code Act; this includes, but is not limited to, Fill Permits, Foundation Permits, Right-of-way Permits, etc.

Section 2.6.2 of the Provincial Policy Statement stipulates that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Section 48.1 of the Ontario Heritage Act prohibits alteration of an archaeological site by anyone without an archaeological license.

Site alteration is defined as activities such as grading, excavation, and the placement of fill that would change the landform and natural vegetative characteristics of a site.

As a result, any activities (beyond normal gardening) such as landscaping, work on existing or new driveways and sidewalks, and the installation of patios, decks, pools, sheds, outbuildings, and utilities, may be considered as "site alterations."

City of Windsor departments issuing the site alteration permits should require public-service proponents (such as Utility companies who conduct work resulting in large ground disturbing impact) to undertake archaeological assessment when the proposed work falls within the Archaeological Potential Zone, prior to the issuance of a permit or the proponent starting any work under their city-issued permit.

Should site alteration be contemplated in an area that falls within the Archaeologically Sensitive Area (ASA) in the WAMP GIS, and this work has not been subject to a statutory trigger (e.g., Class EA, Planning Act approval), City of Windsor departments issuing the site alteration permits should recommend to proponents that an archaeological assessment be undertaken prior to issuance of the permit.

Standard archaeological warning clauses is recommended to be added to Site Alteration Permits.

8.2.11 City of Windsor Departments

Any improvement of a structural nature or other undertaking that is within the jurisdiction of the City or a local board, conducted by all City Departments, must conform to Windsor's Official Plan; this includes its cultural heritage policies. Works must also be consistent with the Provincial Policy Statement. It is understood that there are instances where municipal infrastructure, works, projects may have an impact on known archaeological sites or lands identified within the archaeological potential zone in the WAMP GIS. These include the development or replacement of infrastructure (e.g., roads, sidewalks, utilities), the construction and maintenance of municipal assets, and public realm improvements including urban cores as well as in all parks and open spaces in Windsor.

In particular, where any soil disturbance, development, and/or site alteration is proposed, the City's Project Manager must refer to the WAMP GIS to determine if any lands associated with the project are within archaeological potential areas. The Project Manager should then consult with the City's Heritage Planner to confirm their determination. If the lands are ultimately identified as being within an area with archaeological potential, the City's Project Manager must retain a consultant archaeologist to undertake the requisite archaeological assessments prior to soil disturbance. Infrastructure projects must therefore include adequate budgets to address any archaeological requirements. Copies of all archaeological assessment reports, GIS mapping of the project area, and correspondence with the Ministry must be filed with the City of Windsor Planning and Building Services Department for purposes of updating and maintaining the WAMP GIS.

Some Schedule A projects listed under Municipal Road Projects, Municipal Water and Wastewater Projects and Municipal Transit Project Systems in the Municipal Class Environmental Assessment (March 2023) document (MCEA) may be exempt from the provisions of Environmental Assessment Act (EAA). The MCEA also lists Schedule A projects that are identified as eligible for screening, subject to the archaeological screening process (identified as "ASP") may also be exempt from MCEA as determined by the archaeological screening process as set out in Appendix 1 MCEA. All Schedule B and C projects are subject to the requirement for an archaeological assessment. Where the project area impacts water bodies that are identified as areas of archaeological potential zone, the proponent shall utilize the Ministry's Criteria for Evaluating Marine Archaeological Potential to determine if a marine archaeological assessment is required or proceed directly with a marine archaeological assessment. For projects abutting known archaeological sites or cemeteries, an archaeological assessment is also required

Asset Management Plans and similar Lifecycle renewal studies/plans must ensure that areas of archaeological potential are clearly identified within the areas of their concern and include adequate budgets to undertake the necessary archaeological

assessments prior to any work that will result in soil disturbance, development, and/or site alteration beyond existing disturbance.

One method of providing for the archaeological needs of city projects is to establish a corporate archaeological assessment fund to address archeological issues on projects. Pro-active archaeological assessment of City properties where development involving ground-disturbing activities may occur would also be useful. This would require budgeting of archaeological costs well in advance of any such City project.

Note: At the time of preparation of this document the Province of Ontario proposed amendments to the Environmental Assessment Act and to MCEA 2023 which may impact the above provisions. Therefore this document may need to be updated in the future to incorporate the proposed amendments.

8.3 Archaeological Review Process in Windsor

Figure 6 outlines the basic decision flow recommended for use in the development review process for all land development applications and municipal projects in Windsor. The sections below provide an outline of the archaeological assessment process and its stages and the standard condition that can be applied to all applications and projects where a portion of the property falls within the archaeological potential zone in the WAMP GIS.

8.3.1 The Archaeological Assessment Process

The archaeological assessment process in Ontario is a staged process with the results of each stage determining the requirements, if any, for the subsequent stage. The stages of assessments are described by the Ministry as follows:

Stage 1: Background study and property inspection

The archaeologist determines whether there is potential for archaeological sites on the property. They review geographic, land use and historical information for the property and the relevant surrounding area, visit the property to inspect its current condition and contact the ministry to find out if there are any known archaeological sites on or near the property. A Stage 2 assessment is required when the consultant archaeologist identifies areas of archaeological potential. Stage 1 may only be used to recommend exempting a property from Stage 2 assessment where it has been confirmed through a property inspection that potential for the entire project has been removed by extensive and deep ground disturbance. (ie. In accordance with 2011 *Standards and Guidelines for Consultant Archaeologist*, s. 1.4.2, recommending no further concern must be verified in person and cannot be a desktop study only).

Stage 2: Property assessment

The archaeologist surveys the land to identify any archaeological resources on the property. For a ploughed field, they will walk back and forth over it looking for artifacts on the surface. In forests, overgrown pasture areas or any other places that cannot be ploughed, they will dig parallel rows of small holes, called test pits, down to sterile subsoil at regular intervals and sift the soil to look for artifacts. They may use other strategies if properties are paved, covered in fill or have deeply buried former topsoils (such as floodplains or former sand dunes). The archaeologist will determine whether any archaeological resources found are of sufficient cultural heritage value or interest to require Stage 3 assessment.

Stage 3: Site-specific assessment

The consultant archaeologist determines the dimensions of the archaeological site, evaluates its cultural heritage value or interest and, where necessary, makes recommendations for Stage 4 mitigation strategies. To this end, they conduct further background research and fieldwork that expands the information gathered in Stage 2. They map the spatial limits of a site and acquire further information about the site's

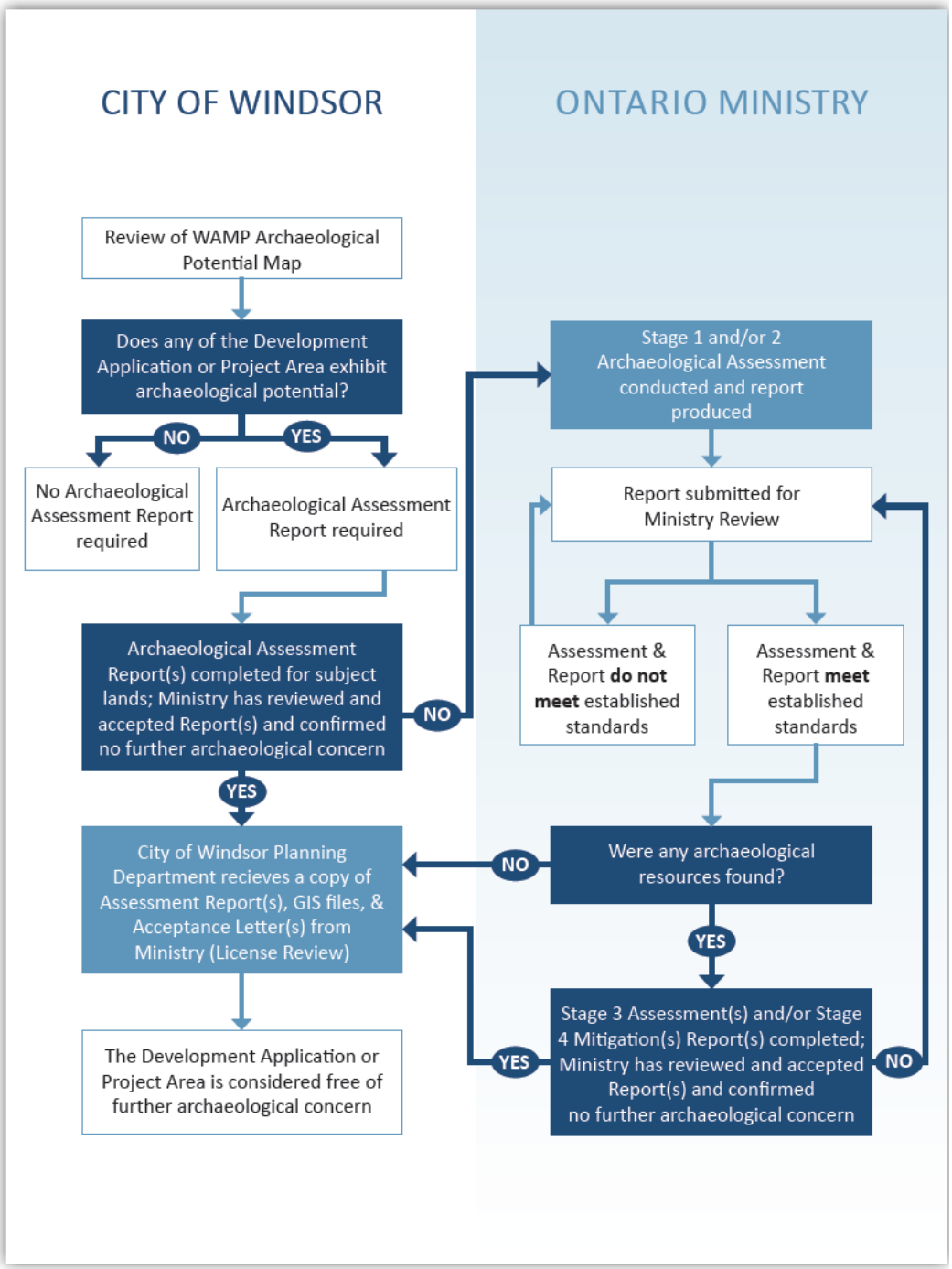
characteristics by excavating one-metre by one-metre square test units across the site. Based on circumstances, some sites (for example, ones that have been paved or are deeply buried) may require specialized methods of assessment (Safety considerations and requirements must be taken into account during excavation work. This may require consultation with a civil engineer). The archaeologist will determine whether any archaeological sites have sufficient cultural heritage value or interest to require Stage 4 mitigation of development impacts.

Stage 4: Mitigation of development impacts

This stage involves implementing conservation strategies for archaeological sites. Determining the best approach for conserving the site may include reviewing possible strategies with the development proponent, the municipality or other approval authority, Indigenous communities, and other heritage stakeholders. Conserving archaeological sites does not mean stopping development. Conservation can involve putting long-term protection measures in place around an archaeological site to protect it intact. The site is then avoided while development proceeds around it. This is called protection in situ and is always the preferred option for mitigation of development impacts to a site. If protection is not viable, mitigation can involve documenting and completely excavating an archaeological site before development takes place.

Where an Archaeological assessment predates the 2011 *Standards and Guidelines for Consultant Archaeologist*, the applicant can choose to conduct a new assessment or submit the study to the City of Windsor Planning Department, who will then forward the assessment to the Ministry for acceptability or not. The Ministry shall hold the final decision on the acceptability of the Report.

Figure 6: Archaeological Review Process Flowchart



8.3.2 Sample Wording for Conditions requiring Archaeological Assessments in Planning and Development Applications or Approvals

The development proponent shall retain an archaeologist, licensed by the Ministry under the provisions of the Ontario Heritage Act to carry out a Stage 1 (or Stage 1 and 2) archaeological assessment of the entire property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3 and 4). The archaeological assessment must be completed in accordance with the most current Ministry *Standards and Guidelines for Consultant Archaeologists.*

All archaeological assessment reports will be submitted to the City of Windsor in PDF format by the development proponent once completed. This also includes the letter from the Ministry stating that the report is compliant with the terms and conditions of the Ontario Heritage Act and has been entered into the Public Registry. Mapping of the study area used in the archaeological assessment(s) must also be provided to the City.

Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible or may be commemorated and interpreted through exhibition on site including, but not limited to, commemorative plaque, subject to stakeholder discussions.

No demolition, construction, grading or other soil disturbances shall take place on the subject property prior to Windsor receiving the Ministry review letter indicating that all archaeological licensing and technical review requirements have been satisfied.

8.3.3 City of Windsor Planning and Building Services Department – Implementation Process

The archaeological review procedure, as it relates to planning and development applications, requires close co-operation between the Planning and Building Services Department and staff of the Archaeology Program Unit of the Ministry, as well as the development and archaeological consulting communities.

The general sequence of actions is as follows:

1. As part of the pre-application consultation process, the Planning and Building Services Department will determine if an archaeological assessment is required by means of review of the archaeological potential zone in the WAMP GIS. This will be done by reviewing the proposed development parcel against the archaeological potential zone. Should any portion of the property fall within that zone, an archaeological assessment of the entire property will be required. The archaeological assessment would be undertaken by the consultant archaeologist for the development proponent and submitted by the proponent as part of the complete planning or development application. If required, the Planning and Building Services Department will recommend that the completion of further archaeological assessments (e.g., a Stage 3 archaeological assessment) be made a condition of approval.
2. If impacts are proposed within a waterbody or watercourse, the proponent will be required to complete the Ministry's *Criteria for Evaluating Marine Archaeological Potential* checklist and submit it to the Planning Department to determine the requirement for a marine archaeological assessment. The study area to evaluate is the proposed project impact plus the extent of any construction impacts. Data about registered archaeological sites can be obtained from Windsor's GIS or from the data coordinator of the Ministry's Archaeology Program Unit.
3. Provincial legislation provides that only licensed consultant archaeologists (and/or marine archaeologist) can undertake field work, alteration or removals from of archaeological sites. The consultant archaeologist will conduct a Stage 1 or Stage 1 &2 combined archaeological assessment of the entire subject

property, not simply the portion(s) that falls within the archaeological potential zone in the WAMP GIS. The assessment of the entire subject property addresses any discrepancies between the archaeological potential zone and the actual conditions of the subject property. This is consistent with Windsor's mapping and the requirements of the most current *Standards and Guidelines for Consultant Archaeologists* and associated bulletins issued by the Ministry.

4. All work conducted by the consultant archaeologist must conform to the standards set forth in the most current *Standards and Guidelines for Consultant Archaeologists* and associated bulletins issued by the Ministry.
5. Once a Stage 1-2 archaeological assessment, consisting of background research and a field survey, has been completed, the consultant archaeologist will submit a report to the Archaeology Program Unit of the Ministry. The staff of the Archaeology Program Unit of the Ministry will review the report to determine if the assessment has met current licensing and technical standards. If this is not the case, the Ministry will require the consultant archaeologist to carry out additional field work, and/or provide more extensive documentation.
6. If the archaeological assessment complies with licensing and technical standards and did not result in the identification of any intact archaeological potential within the property (in the case of a Stage 1 assessment) or did not result in the documentation of any significant archaeological resources (in the case of a Stage 1&2 or Stage 2 assessment), the staff of the Archaeology Program Unit of the Ministry will provide a acceptance letter to the consultant archaeologist and to the City of Windsor in its capacity as Approval Authority, which will serve to notify them that all provincial concerns with respect to archaeological resource conservation and archaeological licensing have been met.
7. Upon receipt of the archaeological acceptance letter from the Ministry that archaeological conservation and licensing concerns have been addressed, and receipt of the final copies of archaeological assessment report(s) and of the GIS files for the assessed study area, Windsor will then clear the subject property/site of any further archaeological concern.
8. Should the development proponent choose not to proceed with all necessary Stage 3 and Stage 4 assessments prior to submitting a planning and development application, the completion of these activities to the satisfaction

of the Ministry must be made a condition of approval (e.g., draft plan condition of approval for a Plan of Subdivision).

9. Copies of all archaeological assessment reports, GIS mapping of the project area, and relevant correspondence with the Ministry must be filed with the City of Windsor Planning and Building Services Department for purposes of updating and maintaining the WAMP GIS.

It should be noted that completion of an archaeological assessment of a particular development property, no matter how rigorous, does not fully guarantee that all significant archaeological resources on that property will be identified prior to land disturbance. This is particularly the case in areas where natural processes, such as flooding or erosion, have resulted in the burial of original ground surfaces, or with respect to isolated human burials that are typically small features that can escape detection.

Therefore, in compliance with Ministry *Standards and Guidelines for Consultant Archaeologists*, every archaeological assessment report must contain the statement that should deeply buried archaeological remains be found on a property during construction activities, all ground-altering activities should be stopped, the Ministry should be notified immediately, and a licensed archaeologist should be retained to assess the situation (see Appendix C: Contingency Plan for the Protection of Archaeological Resources in Urgent Situations for more details). It must further specify that if human remains are encountered during construction, the development proponent must immediately contact the police, the Ministry, and the Registrar of Burial Sites, Ministry of Public and Business Service Delivery (formerly Ministry of Government and Consumer Services) (see Appendix C: Contingency Plan for the Protection of Archaeological Resources in Urgent Situations for best practices protocol). Where Stage 3 and Stage 4 archaeological assessments are required to be completed, these two warning clauses will be included in the appropriate development agreements between the City and the applicant.

8.3.4 Additional Considerations When Archaeological Resources are Identified

If the Stage 1-2 assessment resulted in the documentation of one or more significant archaeological resources as determined by the consultant archaeologist, appropriate mitigation and/or preservation options must be recommended by the consultant archaeologist and approved by the Ministry. Upon completion of the mitigation, the consultant archaeologist must provide a report detailing this work and its results to the Ministry. The Ministry will review the work and provide the consultant archaeologist, and the City of Windsor in its capacity as approval authority, with an acceptance letter that there are no further archaeological concerns or that additional mitigation measures have been recommended.

It should be noted, in this regard, that once Stage 3 assessments have been completed on the archaeological sites requiring further investigation, it is generally possible to secure partial clearance for the property, in that the archaeological requirement may be removed from the balance of the subject lands not encompassed by the archaeological site(s) and the protective buffer zones surrounding it/them, which are defined in the *Standards and Guidelines for Consultant Archaeologists*.

Similarly, as the final report of a comprehensive Stage 4 archaeological excavation may take many months to complete, final clearance for the property may be available upon the consultant archaeologist completing the fieldwork and submitting a preliminary Stage 4 excavation report to the Ministry. The preliminary excavation report process allows the Ministry to assess whether the fieldwork and reporting is compliant prior to the full evaluation and reporting of the archaeological resources.

8.3.5 Determining the Cultural Heritage Value of Archaeological Resources

The *Standards and Guidelines for Consultant Archaeologists* (MTC, 2011) set out criteria for determining the cultural heritage value of archaeological resources, including information value, value to a community, and value as a public resource. They define a set of indicators based on these criteria, outlined in Table 3 below, which helps to determine which archaeological resources are significant and therefore must be preserved or conserved. Indigenous nations may also identify values not captured in this table.

Table 3: Indicators Showing Cultural Heritage Value or Interest (reproduced from *Standards and Guidelines for Consultant Archaeologists*, 2011)

Criteria	Indicators
Information Value	The archaeological site contributes to local, regional, provincial, or national archaeological history.
Cultural Historical Value	Information from the archaeological site advances an understanding of: • Cultural history – locally, regionally, provincially, or nationally • Past human social organization at family, household, or community level • Past material culture – manufacture, trade, use and disposal

Criteria	Indicators
Historical Value	The archaeological site is associated with: • Oral histories of a community, Indigenous community, or specific group or family • Early exploration, settlement, land use or other aspect of Ontario's history • The life or activities of a significant historical figure, group, organization, or institution • A significant historical event (cultural, economic, military, religious, social, or political)
Scientific Value	The archaeological site contains important evidence that contributes to: • Paleo-environmental studies • Testing of experimental archaeological techniques
Rarity or Frequency	The archaeological site is: • Unique – locally, regionally, provincially, or nationally • Useful for comparison with similar archaeological sites in other areas • A type that has not been studied or has rarely been studied, and is therefore under-represented in archaeological research

Criteria	Indicators
Productivity	The archaeological site contains: • Large quantities or artifacts, especially diagnostic artifacts • Exotic or rare artifacts demonstrating trade or other exchange patterns
Integrity	The archaeological site is well preserved and retains a large degree of original material.
Value to a Community	The archaeological site has intrinsic value to a particular community, Indigenous community, or group.
The archaeological site has traditional, social, or religious value.	The archaeological site: • Contains human remains • Is identified as a sacred site • Is associated with a traditional recurring event in the community, Indigenous community, or group (e.g., an annual celebration) • Is a known landmark

Criteria	Indicators
Value as a Public Resource	The archaeological site contributes to enhancing the public's understanding and appreciation of Ontario's past.
The archaeological site has potential for public use for education, recreation, or tourism	The archaeological site: • Is or can be made accessible to tourists, local residents or school groups • Is or can be incorporated into local education, recreation or tourism strategies and initiatives

8.3.6 Assessing Archaeological Resource Impacts and Identifying Mitigation Strategies

If no adverse impacts to an archaeological resource will occur, then development may proceed as planned. Many of the archaeological sites routinely encountered will prove to be of little or no cultural heritage value or interest and will not require further investigation, beyond the mapping, measuring, and photographing of the surface attributes of the archaeological site that occurred during the Stage 2 archaeological assessment.

8.3.6.1 Indigenous Archaeological Sites

Should an Indigenous archaeological resource with cultural heritage value or interest be discovered during an archaeological assessment, the *Standards & Guidelines for Consultant Archaeologist* require the consultant archaeologist to — engage with the affiliated Indigenous nations, or those identified in Section 7.4, and the development proponent—to assess the potential impact(s) to it and arrive at rational decisions

regarding potential mitigation options. Those may involve protection and avoidance of the archaeological site within the context of the proposed development, its mitigation by excavation, or a combination of these approaches. These decisions are subject to review and approval by the Ministry.

The relevant Indigenous nations must also be engaged throughout the agreed upon site mitigation process. Typically, engagement with Indigenous nations as it relates to archaeological assessment is undertaken by the consultant archaeologist with support of the development proponent. Engagement with Indigenous nations through the archaeological assessment process is defined by the Ministry's *Standards and Guidelines for Consultant Archaeologists* as well as the Ministry's draft bulletin entitled *Engaging Aboriginal Communities in Archaeology*. Under all circumstances there should be an effort to identify the group(s) that are the most appropriate (on cultural-historical and legislative grounds) to act as the designated descendants of those who occupied the project area in the past, and who are willing to participate and ensure that cultural heritage remains are treated in an appropriate and seemly manner.

This identification process is best achieved through communication with a variety of Indigenous nations in order that they may themselves arrive at the final decision. It should also be noted that the Ministry's bulletin *Engaging Aboriginal Communities in Archaeology* (2011) requires Indigenous engagement at Stage 3 when assessing the cultural heritage value or interest of certain types of Indigenous sites, at the end of Stage 3 archaeological investigations for formulating mitigation on significant Indigenous sites, to solicit input regarding Stage 4 mitigation strategies, and encourages engagement before Stages 2 and other Stage 3 scenarios. Section 7.4 (above) identifies those Indigenous nations that should be engaged as part of this process.

8.3.6.2 Non-Indigenous Archaeological Sites

In the case of non-Indigenous archaeological sites, the same process is involved as with Indigenous archaeological sites. Engagement with Indigenous nations may not be required, although many non-Indigenous sites also yield Indigenous artifacts, in which case engagement would be required.

In the process of determining appropriate mitigation strategies on a non-Indigenous archaeological site, it is always possible that other descendant communities, heritage stakeholders, or interest groups may express a desire to participate.

8.3.6.3 Archaeological Site Mitigation Options

There are several mitigation options for archaeological sites, including avoidance, modifications to construction techniques, long-term protection, and various degrees of documentation and/or excavation, as discussed below. Appropriate options for addressing the interpretive and educational potential of the site should be documented by Windsor through consultation with the development proponent and the consultant archaeologist. It should also be noted that detailed information regarding a site is frequently required to make a more accurate assessment of significance and to determine the potential for adverse effects. This may involve several stages of on-site investigations by the consultant archaeologist.

Avoidance and protection of archaeological sites is the preferred form of mitigation and is most viable when the cultural heritage value or interest of the archaeological site is determined early in the planning process. There are both short- and long-term components to the process of site protection, as outlined in the *Standards and Guidelines for Consultant Archaeologists*. The decision to avoid and protect a site is generally made by the development proponent in consultation with the consultant archaeologist and the Ministry.

By following this process, development proponents will have sufficient time to plan

for archaeological site protection, rather than mitigation through excavation, by considering alternative site plan designs.

Effective avoidance and protection strategies will include both avoidance measures to protect the archaeological site from impacts during construction and long-term protection measures to ensure that the site is not impacted during any future activities on the site.

In cases in which the avoidance and protection option is pursued, the limits of the site must have been fully defined through completion of Stage 3 archaeological assessment. The avoidance and protection area defined for the site must include the entire archaeological site and a minimum 20 metre buffer zone in the case of Late Woodland village sites or a minimum 10 metre buffer zone for all other site types. The buffer zone may be reduced in areas where pre-existing, permanent physical constraints to the extent of the site are present.

To ensure there are no impacts to the avoidance and protection area in the short term, during development of contiguous lands, the limits of the avoidance and protection area must be fenced (snow fencing or similar type) by the development proponent under the supervision of a consultant archaeologist prior to any soil disturbance, development, and/or site alteration. The protective fencing must remain in place for the duration of any development work resulting in land disturbance and instructions issued to all on-site contractors that there are to be no impacts of any sort within avoidance and protection area. It is a “no go” area. The avoidance and protection area must also to be identified on all project mapping.

Written confirmation from the development proponent regarding their commitment to implement this strategy and confirmation that any ground alterations will avoid the avoidance and protection area must be submitted to the Ministry prior to initiation of any such work and copied to the City of Windsor as the Approval Authority.

The maintenance and efficacy of the fencing must be confirmed through monitoring on the part of a consultant archaeologist and a report documenting this process must be submitted to the Ministry and the City of Windsor upon completion.

In terms of long-term protection, the most effective mechanisms are a restrictive covenant on title or a Zoning By-law Amendment, and preferably, the transfer of ownership to Windsor or another public landholder. The allowable uses of the protected area, under the terms of the covenant or by-law amendment, must not include any activities that would result in even minor soil disturbances or alterations, such as tree removal, minor landscaping, and installation of utilities.

Should transfer of ownership be part of the long-term protection strategy, the new property owner must provide documentation to the Ministry demonstrating that they are aware of their obligations with respect to the archaeological site and its protection and their ability to fulfil those obligations. It is also often recommended that this documentation include a proviso acknowledging that any future alterations or soil disturbances that may ultimately be proposed within the protection zone must be preceded by further Stage 3 archaeological assessment and Stage 4 mitigation of impacts in accordance with the Ministry *Standards and Guidelines for Consultant Archaeologists*.

In summary, when extensive archaeological mitigation is required, recommended mitigation options may take numerous forms, including:

- *Preservation*: the preferred mitigation option. Preservation may involve long-term protective measures such as project design changes (archaeological site protection) that integrate the resource within the overall development plan. To further avoid both accidental impact and intentional vandalism and looting, additional protective measures may include fencing, screening, or in special circumstances, capping. Windsor must determine whether preservation is to occur on the landscape scale (e.g., areas of high cultural heritage landscape integrity combined with high archaeological potential are to be preserved as a

whole), or at the scale of individual sites that are deemed to be particularly significant or sensitive (e.g., Late Woodland settlements that may contain human burials).

The site preservation/avoidance option has both short- and long-term components. The short-term component involves both the redesign of the development plan (e.g., lot layouts, parkland, road, and service alignments) and ensuring that the resource(s) to be preserved are physically protected during construction by means of fencing or other visible barriers. The long-term protective measures entail the use of prohibitive zoning by-laws, as permitted by subsection 34(1) of the Planning Act, or through other conditions or orders that prohibit any future land use activities that might result in soil disturbance for the avoidance and protection area of the site. Consideration should be given for Site Management Plans for archaeological resources retained in situ, as well as funding for perpetual care of sites transferred into public ownership.

- *Stabilization*: may be required in the case of eroding archaeological deposits. This may involve the excavation of the eroding area and/or the construction of retaining walls or barriers.
- *Systematic Data Recovery:* involves the recovery of data from significant archaeological sites when other mitigation options are not feasible. It includes a complete or partial systematic surface collection, excavation, or both; a comparative analysis and interpretation of site content and contextual information; and production of an investigative report. This mitigation strategy ultimately results in the destruction of the archaeological site and the elimination of its archaeological potential.
- *Monitoring*: monitoring may be undertaken in specific circumstances (e.g., deeply buried deposits which cannot be assessed prior to construction) to ensure that adverse impacts on archaeological sites which could not be predicted or evaluated prior to construction are addressed. Monitoring requires the presence of a consultant archaeologist during the construction phase of a project. This takes the form of scheduled site visits and on-call availability during a long-term project.

All decisions regarding mitigation options or preservation strategies are subject to

Ministry review and approval.

8.4 Archaeological Resource Management – Operations and Administration

8.4.1 Managing Geospatial Data

The layers used to create the composite archaeological potential layer are stored in Windsor's geospatial database. Access to these individual layers is granted only by permission of Windsor's Heritage Planner. These individual layers should not be publicly accessible due to the sensitivity of the information related to archaeological sites. Only the final archaeological potential map should be accessible to the public through Windsor's website.

The Planning and Building Services Department should update the archaeological potential map on a regular basis (at minimum annually) by adding all new archaeological sites with their Borden number and ensuring that all properties that have been subject to archaeological assessment and cleared of further archaeological concern are removed from the archaeological assessments layer as appropriate. Where archaeological sites are protected permanently, only the balance of the assessed property in which the site was found is removed from the archaeological assessments layer; the site and its avoidance and protection area retain their archaeological potential.

8.4.2 Contingency Planning

There exist certain situations in which unforeseen and deeply buried archaeological deposits may be discovered during construction. There are also redevelopment contexts when Windsor may have limited planning control, thus being restricted in its ability to implement the WAMP.

In any case in which deeply buried archaeological remains (including burials) are encountered, all construction activity in the vicinity of the discovery must be

suspended immediately until an appropriate mitigation strategy is identified and executed. A consultant archaeologist may be required to visit the site and assess the resource prior to the development of the mitigation strategy.

In light of these considerations, Windsor has developed a "Contingency Plan for the Protection of Archaeological Resources in Urgent Situations" (Appendix C). While a Contingency Plan is not required by legislation, it represents best planning practice. The Contingency Plan addresses:

- Notification process, involving the City of Windsor, relevant Indigenous nations, and the Ministry;
- Investigation and reporting process undertaken by a consultant archaeologist;
- ,A recommendation that Windsor develop a roster of pre-qualified consulting archaeologists capable of responding immediately to contingent situations.

8.4.3 Site Locations and Reports – Constraints in Sharing Information

Archaeological site locations are considered sensitive information. To protect these sensitive resources from damage and looting, Windsor shall not provide information concerning archaeological site locations to anyone externally except on an as need to know basis. To clarify, this information can only be provided externally by the City for a given property to an agent of the property owner, such as consultant archaeologists retained by the owner of a property for the purpose of site mitigation or preservation. In all other circumstances, consultant archaeologists should be referred to the Ministry for site information, as should any other external requests to Windsor for information about site locations.

Amendments to the *Ontario Heritage Act* on April 28th, 2005 created provisions in Section 65.1 for providing a register of archaeological reports. Reports filed with the ministry by licensed archaeologists on or after that date, and found to meet ministry requirements for fieldwork and reporting, are entered into the Ontario Public Register of Archaeological Reports (Register) and the Ministry of Citizenship and

Multiculturalism (MCM) is allowed to release a copy of these reports to a requestor. Redistribution of the Register report by the requestor requires authorization of the copyright owner of the work in question. Reports received prior to the creation of the Register require permission from the licensee before those reports can be released. The MCM redacts personal information from all released archaeological reports and removes site location information from reports requested by the public. City of Windsor may use archaeological assessment reports for internal purposes and provide copies to consultant archaeologists.

8.4.4 Ownership of Artifacts

The question of ownership of archaeological resources, whether they be sites or individual artifacts, remains unresolved in Ontario. Consequently, issues of ownership have often complicated the protection or conservation of the resource.

The Ontario Heritage Act governs matters related to the care and curation of artifacts. Under Section 66 (1), the Ontario Heritage Act stipulates that, “The Minister may direct that any artifact taken under the authority of a license or a permit be deposited in such public institution as the Minister may determine, to be held in trust for the people of Ontario”. Moreover, under O. Reg. 8/06, pertaining to licensing under the Ontario Heritage Act, “It is a term and condition of a license that the licensee keep in safekeeping all objects of archaeological significance that are found under the authority of the license and all field records that are made in the course of the work authorized by the license, except where the objects and records are donated to [His Majesty the King] in right of Ontario or are directed to be deposited in a public institution under subsection 66 (1) of the Act.”

The application of this section of the Ontario Heritage Act and O. Reg. 8/06 typically involves the curation of recovered artifacts by the consultant archaeologist until such time that the analyses are complete and that a place for ultimate disposition can be arranged, usually a fully accredited public repository, such as a regional museum .

8.4.5 Artifact Curation

In general, it is preferable that material from an archaeological site is ultimately deposited in a public institution located in the same community, provided that adequate storage and curatorial facilities for both artifacts and field records are available, that the institution's collections are accessible to researchers, and that the material is not transferred or disposed of without provincial approval.

The City of Windsor should consider making it Official Plan policy that all artifacts found on city-owned property are to be deposited with Museum Windsor if determined to be significant (see Section 3, Appendix D). It is understood that the Museum Windsor may also accept donations of significant artifacts found on private land, subject to their collections policy.

The Museum of Ontario Archaeology already houses collections of material from southern Ontario, including Windsor, at their Sustainable Collections Repository and are willing to accept additional material according to their policies. Some artifacts from sites in Windsor, however, are currently curated elsewhere. Indeed, most collections derived from the activities of private archaeological consulting firms, remain in the care of those firms.

It is recommended that significant archaeological assemblages resulting from future archaeological investigations within the City of Windsor be curated at Museum Windsor. Where Indigenous artifacts are involved, the repatriation of cultural artifacts will be addressed through ongoing dialogues with First Nations communities, the City, and the Ministry.

It is recommended that Windsor consider preparing an accurate and comprehensive inventory of the archaeological collections recovered from archaeological sites within Windsor currently held by consulting archaeologists and public agencies and plan for their curation, including provisions for additional storage space, as needed.

8.4.6 Periodic Update to the Plan

To ensure the long-term viability of the WAMP, it should be subject to comprehensive review in co-ordination with the review of Windsor's Official Plan as required by the Planning Act. Such a review should consider any changes in Ministry criteria for site significance, any data gaps in the site inventory, changes required to the composite archaeological potential and archaeological potential layers, and all procedures and guidelines related to the implementation of the WAMP.

It is recommended that the site inventory and repository of archaeological assessments within Windsor be subject to review and updating at minimum on an annual basis, or at a schedule which aligns with processes at the City of Windsor.

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RG1-100, C-34 A28 1821 Sandwich South Township Patent Plan

RG1-100, C-34 A36 1797 Abraham Iredell Survey, Sandwich South Twp.

RG1 B-11 1812? River Detroit "No.18"

RG1-100 C-35 Map 46 After 1800 Sandwich Town Site

RG1-100 C-68 1889 George McPhillips Outline Plan of Town of Windsor

RG1-100 C-81 1828 Plan showing water lots in front of Lots 40-68,

McNiff's Survey, Conc. I Town of Sandwich

RG1-100 C-82 1828 Plan showing water lots in front of Lots 63-93, McNiff's Survey, Conc. I Township of Sandwich

RG1-100 C-83 1828 Plan showing water lots in front of Lots 94-156, McNiff's Survey, Conc. I, Town of Sandwich

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9.2 Museum Windsor

M109 3/L 1815 Captain W.R.W. Owen A Survey of the River Detroit from Lake Erie to Lake St. Clair

M173 3/RR early 19th T.M. County of Essex, Western District

M214 3/RR 1922 G.F.Macdonald Fort Gowie property plan Land Petition G. No.7,

No.18 (1805) National Archives Lot 76, Conc. I, Sandwich Township

M380 6/L 1813 Map of Detroit River Showing Military Positions in the Surrounding Areas.

M389A 1826 John Farmer Map of Surveyed Part of the Territory of Michigan.

M392 6/R 1868 O. Bartley Plan of the Moy Property, Lot XCIII and part XCII. XCIV, Con. I & II

1800 A. Iredell untitled [survey of Sandwich Twp., Western District, details of Concession 1 along Detroit River]

1857 Charles Pinney Map of the Town of Windsor, County of Essex, Canada West.

1954 The Badichon-Labadie Windmill on Hiram Walker Property (1808) [Lassaline-Montreuil] ca.1930 Walker Airport

1905 Owen McKay Plan showing the location of the Windsor & Tecumseh Electric Railway Co's Line through portions of the City of Windsor, Town of Walkerville and Township of Sandwich East.

2000 WACAC Windsor Heritage Properties Inventory

Appendix A – Pre-contact Indigenous Archaeological Site Potential

Appendix B – Colonial Period Thematic History

Appendix C – Contingency Plan for the Protection of Archaeological Resources in Urgent Situations

Appendix D – Proposed Policy Revisions to the City of Windsor Official Plan

City of Windsor
Archaeological Management Plan

2024 Update Appendix A:

Pre-contact Indigenous Archaeological Site Potential

May 2024

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1 Introduction

Pre-contact Indigenous archaeological sites in the City of Windsor represent an important heritage resource for which only limited locational data exist. Access to such distributional information is imperative to anyone managing archaeological heritage; however, the undertaking of a comprehensive archaeological survey of Windsor in order to compile a complete inventory is clearly not feasible. The only alternative is a model that predicts how sites are likely to be distributed throughout the city. The model design may vary, depending on such factors as its desired function, the nature and availability of data used in its development, the geographic scope of the project, and the available budget. Ideally these constraints are balanced in order to produce a model of maximum validity and utility.

In the following sections, a model of pre-contact Indigenous site potential is developed for Windsor. It begins with a brief review of the method and theory associated with site potential modelling. A strategy has been selected which employs a descriptive reconstruction of pre-contact landscapes in Windsor together with a reconstruction of pre-contact land-use patterns informed by both known site locations as well as archaeological and ethnographic analogues. This information is brought together in the definition of a list of criteria which are used to define a zone of archaeological potential on GIS-based mapping of the City.

This document makes only general reference to the very rich and varied Indigenous culture history of Windsor, which is thoroughly detailed elsewhere in Indigenous oral and written histories, historical records, academic histories and ethnographies, and archaeological reports and published literature.

2 Background and Theory

Archaeological site potential modelling can trace its origins to a variety of sources, including human geography, settlement archaeology, ecological archaeology, and

paleoecology. The basic assumption is that human land use was influenced and constrained by ecological and socio-cultural parameters. If these parameters can be discovered, through archaeology and paleoecology, land-use patterns of the past can be understood.

Two basic approaches to predictive modelling can be described. The first is an empirical or inductive approach, sometimes referred to as correlative (Sebastian & Judge, 1988) or empiric correlative modelling (Kohler & Parker, 1986). This method employs known site locations, derived from either extant inventories or through sample surveys, as a guide for predicting additional site locations. The second is a theoretical or deductive approach which predicts site locations on the basis of expected behavioural patterns as identified from suitable ethnographic, historical, geographical, ecological, and archaeological analogues. While data requirements or availability tend to influence the particular orientation of the study, every modelling exercise will incorporate both inductive and deductive elements. Foremost is the need to employ all available data effectively and expeditiously.

It is important to note that, while those managing archaeological heritage generally prefer to work with specific inventories of resource locations, predictive models do not provide this degree of resolution. Instead, they classify the environment into zones of archaeological potential. Three major factors limit the resolution of our images of the past and hence our ability to predict pre-contact site locations with precision.

First, our knowledge of the structure of the socio-political environment in the past is limited by both the inadequacies of the existing archaeological database and the inherent difficulties in interpreting extinct socio-political systems. With respect to the database, the coverage of archaeological survey in Ontario remains spotty at best. Comprehensive survey, using officially sanctioned methods, has only recently been implemented for three decades in the context of various pre-development approval processes and archaeological management plans. Areas that have been the object of

such comprehensive surveys are relatively few. Although coverage in some other areas may be adequate, through the cumulative efforts of both professional and avocational archaeologists over time, there is currently no quantification of this work that would permit analysis of the province-wide quality of coverage. It is known, however, that vast tracts, including most of Windsor, have never been systematically surveyed.

Second, our knowledge of the pre-contact natural environment is limited by both the inadequacies of the existing paleoenvironmental database and the inherent difficulties in interpreting extinct ecosystems. Just as reconstruction of past social environments minimally requires a basic understanding of the structure of pre-contact social networks, so does reconstruction of past natural environments require some minimal direct evidence of the structure of extinct biotic communities. Although evidence from early historic land surveys, pollen cores, floral and faunal remains, and other sources is slowly accumulating, it remains difficult to carry paleoenvironmental reconstruction beyond a relatively general level. As it does in archaeology, stochasticity, or randomness, imposes interpretive limits on the data since the dynamic character of biotic systems makes them increasingly difficult to reconstruct at larger scales. More importantly, it is clear that the distribution of natural resources on the landscape merely constrained rather than strictly determined pre-contact land use.

Third, from a modern perspective it is probably not reasonable to assume that decisions made in pre-contact cultural contexts necessarily followed the same lines of economic logic that we might employ today. People in the past possessed a world view that was both structurally and substantively different than our own. Therefore, our own concepts of rational behaviour may not completely apply to the pre-contact case. Moreover, there are certain classes of sites, for example rock art sites or burial grounds, that were situated primarily for ideological or aesthetic reasons and are therefore impossible to assess using economically based methods of spatial analysis.

In spite of these limitations, predictive modelling efforts to date have proven successful to the extent that they can permit site potential assessments at a level of probability that is useful in the context of heritage resource assessment and planning.

2.1 Scale and Resolution

The portrayal of land use patterns, in either a modern or pre-contact context, must also address the limitations imposed by mapping scales. Specifically, one must consider the requirements of accuracy and resolution of the intended analysis. In southern Ontario, archaeological sites typically range between about 10 and 500 metres in diameter, although most are probably around 25 metres. It is therefore possible to place known sites on existing 1:50,000 topographic base maps, and in fact the Ontario Archaeological Sites Database (OASD) employed this format for many years. In recent years site locations have been increasingly determined through global positioning system (GPS) technology and the OASD is now maintained on a digital geographic information system (GIS) platform.

Whether working with analogue or digital maps for purposes of mapping archaeological sites, one must consider both the accuracy of the base map and the accuracy with which additional features can be added to it. For example, the accuracy ratings of Class A Standard 1:50,000 N.T.S. maps are as follows: horizontal—90% ± 25 metres; vertical—90% ± 0.5 metres of contour interval (Geomatics Canada, 1996, 2003; Surveys and Mapping Branch, 1974, 1976). In other words, a feature mapped at this scale has a 90% chance of being within 25 metres (0.5 mm on the map) of its actual location on the ground. Displacement of archaeological sites, due to inaccuracies of the base map alone, could therefore range from 250% of the site diameter for the smallest sites to 5% for the largest. Additional displacement, stemming from difficulties in accurately relating the site to existing features on the map, can be expected to be equally, if not more, severe. Such distortion may be entirely acceptable in the context of evaluating broad categories of archaeological site potential. In contrast, it would clearly be unacceptable as the basis for locating the

majority of sites in the field.

In addition to accuracy, one must consider the implications of generalization that pertain to various scales. Since maps are abstractions of reality, and given the constraints of accuracy noted above, maps at different scales exhibit different degrees of resolution. In other words, a feature visible on a 1:2,000 scale map may be too small to represent at 1:50,000. Resolution standards are arbitrary and subject to cartographic licence, however published guidelines are available. For example, N.T.S. 1:50,000 series maps employ the following minimum dimensions for topographic features: islands—15 metres (width); eskers—500 metres (length); lakes—60 metres (width); marshes—150 metres (width)(Surveys and Mapping Branch, 1974). The ramifications of generalization apply primarily to the utility of various mapping scales as sources of physiographic data. For instance, at a scale of 1:50,000 one might have difficulty relating known sites to all parts of a drainage system since springs and smallest water courses might not be represented.

For purposes of this study, base mapping was developed from a LiDAR-based Digital Elevation Model (DEM) with an error range of ± 0.5 m obtained from Land Information Ontario. This provided very high resolution of all topographic features. Scaling of the soils data to the 1:2,000 base will have resulted in some distortion, since the original soils mapping was compiled at a scale of 1:63,360. Any such distortion was deemed to be acceptable for purposes of this study, given that the original soils mapping depicts relatively gross generalizations.

2.2 Modeling Criteria

A useful analogy can be drawn between the criteria used to construct predictive models and the optical filters used in photography: each is used to clarify an image by screening out nonessential information. In predictive modelling, we seek to improve our image of past land-use patterns by focusing on places with a positive attractive value to humans and filtering out places with a neutral or negative value. Some filters

are designed to admit a very narrow spectrum while others are less discriminating. Since the efficacy of each filter is in part determined by what is being viewed, none are truly all-purpose. The best image is often achieved by selectively combining several filters. Proper use, therefore, requires knowledge of both the characteristics of the filters and the proposed context of application.

In Ontario, most criteria for predicting pre-contact site potential modelling can be considered narrow-spectrum filters. The best broad-spectrum filter to date, and by far the most methodologically developed, is the one implemented in the “Ontario Hydro Distance to Water Model,” also known as simply “The Hydro Model” (MacDonald & Pihl, 1994; Peters, 1986, 1994; Pihl, 1986). The success of this model can be attributed to its focus on a criterion that is arguably the most fundamental human resource: water. Regardless of a group's subsistence economy, whether based on hunting herds of caribou or growing corn, it will require access to water. The universality of the need for this resource makes its consideration a logical point-of-departure for most predictive modelling exercises. Having considered proximity to water there are a variety of narrow-spectrum filters that can be considered. Selection of additional criteria will depend on consideration of the context of use as well as a cost-benefit analysis of their application. While the concatenation of various criteria will improve the filtering effect, there will always be residual sites that cannot be isolated by modelling. The objective, therefore, is to implement a logical series of criteria until one reaches a threshold of diminishing returns that is determined by the needs of the particular study.

3 Human Paleoecology

Since the end of the last ice age, the Windsor area has been the stage upon which a series of peoples have acted out the events of human history. For over 13,000 years, Indigenous peoples occupied and exploited the changing landscape of what is now southern Ontario and eastern Michigan adapting to changes in the environment and climate, to the movement of peoples and ideas, and to the introduction of new technologies and new cultures. These adaptations will be tracked from Late Pleistocene hunters through to the Indigenous farmers encountered by European explorers in the seventeenth century.

3.1 Terminology

Indigenous peoples have been living in southwestern Ontario since time immemorial, something that is generally not acknowledged or reflected in the archaeological practice of subdividing the past. Discussions in the Ontario archaeological community have started to recognise the sharp divide between Indigenous and archaeological understandings of the past, and to acknowledge the negative effect that certain archaeological terminology has on the ongoing process of reconciliation (Hazell, 2019; Hinshelwood, 2019; Sherratt, 2019; Taylor-Hollings, 2019). In light of this, we will discuss the Indigenous history of southwestern Ontario without reference to the periodization terminology traditionally employed by archaeologists (e.g., Paleo, Archaic, Woodland).

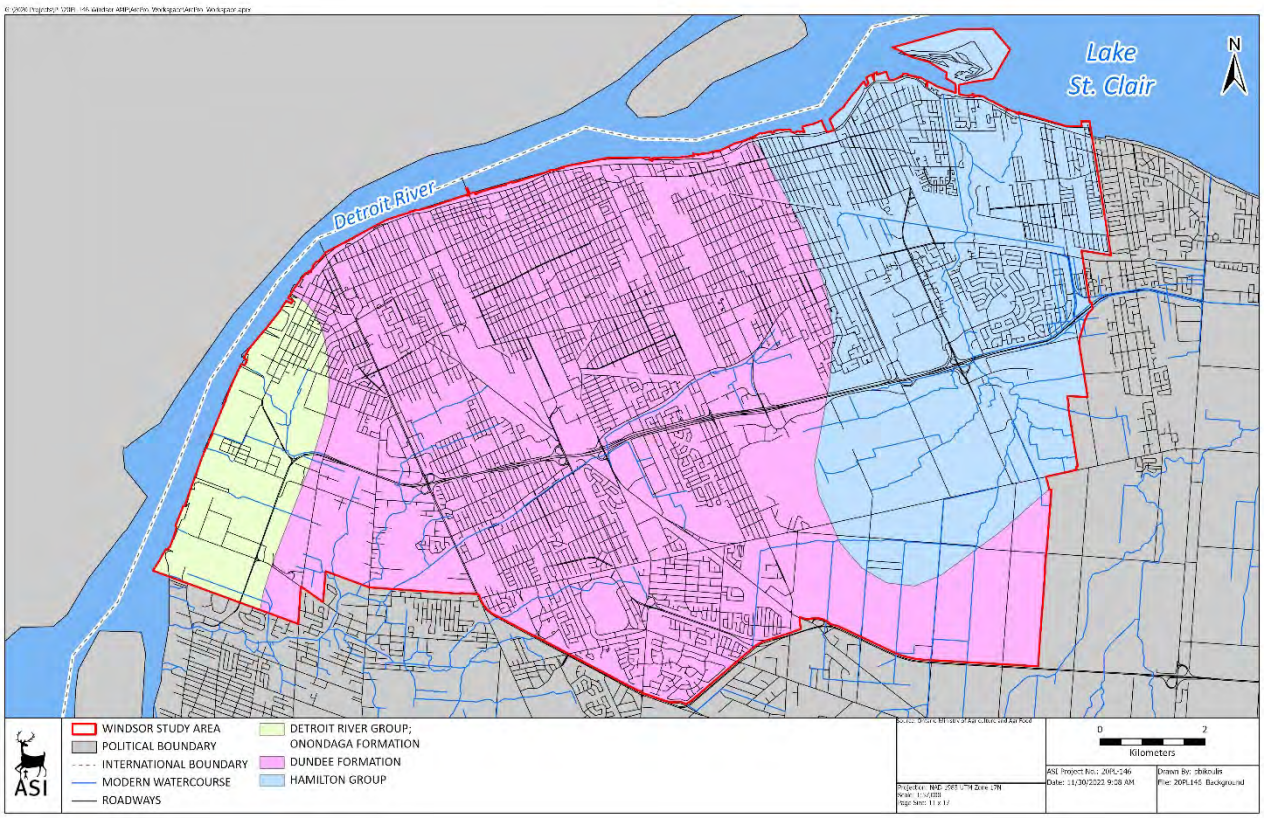
3.2 Geo-physical Setting

3.2.1 Bedrock Geology

Windsor is underlain by sedimentary bedrock which dips gently southward (Figure A1). These Paleozoic rocks are of Devonian age (ca. 359-416 million years). All

comprise limestone, dolostone, and shale, and are classified as facies of the Onondaga Formation/Detroit River Group, Dundee Formation, and Hamilton Group. The bedrock surface, which slopes gently to the northeast and exhibits very modest topographical relief, is buried by Quaternary deposits ranging from 30 to 60 metres in depth

Figure A1: Bedrock Geology



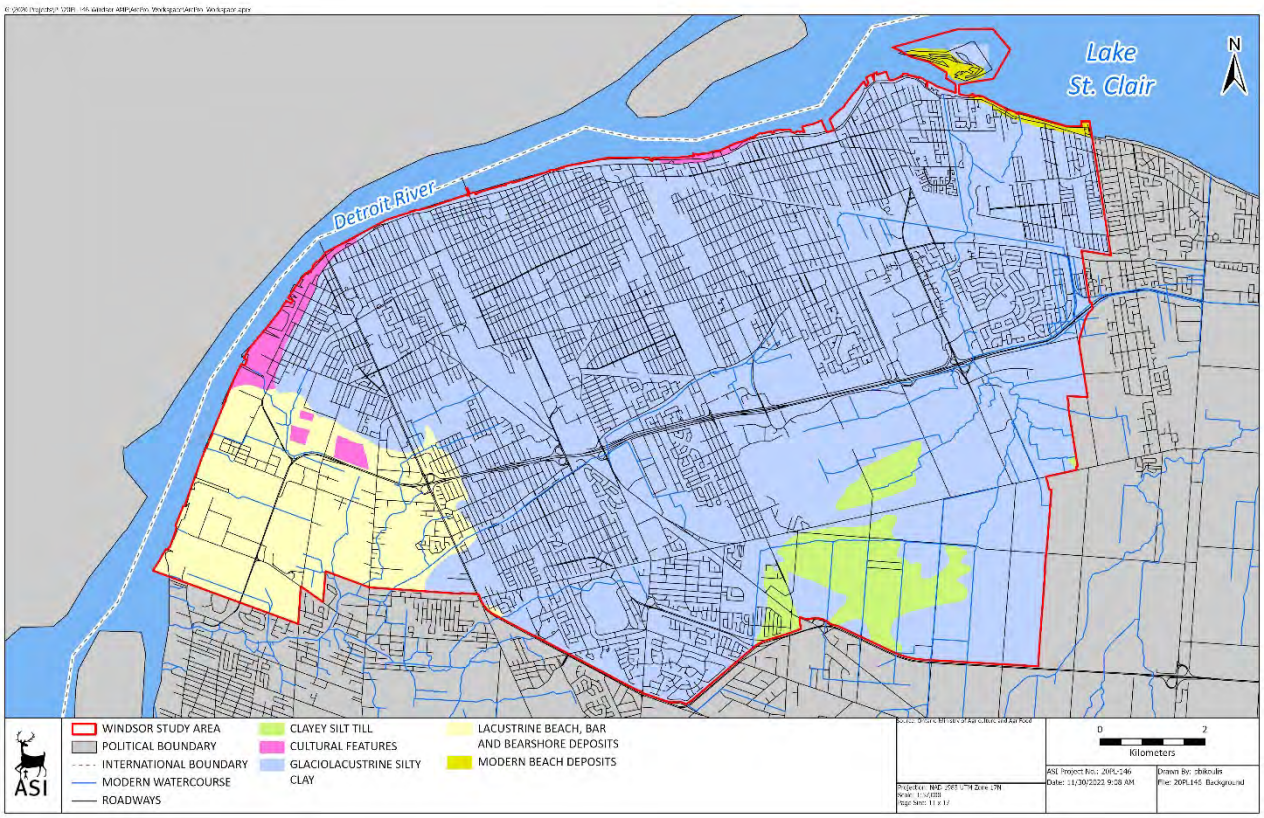
throughout Windsor (Morris 1994).

3.2.2 Surficial Geology

The surficial deposits of Windsor (Figure A2) are Late Pleistocene sediments of Late Wisconsinan age or later. Although underlain by earlier sediments, fine-grained Tavistock till is the oldest outcropping stratum. Morris (1994:26-30) has identified a series of modest recessional moraines in Essex County, two of which extend into

Windsor. The Bryndale moraine is a glacial recessional ridge that trends along a

Figure A2: Surficial Geology



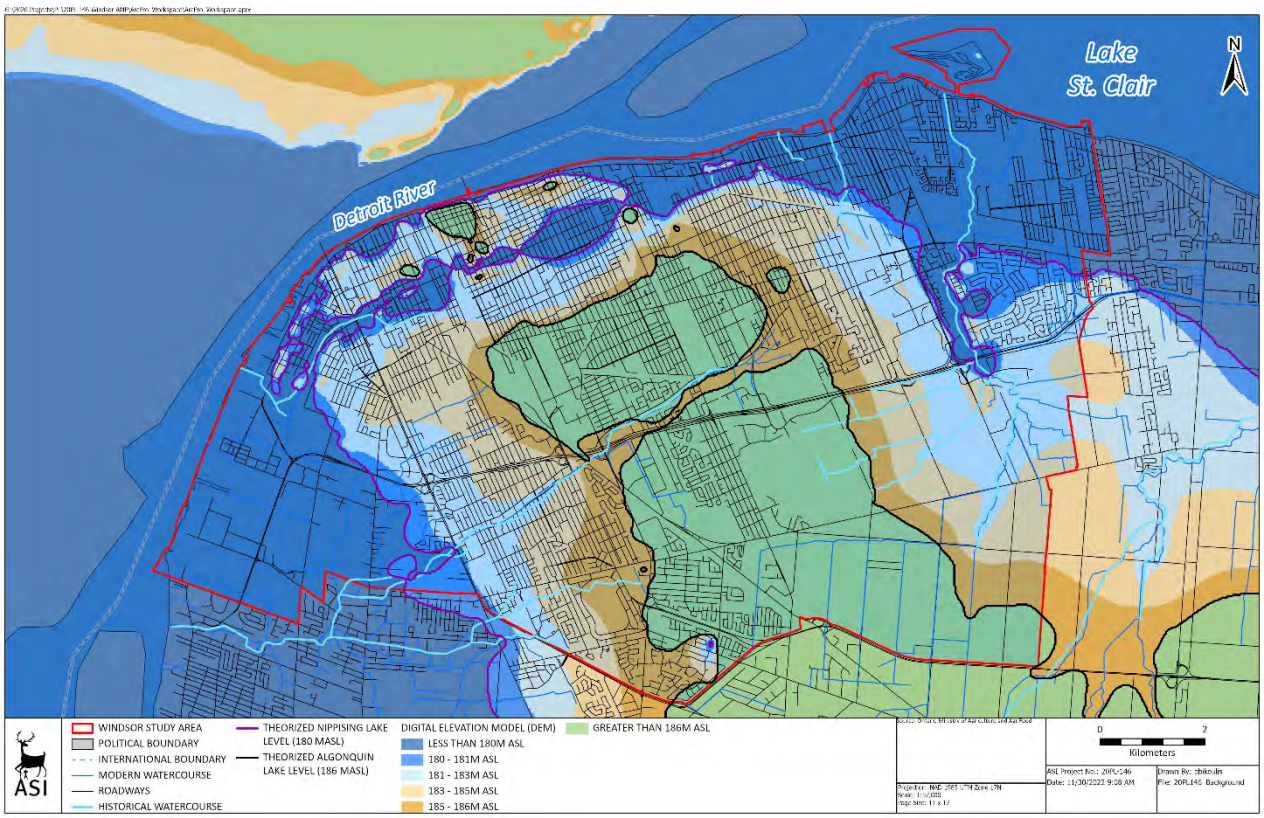
northwest/southeast alignment extending into Windsor east of the airport. Composed of till with a half-metre cap of sand, this feature rises a mere 2.8 metres above the surrounding clay plain. The Elmstead moraine is a similar recessional moraine that extends southward from the airport.

As the Laurentide Ice Sheet withdrew from the Windsor area, it was fronted to the south by glacial Lake Warren and its recessional successors (glacial lakes Wayne, Grassmere, and Lundy) (Calkin and Feenstra 1985; Chapman and Putnam 1984). These pro-glacial lakes capped the Tavistock till with widespread deposits of thinly laminated

glaciolacustrine clay and silt.

The inception of non-glacial waters, which marks the beginning of early Lake Erie, occurred around 14,500 cal. BP (Calkin & Feenstra, 1985, p. 163). The evolution of the lake since then is characterized by a complex sequence of fluctuating levels controlled largely by variations of inflow from the Huron basin via Port Huron, and by changes in the controlling outlet sills of the Niagara River attributable to the countervailing effects of erosion and isostatic rebound. Meteorological conditions have also contributed to fluctuations in lake level. Annual fluctuations historically range about a metre on average, although extreme rises of up to 2.4 metres have been recorded. From deglaciation until around 13,000 cal. BP a sill at Fort Erie/Buffalo was in control. Control then switched to the Lyell/Johnson sill located downstream near Niagara Falls, as isostatic rebound raised it to, and eventually about three metres above, the Fort Erie/Buffalo sill. During this time, the main highstand of glacial Lake Algonquin in the Huron-Michigan basin may have contributed waters to the Erie basin raising the water plane to earlier levels and flooding the Windsor area (Figure A3) up to an estimated elevation of 186 metres asl (above sea level) (Lewis et al., 2012; Tinkler et al., 1992). This highstand lasted until about 12,500 cal. BP, when a new outlet at North Bay was established in the Huron-Michigan basin thereby diverting drainage from the upper Great Lakes down the Ottawa River and cutting off flow into the Erie basin. During the resulting lowstand, the Erie basin was a closed system with no outlet and a water plane up to twenty metres lower than today. The overland distance to Lake Erie from Windsor would have increased from roughly twenty to about thirty kilometres, as waters in the western basin shrank in extent and were isolated from the waters in the central and eastern Erie basins. This lowstand lasted until ca. 6,000 cal. BP when climate change, closure of the North Bay outlet, and return of drainage from the upper Great Lakes raised water levels once again through a phase called the Nipissing highstand (Herdendorf, 2013; Lewis et al., 2012; Lewis, 2016; Pengelly et al., 1997).

Figure A3: Watercourses and Strandlines



With the elevation of the Erie water plane controlled by the Lyell-Johnson sill, a highstand in the Erie basin returned, essentially turning the lower Detroit River into a large embayment meeting an expanded river at Windsor (Figure A3). The water plane in the Erie basin is estimated to have been about 180 metres asl (Lewis et al., 2012; Pengelly et al., 1997) while levels in the Huron basin have been calculated at 183.3 metres asl at the Port Huron/Sarnia outlet (Morrison, 2017; Thompson et al., 2011), so Lake St. Clair would also have risen to a level between these elevations during the Nipissing phase. An abandoned channel, situated within 2 kilometres of the Detroit River and likely dating to the Main Algonquin highstand, may have been partially or fully reactivated during the Nipissing highstand. Deposits of lacustrine sand, minor gravel, and sandy silt in beach, bar, and nearshore deposits that occur in southwest Windsor at the terminus of these abandoned channels (Morris, 1994) may have been laid down where this channel discharged into the freshwater estuary (Herdendorf,

2013; Lewis et al., 2012).

This final Lake Erie basin highstand lasted until ca. 3,770 cal. BP when the Lyell-Johnson sill was breached by headward erosion of Niagara Falls. Throughout the last three millennia, water levels in the Erie basin appear to have been largely within the modern range due to the relative stability of inflow and the controlling sill, although isostatic rebound continues to gradually lift the north shore. Meteorologically produced lake-level fluctuations also occur, and significant rises have been suggested for the periods around 2170, 1350, 820 and 430 B.P. again (Herdendorf, 2013; Lewis et al., 2012; Lewis, 2016; Pengelly et al., 1997).

3.2.3 Hydrography

Windsor is drained by three primary and several smaller subwatersheds of the Detroit River (Figure A3). The Little River rises south of the airport and flows northerly to its mouth on the Detroit River at the outlet of Lake St. Clair. It drains an area of about 6,490 hectares, most of which lies within the City of Windsor with the remainder in Tecumseh. Turkey Creek rises along a drainage divide with the Little River, generally west of the airport, and flows westerly to its mouth at Lasalle across from the north end of Fighting Island. This subwatershed of about 6,112 hectares lies mostly within Windsor but also extends into Tecumseh and Lasalle. The 8,993-hectare Pike Creek subwatershed, which straddles the townships of Tecumseh and Lakeshore, drains a tiny portion of eastern Windsor. The remainder is drained by minor watercourses rising along the drainage divides with Turkey Creek and Little River and flowing northerly or westerly into the Detroit River. Also noteworthy is the Canard River, the largest subwatershed in Essex County, which lies immediately south of Windsor and drains an area of 34,776 hectares westerly into the Detroit River at north Amherstburg.

Studies of the St. Clair River delta (Thomas et al., 2006) reveal a developmental history consistent with water level changes in the Huron and Erie basins described above. Flow into Lake St. Clair began depositing deltaic sediments during the Nipissing

highstand prior to which this was no flow into the St. Clair River from roughly 12,500 cal. BP to 6,000 cal. BP. The St. Clair delta exhibits two surfaces, an upper one laid down on a much older surface of lacustrine clay dating to about 6,000 cal. BP and a lower, modern surface dating to around 3,770 cal. BP. Contemporary flow through the Detroit River would have been similar.

During the Great Lakes lowstands there would have been lower base levels and flow through the entire Lake St. Clair/Detroit River/Lake Erie system and the Windsor subwatersheds described above. Given that the Holocene lowstands of the Great Lakes were a phenomenon primarily driven by a drier climate, it is expected that all hydrographic features in and around Windsor, including wetlands, shrank or disappeared completely from the early to middle Holocene but were reactivated thereafter.

Prior to European land clearance and drainage, it is estimated that wetlands comprised 9,854 ha (82.0%) of Windsor, which is similar to the percent estimate for Essex County (83.4%). As of 2002, it has been estimated that this area had been reduced to 107 ha (0.9%), a loss of roughly 99% from the original coverage. This is above the provincial average for southern Ontario, which is estimated to be on the order of 72% (Ducks Unlimited Canada, 2010).

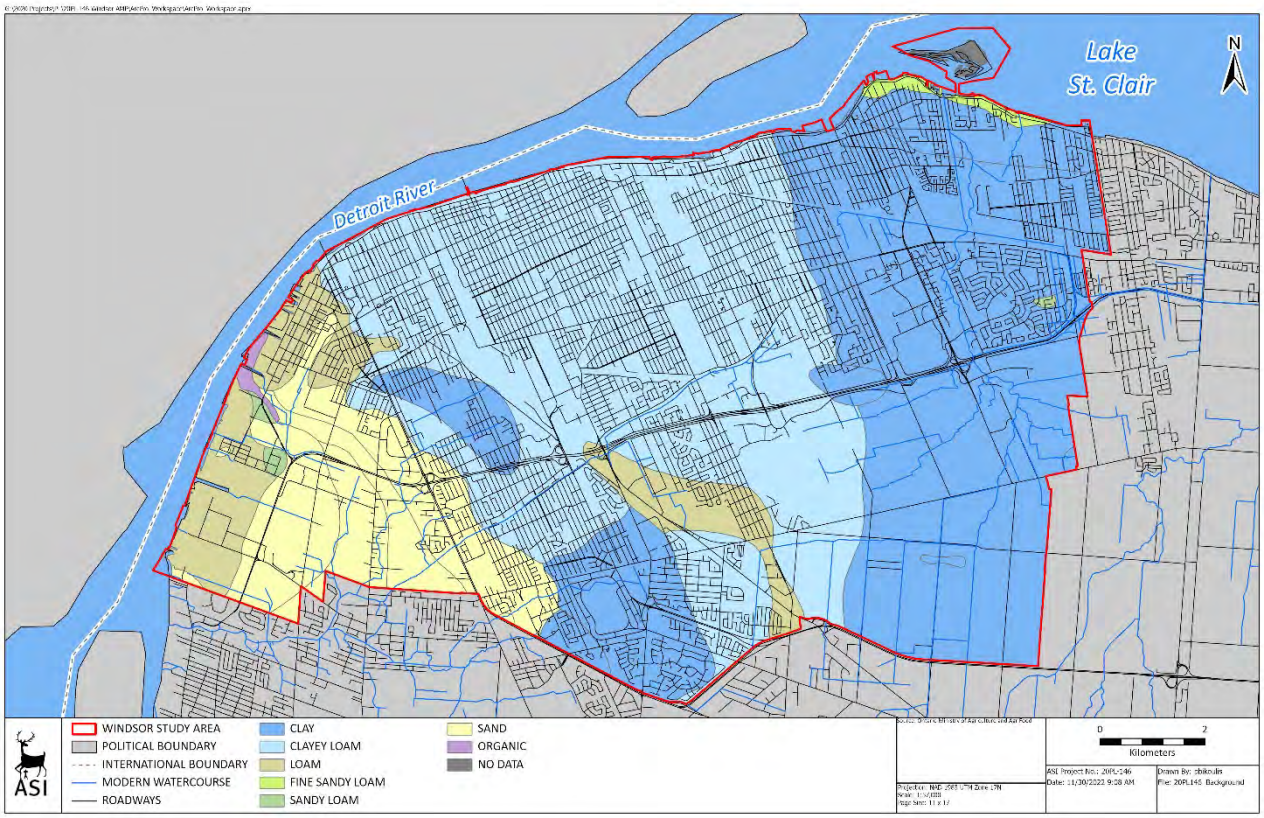
3.2.4 Soils

Several different soils have developed on the surficial deposits of Windsor (Figures A4-A6). These have been mapped according to 12 soil series together with marsh, bottom land, and unmapped (urban) lands (Richards et al., 1949).

With respect to soil texture, the distribution (Figure A4) is strongly correlated with the geological origins of the parent materials (Figure A2). Fine-grained materials were primarily derived from glacio-lacustrine silts and clays and Tavistock till. Coarser materials were derived from sandy to gravelly lacustrine beach, bar, and nearshore deposits. Heavier soils composed of clays and clay loams are most common,

representing about 82% of Windsor, while coarser sands, sandy loams, and gravels only comprise about 17% of mapped soils. The coarser soils mostly occur on the west side of Windsor within the former Lake Erie highstand embayment discussed above. There is also some sand capping the Bryndale and Elmstead moraines. Heavier texture clays and clay loams occur throughout most of central and eastern Windsor.

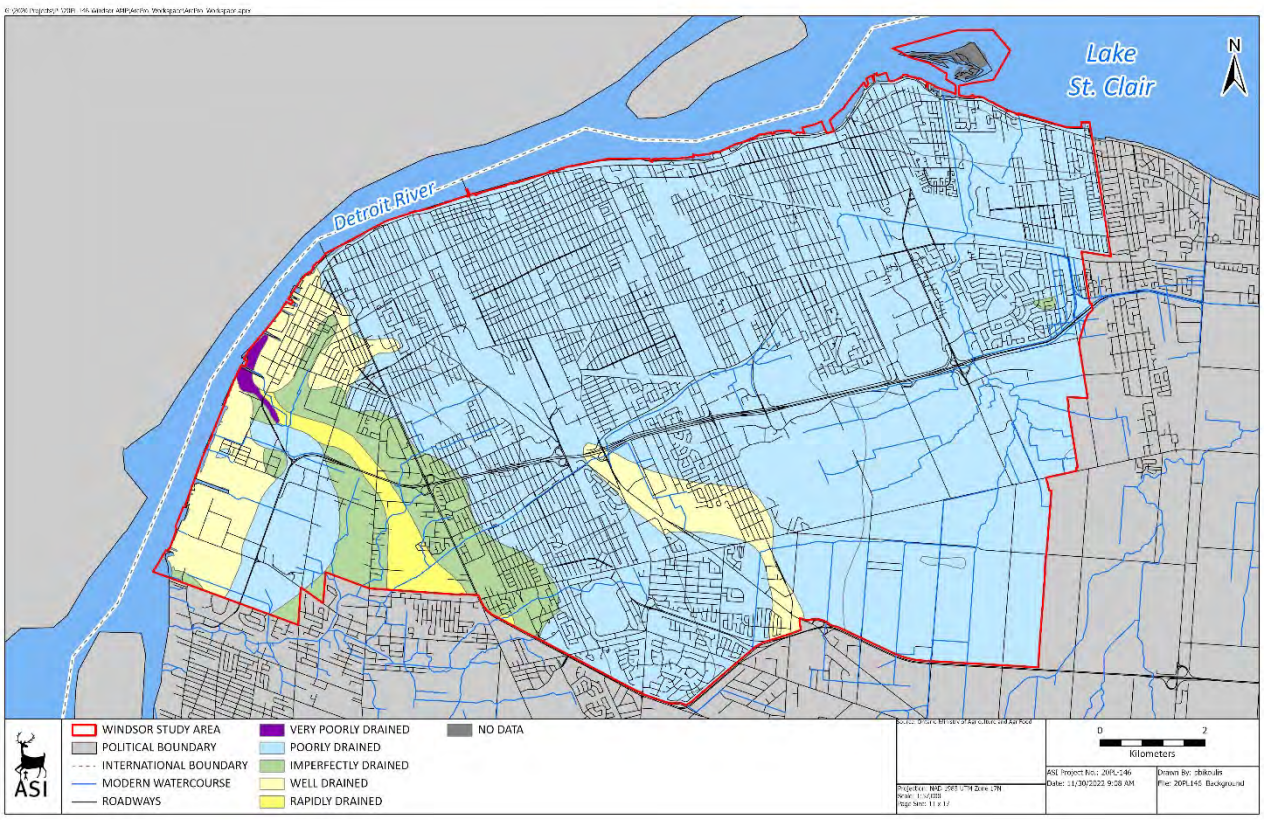
Figure A4: Soil Texture



The generally low relief and high density of the surficial deposits has produced soils in Windsor that are predominantly imperfectly to poorly drained (83%). By drainage class they break down as follows: rapidly drained (0.3%), well drained (1.2%), imperfectly drained (14%), poorly drained (82.6%), very poorly drained (0.03%), variably drained bottom land (0.1%) and a mix of lands without soil classifications,

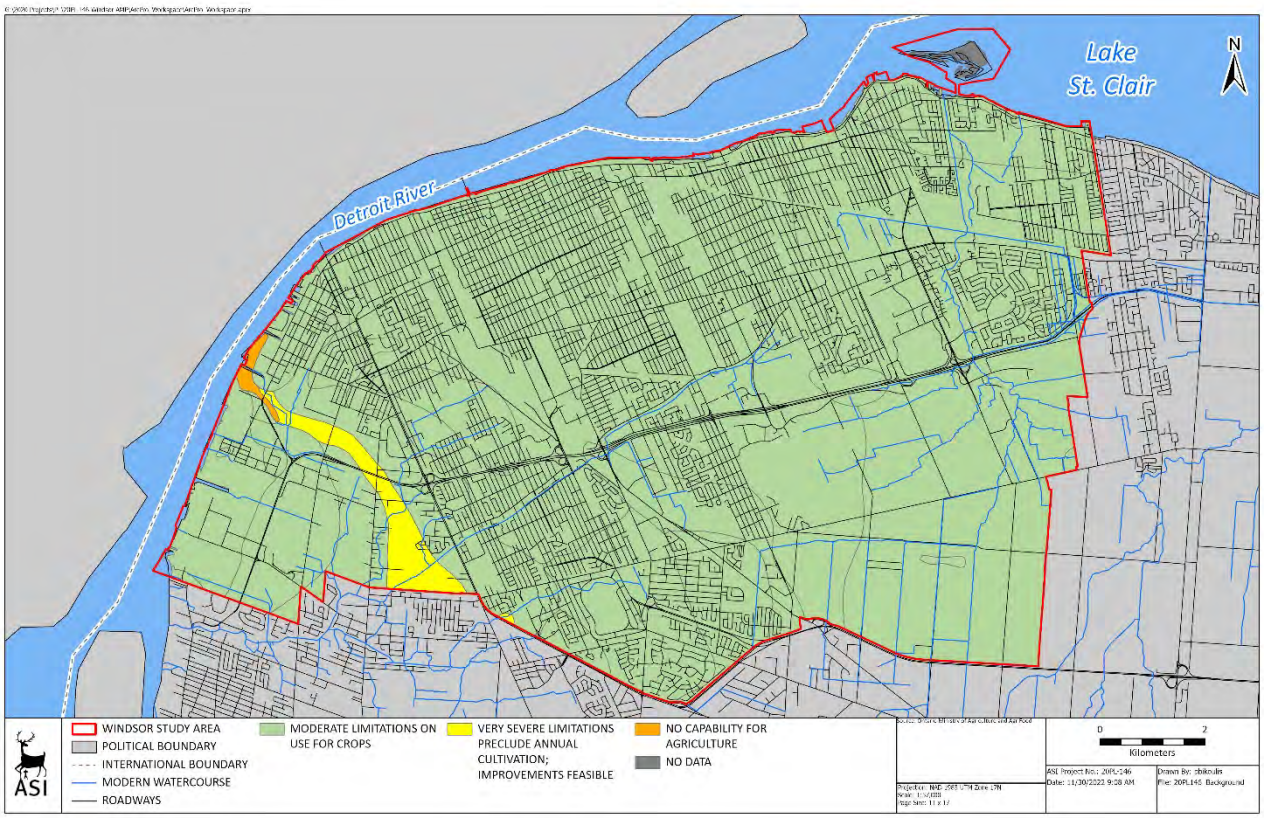
(1.3%) (Figure A5). The well and imperfectly drained soils are mostly situated on the coarse lacustrine sediments and moraines. The remaining soils are mapped as poorly drained.

Figure A5: Soil Drainage



The Canada Land Inventory (Canada Land Inventory, 1965) rates 98% of Windsor as arable farmland (Figure A6). Most of this mapped as Class 2 with moderate limitations to agriculture arising from low fertility (14%) or excess moisture (84%). Only 1.5% is rated Class 7 with severe limitations due to excess moisture.

Figure A6: Soil Capability for Agriculture



3.2.5 Climate

The climate of southern Ontario is described as having warm summers, mild winters, and a long growing season with usually reliable rainfall. Precipitation is fairly evenly distributed throughout the year. Regional climatic variations are due primarily to elevation and topography, prevailing winds, and proximity to the Great Lakes. Year to year variability is attributable to the nature and frequency of weather systems which cross the area (Brown et al., 1980, pp. 1–2).

The fossil pollen record provides an outline of the regional paleoclimate (Byun et al., 2021). After adjustments are made for the differential dispersion of pollen by various plant species, a reconstruction of the prevailing climatic conditions through time can be undertaken on the basis of the preferred habitats of those species, especially trees.

During the period of initial deglaciation (ca. 14,000 cal. BP), a harsh climate characterized by cool and extremely dry conditions prevailed throughout southern Ontario. Mean annual temperatures were probably less than -3° Celsius (McAndrews, 1981). Some have attributed these low temperatures throughout the Great Lakes-St. Lawrence region to the inflow of large volumes of glacial meltwater or proglacial lake water (Lewis et al., 2008; Lewis & Anderson, 1989). However, more recent research suggests that the residual Laurentide Ice Sheet north of the Great Lakes continued to affect the climate by favouring the flow of cold dry Pacific and Arctic air masses across the basin thereby blocking the northward flow of moist subtropical air masses leading to a much cooler and drier climate through the early to middle Holocene (Lewis, 2016). This resulted in a protracted lowstand throughout the Great Lakes watershed between roughly 12,300 and 8,300 cal. BP (Lewis, 2016; Lewis et al., 2012).

After about 8,300 cal. BP, the regional climate became more moderate, experiencing warmer mean annual temperatures and greater precipitation (Lewis, 2016). At their maximum, during this Holocene Climatic Optimum (also known as the Altithermal or Hypsithermal), temperatures probably exceeded present levels by 1° to 2° Celsius. It is unlikely, however, that this climatic amelioration was sufficient to affect the zonal vegetation (McAndrews, 1981). Essentially modern mean annual temperatures and precipitation levels were reached by around 7,000 cal. BP.

Climatic trends and fluctuations play a significant role in determining the character of the natural environment to which human populations must adapt. As the shift in climatic conditions which occurred following deglaciation was very gradual, the concomitant changes which were necessary to the subsistence modes of Indigenous populations were also gradual. While long-term climatic trends did not directly influence the subsistence practices of a population in the short term, there are many short-term climatic factors that had significant implications for local settlement-subsistence practices, the most critical of which were temperature, precipitation, potential evapotranspiration, frost-free days, snowfall, and wind-speed and direction. Short-term climatic irregularities may have been most keenly felt during the last

millennium before European contact, as Indigenous groups became increasingly reliant upon agriculture to supplement their dietary requirements.

The number of frost-free days, which represents the effective length of the growing season for agriculture, would have been of importance to Indigenous horticulturalists. The mean length of the frost-free period is about 165 days in the Essex and Kent counties area (Brown et al., 1980, p. 60), which is more than adequate for traditional Indigenous agriculture. Moreover, Windsor lies within the 3300-3500 range for corn heat units (CHU), a measure of capacity for corn maturation based on maximum and minimum daily temperatures. Grain corn is typically grown in areas exhibiting >2500 CHU, while corn can be grown for sileage in areas of only 2100 CHU (Brown et al., 1980, pp. 37–38).

The mean annual precipitation in the Windsor area is about 76 centimetres, with monthly means fairly evenly distributed at about 65 millimetres. The Essex and Kent counties area has the shortest period of snow cover in southern Ontario, with a median of 42 days and a typical maximum cover of 36 cm. Factors influencing precipitation at the mesoclimatic scale in southern Ontario are slope, elevation, proximity to the large lakes, and the prevailing winds (Brown et al., 1980, p. 39). The last two variables exert considerable influence on local precipitation patterns. For Indigenous horticulture, the amount of precipitation during the growing season would have been sufficient in Windsor, ranging around 35 centimetres.

The relatively flat topography of Windsor and its proximity to large bodies of water would have moderated climatic variability across the City on an annual basis, however climatic conditions have been far from constant over the last millennium. Of particular importance is a climatic period characterized by cooling and referred to as the "Little Ice Age" (Bryson & Murray, 1977; Grove, 2004). This episode, which is conventionally dated to between A.D. 1550 and 1880, may have reduced average daily temperatures in southern Ontario by about one-half degree Celsius. In addition, early fall temperatures may have been reduced by about 1.5 degrees Celsius (Bryson & Murray,

1977).

3.3 Bio-physical Setting

While a comprehensive discussion of the pre-contact vegetation of Windsor is beyond the scope of this study, it is possible to draw some general conclusions regarding the development of plant communities within the City since the Pleistocene. In addition, as the nature of understorey and forest floor vegetation is often dependent on the same factors which determine forest cover, and on the forest cover itself, an understanding of these factors may be useful in the recognition of particular floral resources within the environment which may have been actively sought out by past populations. The identification of these potential resources, and the determination of their general spatial and temporal variation within the study area, will further assist in reconstructing the subsistence strategies of Windsor's pre-contact Indigenous occupants and the changes these practices may have undergone over time.

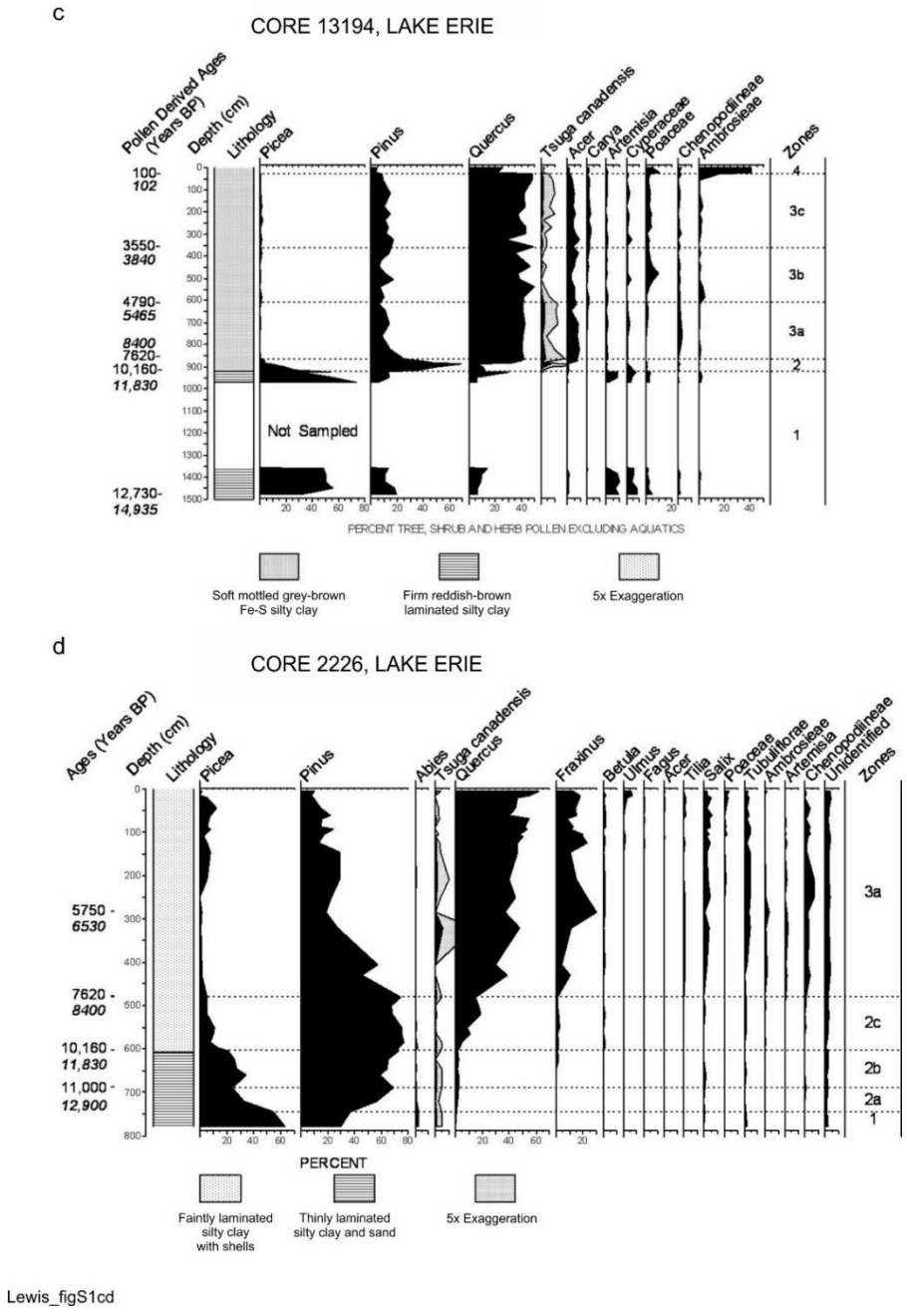
Since the geographical distribution of forest communities is significantly influence by factors such as soil texture and drainage, terrain, and climate, it is important to remember that these attributes of Windsor have changed significantly over time. During the first millennium of human occupation, water levels in the Great Lakes were high. The situation was much different over the next six millennia, as levels in the Erie basin dropped during a cool, dry climatic regime (see Byun et al. 2021). These lower base levels would have promoted downcutting of tributary watercourses, thereby locally lowering the water table and likely shifting the location of wetlands and forest communities adapted to moist conditions onto the former Erie and St. Clair lakebeds. This was reversed again during the roughly two millennium Nipissing highstand in the Huron and Erie basins. Essentially modern conditions developed over the final four millennia.

Pollen spectra from central Lake Erie (Figure A7) (Lewis et al., 2012) indicate that spruce (Picea sp.) and pine (likely Jack pine (Pinus banksiana) dominated the regional

forest in the period following deglaciation until around 11,000 cal. BP. Pine (likely white pine (Pinus strobus)) assumed dominance at that time and was joined by oak (Quercus sp.), likely the more dry-adapted species of oak given the climate at the time. After about 8,300 cal. BP, as the climate became more moist, additional northern hardwood taxa became established, including maple (Acer sp.), hemlock (Tsuga canadensis), ash (Fraxinus sp.), birch (Betula sp.), alder (Alnus sp.), and willow (Salix sp.).

Although this northern mixed hardwood forest prevailed throughout southern Ontario until the land clearances of the nineteenth century, there would have been fluctuations in forest composition due to climatic change and regional processes of forest succession. These processes would have included centuries of Indigenous farming up to the middle of the seventeenth century that would have been a local

Figure A7: Pollen Diagrams from Sediment Cores, Central Lake Erie Basin (Lewis et al., 2012 – Electronic Supplementary Material)



agent of land clearance triggering forest succession. This succession would still have been in progress when Euro-Canadian settlement began roughly two centuries later.

Since the late eighteenth century, the natural vegetation communities of Windsor have been severely reduced with only isolated remnants still extant. A number of sources are available to permit the reconstruction of local vegetation immediately prior to colonial settlement. These include historical descriptions, early land surveyors' notes and maps, phytosociological reconstruction based on soils, and extrapolation from extant forest stands in, and adjacent to, the study area.

Under the widely used ecological land classification system developed for Ontario by Hills (Hills, 1958), revised by Burger (Burger, 1993), and others (Crins et al., 2009; Wester et al., 2018), Windsor lies within Ecoregion 7E Lake Erie. Characteristic tree species for various soil moisture and ecoclimatic regimes within these site regions are presented in Table A1.

Ontario's ecoregions have been further classified into ecodistricts (Wester et al., 2018). Windsor lies within Ecodistrict 7E-1 (Essex Ecodistrict), which extends easterly beyond the boundary of Essex County. Ecosystems in this area often exhibit a high degree of biodiversity. Tree species typical of the Essex Ecodistrict include sugar maple (*Acer saccharum*), American beech (*Fagus grandifolia*), northern red oak (Quercus rubra), American basswood (*Tilia americana*), white ash (*Fraxinus americana*), eastern hop-hornbeam (*Ostrya virginiana*), black cherry (*Prunus serotina*), bitternut hickory (*Carya cordiformis*), trembling aspen (*Populus tremuloides*), large-toothed aspen (*Populus grandidentata*), butternut (*Juglans cinerea*), yellow birch (*Betula alleghaniensis*), and balsam poplar (*Populus balsamifera*). On moist sites common tree species include bur oak (*Quercus macrocarpa*), silver maple (*Acer saccharinum*), black ash (*Fraxinus nigra*), American elm (*Ulmus americana*), red maple (*Acer rubrum*), green ash (*Fraxinus pennsylvanica*), and Manitoba maple (*Acer negundo*) are typical.

Table A1: Characteristic Tree Species - Site Relationships in Ecoregion 7E

ECOCLIMATE (TEMPERATURE)								
Hotter			Normal			Colder		
SOIL MOISTURE								
Drier	**Fresh**	**Wetter**	**Drier**	**Fresh**	**Wetter**	**Drier**	**Fresh**	**Wetter**
Site Region 7E Lake Erie								
r, b, ch Oak	w,r Oak	*r, si Maple*	**w Pine**	**h Maple**	**sw, pi Oak**	*e Hemlock*	**w Elm**	*ba Fir*
sb Hickory Butternut	w Ash	*w, r Ash*	**r w Oak**	**Beech**	**r, b Ash**	*w Pine*	**b Ash**	*w Spruce*
	h maple	*w Elm*	**sb, p Hickory**	**Basswood**	**w Elm**	*h Maple*	**r Maple**	*r Maple*
	b Walnut	*Sycamore*	**w, ro Elm**	**r, w Oak**	**bn Hickory**		**e Hemlock**	*y,w Birch*
	Tulip	*Tulip*		**sb, bn Hickory**				*ew Cedar*
t,l Aspen	p Hickory	*e Cottonwood*		**e Cottonwood**				
	Butternut	*b Gum*		**b Cherry**				

Bold = High proportion of site region, Normal = Moderate Proportion of site region, *Italics* = Low Proportion of site region

For each site region, upper row taxa are climax species and lower row are pioneer species.

Abbreviations: b=black, ba=balsam, bn=bitternut, ch=chinquapin, e=eastern, ew=eastern white, h=hard, l=largetooth, p=pignut, pi=pin, r=red, ro=rock, sb=shagbark, si=silver, sw=swamp, t=trembling, w=white, y=yellow (Burger, 1993)

Subordinate species, many with southern affinities, include black maple (*Acer nigrum*), black walnut (*Juglans nigra*), blue-beech (*Carpinus caroliniana*), shagbark hickory (*Carya ovata*), sycamore (Platanus occidentalis), black willow (*Salix nigra*), rock elm

(*Ulmus thomasii*), common hoptree (*Ptelea trifoliata*), American chestnut (*Castanea dentata*), eastern cottonwood (*Populus deltoides*), common hackberry (*Celtis occidentalis*), and slippery elm (*Ulmus rubra*). Several Carolinian species reach the northern limit of their range in the Essex Ecodistrict including tulip tree (*Liriodendron tulipifera*), sassafras (*Sassafras albidum*), Kentucky coffee-tree (*Gymnocladus dioicus*), black gum (*Nyssa sylvatica*), blue ash (*Fraxinus quadrangulate*), chinquapin oak (*Quercus muehlenbergii*), black oak (*Quercus velutina*), honey-locust (*Gleditsia triacanthos*), swamp white oak (*Quercus bicolor*), shellbark hickory (*Carya laciniosa*), and pawpaw (*Asimina triloba*) (Wester et al., 2018).

The use of historical survey data involves the reconstruction of vegetation based on the observations of early land surveyors. These surveyors routinely recorded information about trees located along their survey lines. These data are found in the surveyor's notebooks, diaries, and maps, compiled when the original land surveys were carried out in the early nineteenth century. The quantity and quality of information regarding vegetation in these notebooks, however, is quite variable (Gentilcore & Donkin, 1973; Karrow & Suffling, 2016). The procedure for transcribing vegetational data from the notebooks to topographic maps has been outlined by Heidenreich (1973), and carried out for parts of Essex County (Finlay, 1978). While the necessary survey records are incomplete or missing for most of Windsor, this evidence can be augmented by commentaries from early observers. Together, some understanding of pre-settlement vegetation communities and associations of these with physiographic and edaphic conditions can be elucidated and extrapolated.

On 11 August 1679, Recollet missionary Father Louis Hennepin sailed up the Detroit River on the sailing ship “Griffon” with French explorer Rene-Robert Cavelier Sieur de Lasalle and Lasalle’s crew. Hennepin described the scene as follows (Thwaites 1903: 108-109):

> This straight is finer than that of Niagara, being thirty Leagues long, and everywhere one League broad, except in the middle, which is wider, forming the Lake

> we have call'd St. Claire. The navigation is easie (sic) on both sides, the Coast being low and even. It runs directly from North to South.
>
> The Country between those two Lakes is very well situated, and the Soil very fertile. The Banks of the Streight (sic) are vast Meadows, and the Prospect is terminated with some Hills covered with Vineyards, Trees bearing good Fruit, Groves, and Forests, so well dispos'd, that one would think Nature alone could not have made, without the Help of Art, so charming a Prospect. That Country is stock'd with Stags, Wild-Goats, and Bears, which are good for Food, and not fierce as in other Countries; some think they are better than our Pork. Turkey-Cocks and Swans are there also very common; and our Men brought several other Beasts and Birds, whose names are unknown to us, but they are extraordinary relishing.
>
> The Forests are chiefly made up of Walnut-trees, Chestnut-trees, Plum-trees, and Pear-trees, loaded with their own Fruit and Vines. There is also abundance of Timber fit for building; so that those whose who shall be so happy as to inhabit that Noble Country, cannot but remember with Gratitude those who have discover'd the way, by venturing to sail upon an unknown Lake for above one hundred Leagues.

Seventy years later, in 1749, French military engineer Joseph Gaspard Chaussegros de Lery provided additional detail along with a map of the area (Lajeunesse 1960):

> The lands on the east side of the river are bordered by prairies in such a way that the inhabitants have no wood to cut in order to clear their fields and sow their grain. It is only necessary to plough the land and cut down some shrubs.

A "sandy barren plain" extending along the Detroit River waterfront from a point roughly opposite the western end of Belle Isle westerly and southerly to the Canard River marshes is also noted by land surveyor Patrick McNiff in 1792. It is estimated that these plains encompassed an area of 45 square kilometres (Bakowsky and Riley

1992: 9). Today the Ojibway Prairie Remnants Area of Natural and Scientific Interest (ANSI) together with the Ontario Prairie Provincial Nature Reserve protect about 349 hectares of these plains, which include tallgrass prairie, black oak savanna, and other rare communities (https://www.ojibway.ca/complex.htm).

When Father Hennepin commented on the appealing landscape of the straight connecting Lake Erie with Lake Huron that "one would think Nature alone could not have made, without the Help of Art, so charming a Prospect" he may not have been wrong. Szeicz and MacDonald (1991) have investigated the postglacial history of oak savanna in southern Ontario in order to test the hypothesis that purposeful burning by Indigenous hunter-gatherers contributed to the development of these rare communities by delaying forest succession (see also Munoz and Gajewski 2010). While they concluded that, for the areas they studied, other factors—particularly the dry climate regime that created the early through middle Holocene lowstands in the Great Lakes combined with dry and well-drained substrates—were more compelling with respect to the initial establishment of these communities, it seems reasonable to consider the possible manipulation of the environment with fire by Indigenous people. Such activity has been well documented throughout the northeast (Blarquez et al. 2018; Munoz and Gajewski 2010) and may have contributed to the maintenance of oak savanna. This may be particularly true in areas like Windsor where prairie and/or savanna extended into areas with poorly drained substrates (Munoz and Gajewski 2010).

In its climax state on mesic substrates, the closed canopy hardwood forest exhibits a heavily shaded understorey of limited biotic diversity and productivity, hence it is relatively impoverished as habitat for game animals or plant resources. This may be mitigated locally by the relative complexity of the vegetation as determined by the terrain and to historical contingencies, such as windthrow, which created gaps in the forest canopy. For example, being more exposed, the fringe of the Detroit River valley and shores of Lake St. Clair may have been more prone to windthrow. A glimpse of the pre-settlement forests of the interior can be gleaned from timber records made

by the early land surveyors (Finlay, 1978). Unfortunately, the available mapping of this information for Essex County is limited to the area south of County Road 42, south of the airport. Nevertheless, this sample suggests a mosaic of forest communities likely reflecting variable local factors as noted above, including potential Indigenous manipulation of the landscape by fire. The mapped forest communities include mesic to moist forests dominated by maple and beech with subordinates that include basswood, elm, and oak, oak dominated communities with subordinates of maple, beech, and basswood, and black ash swamp with elm, basswood, willow, and hickory (Finlay, 1978).

3.4 Culture History

3.4.1 Late Pleistocene/Early Holocene (ca. 13,000 – 11,000 cal BP)

The First Peoples began to move into what is now southwestern Ontario as the continental ice sheet retreated at the end of the last ice age. As populations increased in southeastern North America around 13,000 years ago, small groups of people gradually moved north into a newly revealed land (Chaput et al., 2015; Lothrop et al., 2016). The landscape that greeted them would have been open and cold, sparsely vegetated with tundra plants such as lichens and sedges, with spruce and tamarack trees growing up over time (McCarthy et al., 2015; Stewart, 2013; Yu, 2003). The spruce parkland was home to mammoth, mastodon, stag-moose, giant beaver, caribou, arctic fox and snowshoe hare, California condors, and many other boreal species which no longer call the area home (Ellis, 2013; Stewart, 2013; Storck & Speiss, 1994). The first peoples would have moved across this landscape in small groups, following herds of migrating animals and searching for food in a post-glacial landscape that was constantly changing. As they moved across the landscape, they often followed the shoreline of glacial Lake Algonquin or one of the waterways that shifted across the clay plains, camping close to the water's edge. They gathered nearby stones to support a portable shelter, cooked meals prepared from animals hunted, trapped,

or fished, and resharpened large, fluted spear points or remade them into smaller tools for other uses (C.A.R.F., 1992; Ellis, 2013; Julig & Beaton, 2015).

Archaeological sites left behind by these First Peoples are usually small and ephemeral, the results of short-lived camps located close to ancient shorelines or at strategic inland locations (Jackson, 1997, 1998). Artifacts at these sites tend to consist of a few large spear points coupled with waste stone from the production of these tools, as organic materials such as wood, bone, and furs do not preserve on these exposed strandlines over the millennia. In combination with Indigenous oral histories, the archaeological record of these sites has the potential to illuminate the lives of the original residents of Windsor.

Sites dating to this earliest period are sparse in Ontario, and none have been identified within the bounds of the City of Windsor. There is, however, an unconfirmed report of contemporary artifacts having been recovered during an archaeological survey of the Turkey Creek valley conducted in 1968 and 1969 by Father Jack Lee (Baumann, 1978). Unfortunately, the sites from where these artifacts were recovered were not registered and their exact nature and location are unclear. Sites which have been identified elsewhere in the province are located primarily on relict strandlines of glacial Lake Algonquin and its correlate in the Erie basin, and many have been discovered through targeted survey of these geologic features (Storck, 1984, 2004). If any of the earliest sites exist in Windsor, they would likely be situated near or above the estimated level of glacial Lake Algonquin (186 metres asl), although sites dating to later phases of this period may occur on recessional strandlines below this elevation.

The closest sites to Windsor dating to the latter phase of this period are the Holcombe Beach group of sites located about 15 kilometres north of Detroit. The Holcombe Beach sites were interpreted as temporary camp sites used to process barren ground caribou and make and repair stone tools and were located on a sand ridge overlooking a shallow glacial lake (Fitting et al., 1966). Chert types and the workmanship identified on projectile points link Holcombe to sites in Ohio, the Delaware Valley of the eastern

US, and to quarrying areas around Saginaw Bay in Michigan and on the northeastern shore of Lake Erie (Ellis & Deller, 1990, p. 41; Fitting et al., 1966, pp. 90–92); groups moving between these areas would have passed through Windsor. Isolated Holcombe and Hi-Lo projectile points have been located within Windsor including within Sandwich West along the drainage of Turkey Creek, and on the grounds of the Windsor Airport along the drainage of the Little River (Ellis & Deller, 1990, p. 55; Garrad, 1971; Stantec, 2014), and it is possible that undiscovered sites also exist. Desirable site locations would have shifted as animal habitats and migratory routes changed with the retreat of glacial Lake Algonquin and early Lake Erie and the resulting alterations of local watersheds and drainages but raised sand ridges and glacial strandlines possess significant potential for sites from this period.

As time passed and Indigenous communities became more familiar with the seasonal changes and the habits of local animals, they began to establish regular camps to return to on a seasonal basis. Resources may have been initially quite limited, as the forest evolved from a conifer-dominated community to a more mixed community with nut-producers like oak. Although the ability of interior habitats to sustain hunter-gatherer bands through the warm season improved over time, reduced cold season carrying capacity would require bands to spread out their population over the winter. During the cold seasons, these bands likely dispersed themselves by smaller kinship groups into interior hunting territories. Such hunting territories would likely have been organized on a sub-watershed basis, with individual families occupying adjacent stream catchment areas. Riparian wetlands and swamps would have provided fuel, building materials, roots and tubers, and small game. Archaeological evidence of such sites may be difficult to distinguish from warm season hunting camps, although the sustained occupation of a site over several months would likely leave a more substantial artifact assemblage. The few sites of this period in Windsor are situated in the middle and upper reaches of headwater streams and may reflect seasonal forays from coastal base camps later eradicated by the Nipissing highstand.

Throughout the lower Great Lakes there is evidence of seasonal camps being situated at toolstone (e.g., chert) sources, at wetlands where waterfowl gathered annually to lay eggs and raise young, or at river crossings where migrating herds of caribou were forced to slow down and bunch up (Ellis, 2013; Roosa & Deller, 1982). The most evocative example of large, seasonally visited sites is the evidence, now submerged beneath the waters of Lake Huron, of caribou hunting structures on the Alpena-Amberley Ridge (AAR). The network of hunting blinds, drive lines, cairns, caches, stone rings, and shelters are all that remains of a landscape in which, between 10,000 and 7,000 years ago, many of those living in the Great Lakes area would gather to take advantage of a constricted area on the annual caribou migration route (Julig & Beaton, 2015; Lemke & O'Shea, 2015; O'Shea & Meadows, 2009). While this is a good distance to the north of what is now Windsor, there are few landscapes like the AAR which can be examined on a large scale archaeologically, but the identification of sites of a similar age near Windsor is difficult due to their probable scarcity and small size. It is also possible that the Windsor area was less desirable during the lowstands in the Huron-Michigan and Erie basins, when flow into the St. Clair River and through Lake St. Clair and the Detroit River to Lake Erie was minimal or suspended.

3.4.2 Early/Middle Holocene (ca. 11,000 – 5,000 cal BP)

As the climate continued to warm after 11,000 years ago, the land in southern Ontario became more hospitable and food resources more abundant. Isostatic rebound altered drainages and caused water levels in the Great Lakes basins to begin rising again, but Lake Stanley (in the Huron basin) still drained northward via the North Bay outlet and not through the Detroit River and Lake St Clair. Some groups began to establish claims over specific areas of land and to follow the seasonal round within a more restricted territory, often within a particular watershed (Ellis 2013). One side effect was that access to the highest quality tool stone—none of which outcrops in the Windsor area—was no longer available to all groups (Fox 2013). Poorer quality local chert sources were sufficient for making everyday tools, but as a result the spear points and other lithic objects were never as finely made as those carried by earlier

hunters (Ellis 2013; Fox 2013). Groundstone axes and adzes were added to the toolkit as coniferous forests established themselves in southern Ontario and the people made wooden dugout canoes and cooking troughs; other new groundstone tools were used to process a diversifying array of plant resources, or as weights for fishing nets (CARF 1992; Ellis 2013; Kapches 2013).

Ways of life changed over the next few millennia, as deciduous woodlands replaced the coniferous forests, and the post-glacial tundra became a distant cultural memory. Adaptive patterns would have completed the shift from the initial ecological framework outlined above in response to the establishment of the hardwood forest, with many nut-producing trees, abundant wetlands, and the wider range of available plant and animal resources. Warm season macroband camps would have still been situated at coastal river mouths to intercept spawning fish while interior stands of mast-producing trees (e.g., oak, hickory, beech) would have attracted both Indigenous foragers and game animals (e.g., deer, raccoons, squirrels, passenger pigeons) in the fall.

Warmer waters in the Great Lakes, and stable stream and river beds provided new habitats for many of the fish species still found in the region today. These were caught using fish hooks made of bone or antler, or copper transported by canoe from the western end of Lake Superior (Ellis 2013; Fox 2013). Increasingly, large groups of people gathered together during spring and autumn fish spawning runs to catch fish in nets and to cooperate in the cleaning and processing of large catches (Needs-Howarth, 2013). In parts of Ontario, fish weirs built at river narrows during this period were subsequently used for thousands of years; even when no longer used to harvest fish, the weirs still served as important gathering places for ceremonies and trading (Needs-Howarth, 2013). More changes to food gathering came with the introduction of the bow and arrow, which allowed hunters to target smaller game with something other than traps and snares (Needs-Howarth, 2013). A surplus of food, hides, or fur could be exchanged in trade or as gifts for exotic materials, allowing copper from Lake Superior, marine shells from the Atlantic coast and the Gulf of Mexico, and finely made

Onondaga chert bifaces from the Niagara Peninsula to find their way into the hands of people living in diverse parts of eastern North America (Ellis, 2013; Fox, 2013). By about 3,500 years ago, favoured resource sites on the seasonal round were being re-inhabited year after year, with some groups beginning to establish cemeteries for their dead, marking ritually and territorially important places on the landscape (Ellis, 2013; Spence, 2013; Stewart, 2013).

3.4.3 Late Holocene (ca. 5,000 – 400 cal. BP)

After the Nipissing highstand, water levels in the Huron-Michigan and Erie basins gradually fell to modern levels (Morrison, 2017) and by about 4,000 cal. BP the physical and biotic landscape of Windsor was essentially similar to that which existed immediately prior to the colonial period. While the environment continued to fluctuate and evolve as a result of natural processes such as forest fire and windthrow, re-modelling of waterways, organic in-filling of wetlands, animal population cycles, and others, these generally cannot be resolved with currently available paleoenvironmental data. Nor is it necessary to do so given the scope and analytical scale of this study. The lifestyle of Late Holocene hunter-gatherers seems to have been relatively unchanged from that practiced by their ancestors.

Around 3,000 years ago, people in southern Ontario began to make low-fired ceramics, a change in technology which would eventually have a profound impact on ways of life. The earliest pots broke or wore out quickly, and so were made and used in the same camp and disposed of before moving on to a new location (Kapches, 2013). They did not at first replace the string bags, birch bark containers, and skin sacks which were already being used as storage vessels but were instead used to cook foods at a simmer, allowing the integration of more plant foods into the diet (Kapches, 2013; Williamson, 2013).

Changes that had begun on a small scale in earlier times were now more entrenched, especially regarding treatment of the dead. The ancestors were buried in knolls, sandbanks, and other visible natural features, often close to a favoured camp re-

inhabited on an annual basis (Spence, 2013; Williamson, 2013). The remains of those who died close to the cemetery were buried soon after death, some with finely made stone objects, or with red ochre, or with exotic traded materials like marine shells or galena (natural form of lead sulphite) obtained through exchange networks built up over the preceding millennia (C.A.R.F., 1992; Spence, 2013; Williamson, 2013). The remains of those who died at a distance from the cemetery were temporarily laid to rest on platforms or cremated, until they could be reunited with their community in the cemetery, often bundled together with other ancestors (C.A.R.F., 1992; Spence, 2013). The gatherings around this reinterment may have coincided with the spring resource harvest and included feasting and the presentation of gifts to the ancestors in the form of caches of stone tools, gorgets, and food such as turkey, deer, fish, and dog which were buried within the bounds of the cemetery but not necessarily with any particular individual (Spence, 2013).

Over the next several centuries, the daily life and sense of identity of those living in the Windsor area began to diverge from that of people living farther east. Some of this was a result of the widespread influence of mound-building peoples in the Ohio and Mississippi river valleys, whose extensive trade networks introduced new materials such as Flint Ridge chalcedony, and new ceremonies involving the construction of earthworks and burial mounds (C.A.R.F., 1992; Fox, 2013; Watts, 2016; Williamson, 2013). These earthworks usually consisted of a circular or semicircular embankment with associated ditches and mounds, enclosing an open area “from around 100 square metres to more than a hectare”; their use likely varied depending on time and context, providing defensive capabilities, an open space for trading, or for ceremonies (Watts, 2016, p. 1).

Life continued to follow a seasonal round; people congregated in larger groups for the warm season, usually in a succession of camps near the Detroit River, and dispersed to smaller, single-family camps in the interior during the cold season, with visits to numerous other small satellite camps throughout the year to take advantage of specific resources as they became available (Spence, 2013). Harvesting fish formed a

major dietary focus, with different water and environmental conditions requiring the use of a wide variety of tools: harpoons, spears, leisters, and fishhooks to catch single fish; and seine nets to take advantage of spawning runs of fish such as walleye in spring, and freshwater drum in summer (Foreman, 2011; Needs-Howarth, 2013). Ceramic construction improved during this time: grit temper was added to clay to strengthen the fabric, and coil-built pots were fired at higher temperatures than they had been previously (C.A.R.F., 1992; Kapches, 2013). Regional differences in ceramic decoration and stone tool knapping across southern Ontario indicated that people held distinct identities tied to their places of settlement, which would be further delineated as life became increasingly settled (Monckton, 2013; Williamson, 2013).

By about 1,200 years ago, those living in the Windsor area shared their way of life with the people living in what would become southeastern Michigan and northwest Ohio but lived according to a different pattern than those living in south-central Ontario (Lennox & Dodd, 1991; Stothers & Abel, 2002). Spring was a time of gathering, when people reconnected to harvest spring spawning fish and to feast and hold ceremonies with the ancestors buried nearby (Killion et al., 2019; Lennox & Dodd, 1991; Stothers & Abel, 2002; Wright, 1977). The warm season, from spring until early autumn, was spent in large, multi-family settlements on the shores of the Detroit River. Houses were small, oval, bark-covered structures for one or two families each, which could be disassembled and moved to new locations (Ferris, 2013; Warrick, 2013). Here, the coastal marshes provided an abundance of animal and plant resources, as well as a defensive advantage in the event of the inter-group violence which was on the rise (Stewart, 2013; Warrick, 2013; Williamson, 2013).

Women of the villages gathered clay from well-known spots along the riverbank, prepared it to remove impurities and strengthen it, then shaped the vessels and fired them in shallow pits covered in brush and wood, situated a good distance away from the settlement to avoid setting structures alight (Kapches, 2013). In most cases women made pots for themselves and their daughters and decorated them with motifs with personal or ancestral significance; children learned to make pots by

watching their mothers, and by playing with clay to make small, rudimentary pinch pots of their own (Kapches, 2013; St John & Ferris, 2019; Williamson, 2013).

Both directly and indirectly, favoured wild plants were encouraged to establish themselves close to re-inhabited settlements, whether through replanting them just outside the village or by depositing food waste in nearby middens (Monkton 2013). These husbanded plants included raspberries, plums, elderberries, and other fruits along with chenopod, sumac, cattail, and spikenard. Techniques developed in husbanding wild plants began to be applied to new crops which had spread to Ontario from central America along exchange networks developed over the preceding millennia: first maize, then later squash, beans, sunflowers, and tobacco (Carroll, 2013; Monckton, 2013; St John & Ferris, 2019; Stothers & Abel, 2002; Williamson, 2013).

Deep storage pits were excavated to cache surplus food in large ceramic pots for later use (Ferris, 2013; Kapches, 2013). With the arrival of autumn, people dispersed from the warm season villages to small, one- or two-family cabins in the interior, located to take advantage of nut harvests, and as a base from which to set trap lines and for sugaring in winter (Ferris, 2013; Lennox & Dodd, 1991; Warrick, 2013). The autumn nut harvest was also an opportunity to hunt terrestrial animals such as deer, turkeys, squirrels, and raccoons, all of which were attracted to nut groves for their own subsistence purposes (Foreman, 2011). The colder months were also the most intensive time for deer hunting using blinds, drives, and corrals in addition to the bow and arrow (Needs-Howarth, 2013). In addition to meat, deer were a critical source of hides for clothes and shoes, antlers for tools, bones for awls and needles, and marrow and grease for food flavouring; a surplus of hides could potentially have been exchanged with those living to the east around Lake Ontario (Foreman, 2011; Needs-Howarth, 2013).

In the following centuries maize and other imported crops, initially consumed only at feast times or as a minor supplement to husbanded or wild local plant foods, began

to form an increasingly significant part of the daily diet (Monckton, 2013; Stothers & Abel, 2002; Williamson, 2013). The greater investment in time required to grow large quantities of these domesticates conflicted with the timed gathering of other food resources: spring planting occurred around the time of fish spawning runs, and the autumn harvest conflicted with nut gathering and deer hunting (Foreman, 2011).

As a result, warm season settlements were located in places with good ground for crop planting, as well as access to a wide variety of aquatic foods which would be available for most of the season (Foreman, 2011; Needs-Howarth, 2013; Stothers & Abel, 2002). Women and children would catch turtles and amphibians and gather shellfish from the rich marsh environments; deer, squirrels, raccoons, turkeys, and other animals attracted to the crops were hunted in small numbers year-round rather than primarily in the autumn (Foreman, 2011; Lennox & Dodd, 1991; Needs-Howarth, 2013). The crops did not require constant monitoring and so smaller groups still spent time hunting and fishing at satellite camps, with locally available fish from the Detroit River forming an increasingly important part of subsistence (Foreman, 2011; Lennox & Dodd, 1991).

Warm season residences began to resemble the longhouses of the peoples to the east, though with a smaller footprint and different internal structure. Settlements were surrounded by palisades and sometimes by earthworks to add some measure of protection and were inhabited for more months out of the year (Ferris, 2013; Lennox & Dodd, 1991; St John & Ferris, 2019; Stothers & Abel, 2002). The increased time spent living in large communities had an effect on social organisation, with more emphasis placed on matrilineal descent and identification with lineage groups (Carroll, 2013; Ferris, 2013; Spence, 2013; Williamson, 2013). Inter-community conflict borne out of stronger internal group identities and competition for access to exchange networks was partially mitigated through lavish feasting and gift giving, maintaining social networks across the lower Great Lakes region (Carroll, 2013; Jamieson, 2013; Killion et al., 2019; Spence, 2013; Stothers & Abel, 2002). Political leaders were men, selected by influential women, responsible for diplomacy with nearby settlements, scheduling

the seasonal round, organising raids, and other tasks, and governance was by consensus rather than by decree (Jamieson, 2013).

By the early 1500s, pressure from the westward expansion of Iroquoian peoples living around Lake Ontario caused many of those living in the Windsor area to relocate west and south for several decades, beginning to return to the area just before the onset of profound changes set in motion by European contact (C.A.R.F., 1992; Lennox & Dodd, 1991).

4 Archaeological Potential Modelling

4.1 Introduction

Archaeological resources are not randomly distributed across the landscape. Human land use and resource exploitation follow patterns of resource distribution and are influenced by a variety of specific cultural, environmental and geomorphological factors. Consequently, specific areas within a general landscape will have been more or less intensively utilized through time. Through the preparation of a potential model, researchers attempt to identify the specific factors that contributed to the patterning of human land and resource exploitation. The goal is to build a model which reflects a plausible potential use of the land within a given cultural landscape.

This section discusses the criteria around which the City of Windsor's Indigenous archaeological site potential model was developed. It is based primarily on environmental and geomorphological criteria which would have influenced Indigenous land use. Although social factors have also been taken into consideration, these are difficult to re-create or interpret given both the time and cultural differences that separate the researcher from the people who lived here in the more distant past.

The archaeological potential model was developed using an ArcGIS® Geographic

Information System to summarize and map various data sets as separate but complementary layers. Modelling criteria were then derived through analysis of these layers, and these criteria were applied to produce a final, composite layer which maps archaeological site potential in Windsor.

Digital spatial data sets were obtained from the City of Windsor and the Province of Ontario (Land Information Ontario). These included environmental data such as bedrock and surficial geology, hydrography and wetlands, topography, soils, and landforms. They also included cultural and historical data such as the road network, railways, and early settlements. Through the research process, many additional datasets were reviewed and incorporated in order to inform the development of the model.

4.2 Environmental Layers

4.2.1 Hydrography

Hydrographic features, including major rivers, creeks and their tributaries, as well as other bodies of water, such as ponds and wetlands already existed as layers on the digital base mapping, yet when overlaid on the ortho-imagery, there are clearly historical or intermittent watercourses that are not included. Therefore, it became necessary to improve the resolution of hydrographic features by digitizing data from other sources, such as historical maps.

Another potential source of error in the hydrographic dataset comes from the extensive improvements to the drainage networks within the City, such as agricultural tiling and the rerouting of streams. As such, various historical Department of Militia and Defense topographic maps dating to the first half of the twentieth century, recorded at a scale of 1:63,360 and modern National Topographic Survey maps, recorded at a scale of 1:50,000, were consulted for additional missing watercourses. Lastly, historical and modern aerial photography and ortho-imagery was consulted for areas where research would dictate that a water source should be close by. Digital

versions of these maps were imported into GIS software and georeferenced using present lot boundaries, as well as modern landmarks, such as roads. The final watercourse dataset was then cross-referenced against historical mapping, whereby any streams not present in the modern dataset but shown on historical maps were added. Lastly, given the large amount of suspected wetland loss in Essex County since settlement, it was determined that a layer representing the full pre-settlement wetland extent would be necessary to evaluate pre-settlement period land use. This dataset was provided by Ducks Unlimited Canada, and was created using a model which combined edaphic variables such as drainage and soil type with local topography (Ducks Unlimited Canada, 2010; Snell, 1987). While these efforts greatly improved the resolution of the hydrographic layer, it was recognized that a small percentage of site locations may have been influenced by water sources than could not be practically resolved through available mapping.

Another important consideration is the location of former strandlines within the City during various hydrographic highstands. As discussed in Section 3.2.2, the two major former shorelines present in Windsor are those dating to the Main Algonquin and Nipissing highstands of the Huron-Michigan and Erie basins. To approximate their location for the purposes of this study, they were mapped (Figure A3) using the following elevations above mean sea level in accordance with published observations (Herdendorf, 2013; Lewis et al., 2012; Morrison, 2017; Pengelly et al., 1997; Thompson et al., 2011): Main Algonquin - 186 m asl (Morrison, 2017; Thompson et al., 2011) and Nipissing phase Lake Erie - 180 m asl (Lewis et al., 2012; Pengelly et al., 1997).

Initially, elevational data at 1 m and 5 m contour intervals were drawn from a LiDAR-based Digital Terrain Model (DEM) obtained from Land Information Ontario with an error range of ± 0.5 m. The high resolution of this data set rendered it unsuitable for contour mapping, since it captured too much detail of the cultural landscape (i.e., buildings, roads, etc.). To create more suitable topographical mapping, a custom DEM had to be developed. Terrestrial contour lines were digitized from 1909 NTS 1:63,360 map series (Windsor, Belle River, Amherstburg and Essex Sheets), while bathymetric

data from the Ontario Ministry of Natural Resources and Forestry was used for below modern water-level topography. These were then rasterized and smoothed using a standard geostatistical interpolation function (regularized-spline with tension). While derived from mapping over a century-old, the resulting model (Figure A3) preserves the topography of the Windsor study area prior to major recent development, which was a problem encountered when trying to use modern remotely sensed products.

Given that coastal environments are highly dynamic and there are no mapped paleo-strandlines in Windsor, this level of accuracy was deemed to be quite sufficient. Given the low topographical relief across the City of Windsor, even modest fluctuations in water plane elevation may produced significant lateral movement of the shoreline (Figure A3).

4.2.2 Soils

Digital soils data were acquired from the Geomatics Service Centre, Ontario Ministry of Agriculture, Food and Rural Affairs. This layer is essentially a digital version of the soils mapping contained in the Ontario Soil Survey Report for Essex County (Richards et al., 1949).

The soil survey for Essex County had mapped some 44 discrete soil series polygons within the City of Windsor at 1:63,360 scale (Richards et al., 1949). This array of mapped soils made it difficult to interpret gross City-wide trends. Accordingly, the soil series were re-grouped in order to provide mapped summaries of relevant attributes, including soil texture, drainage, and agricultural capability. The soil texture layer discriminated between the following, from coarsest to finest grained: sand, sandy loam, fine sandy loam, loam, clay loam, clay, and organic. The soil drainage layer discriminated between the following: rapidly drained, well drained, imperfectly drained, poorly drained, very poorly drained, and variably drained. The soil capability for agriculture layer discriminated between: Class 1, having no significant limitations for agriculture (none in Windsor); Class 2, having moderate limitations that restrict the range of crops or require moderate conservation practices; Class 3, having

moderately severe limitations that restrict the range of crops or require special conservation practices; Class 4, having severe limitations that restrict the range of crops or require special conservation practices (none in Windsor; Class 5, having very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible; Class 6, which are capable only of producing perennial forage crops, and improvement practices are not feasible (none in Windsor); and Class 7, having no capability for arable culture or permanent pasture (Canada Land Inventory, 1965).

The objective in aggregating the soils data this way was to facilitate its use as proxy measures for physiographic attributes for which there was no digital mapping, such as preferred growing conditions for various tree species (Burger, 1993; Crins et al., 2009; Hills, 1958; Wester et al., 2018). The soil texture layer reveals the strong correlation between parent materials associated with certain surficial (Quaternary) deposits and soils.

As noted in Section 3.2.4, the soil capability for agriculture layer reveals that most of Windsor (98%) is arable farmland (Class 2 and 3). This indicates that availability of good quality soil would generally not have been a concern for Indigenous farmers. It also indicates that the substrate would generally have not been a significant constraint on the development of climax forest, although as noted in Section 3.3, local conditions such as edaphic variability may have locally favoured certain vegetative associations over others.

4.3 Pre-Contact Indigenous Modelling Criteria

For the purposes of inductively modeling potential for the discovery of pre-contact Indigenous archaeological sites, based on the locations of previously registered sites, the total number of archaeological sites in Windsor to date is 115, of which twenty five have Indigenous components. Of the Indigenous sites, eleven lack artifacts that would allow dating or attribution of cultural affiliation. Understanding roughly when

a site was occupied is important for modeling in order to tie settlement trends to contemporary environments. Eight sites are listed as isolated artifact finds, typically projectile points lost while hunting. While they may confirm the presence of Indigenous people in an area if they are temporally diagnostic tools, the relative randomness of their distribution limits their utility for understanding contemporary land-use patterns. Three sites are described as artifact scatters or campsites and three are registered as villages. Four sites include human burials, including one village. The nature of the remaining eight sites is undetermined. Having reviewed all the sites with Indigenous components, the total number of substantial and datable Indigenous occupation sites most useful for inductive modeling was fourteen. All registered Indigenous archaeological sites were included in the project GIS as a discrete layer and considered for purposes of evaluating the validity of the model.

While the number of registered Indigenous sites in Windsor was insufficient to permit development of an inductive model to extrapolate archaeological potential based on locations of known sites, any identified land-use trends should also be consistent with expectations arising from deductive modeling. The following deductive model paints a general picture of pre-contact Indigenous land use throughout the millennia in Windsor, based on an understanding of regional site types, ages, and evolving land-use patterns.

Throughout much of prehistory, the inhabitants of Windsor were hunter-gatherers who practised an annual subsistence round to exploit a broad range of natural resources for food and raw materials for such needs as shelter construction and tool fabrication. Assuming that access to natural resources influenced and constrained the movement and settlement of Indigenous peoples, our goal was to understand what these resources were, how they may have been distributed, how their use and distribution may have changed over time, and how the landscape itself may have constrained movement and access to resources as well as settlement location. Given the requirements of this study, and our limited ability to precisely resolve details of past environments, we began by considering the relative merits of the physiographic

areas, as it could be demonstrated that these represented certain constellations of environmental attributes. We proceeded chronologically in this investigation since certain aspects of Windsor had changed dramatically through the period of human occupation.

4.3.1 Late Pleistocene/Early Holocene (ca. 13,000 – 11,000 cal BP)

Hunter-gatherer bands have occupied Windsor from as early as 13,000 years ago, but currently the oldest firm evidence is two isolated finds dating to around 11,500 cal. BP. Both are situated inland, one close to the estimated elevation of the Main Algonquin highstand and one slightly below that. The age would suggest these findspots date towards the beginning of the Middle Holocene lowstand, so they may have been associated with coastal campsites later inundated by the Nipissing highstand. At that time, the boreal woodlands likely offered a rather limited selection of floral resources, hence subsistence would have been primarily oriented towards hunting and fishing. Contemporary foragers, with base camps situated in proximity to lakeshore resources such as fish and waterfowl, would have ranged widely in pursuit of other game. It is expected that contemporary archaeological sites in Windsor will be either additional findspots of chipped stone projectile points lost while hunting or small scatters of chipped stone debitage indicative of ephemeral cold season interior campsites.

Notes from Father Jack Lee's 1968-69 survey of Essex County also record the discovery of seven of early projectile points in the Turkey Creek valley (Baumann, 1978). Unfortunately, these sites have not been registered, and their exact nature and location is unclear.

4.3.2 Middle Holocene (ca. 9,000 – 5,000 cal BP)

After about 12,000 cal. BP, the shorelines of Lake Erie and Lake St. Clair receded significantly from their current locations and remained so until after 6,000 cal. BP. Hunter-gatherer bands would have established warm season base camps at river

mouths adjacent to receding Great Lakes shorelines where resources such as spawning fish could support small communities of perhaps 35 to 50 people. Such sites would now be submerged or eradicated by the later rise of Lake Erie waters during the Nipissing highstand around 6,000 cal. BP. Resources may have been initially quite limited, as the forest evolved from a conifer-dominated community to a more mixed community with nut-producers like oak. Although the ability of interior habitats to sustain hunter-gatherer bands through the warm season improved over time, reduced cold season carrying capacity would require bands to spread out their population over the winter. During the cold seasons, these bands likely dispersed themselves by smaller kinship groups into interior hunting territories. Such hunting territories would likely have been organized on a sub-watershed basis, with individual families occupying adjacent stream catchment areas. Riparian wetlands and swamps would have provided fuel, building materials, roots and tubers, and small game. Archaeological evidence of such sites may be difficult to distinguish from warm season hunting camps, although the sustained occupation of a site over several months would likely leave a more substantial artifact assemblage. In Windsor, there are three findspots and one camp dating between about 9,000 and 5,000 cal. BP. Like the earlier examples, the findspots are likely associated with coastal campsites later inundated by the Nipissing highstand. The campsite must postdate the Nipissing highstand, since it is situated below the estimated high-water elevation and may have actually been situated near the shore of Lake St. Clair when it was occupied.

4.3.3 Late Holocene (ca. 5,000 – 400 cal. BP)

Coastal sites begin to appear in Windsor after the Nipissing highstand, including two between Black Oak Heritage Park and the Detroit River and one near the Ambassador Bridge. A fourth findspot is situated in the headwaters of the Little River near the airport. Coastal locations remain popular through the millennium leading up to the colonial period when Indigenous communities began farming. However, the search for better drained soils suitable for agriculture seems to have also led farming communities inland, as illustrated by the E.C. Row (AbHs-7) and Lucier (AbHs-1)

settlements, which are situated in close proximity to each other on slightly elevated, better drained soil in the Turkey Creek watershed (Lennox & Molto, 1995).

4.3.4 Trails

Indigenous transportation networks, while technically a cultural factor for potential mapping, are closely related to many of the environmental themes, and as a result, are strong indicators of archaeological potential. Wherever possible, these trails would have been oriented so as to provide access to food and water resources and utilize dry, accessible landscapes.

A few Indigenous trail alignments were recorded for Essex County in the eighteenth century. The main trail ran along the Detroit River frontage close to the shoreline, corresponding generally to the alignment of Riverside Drive in the north and the former Front Road through Sandwich on the west. A cross-country trail, corresponding roughly to Huron Church Line and Talbot Rd. (Highway 3), ran across Essex County from the narrowest part of the river toward Point Pelee. For much of this distance, the alignment made use of a low relief gravel moraine to elevate the trail above the surrounding marshlands (Clarke, 1983, p. 81; Lajeunesse, 1960).

4.3.5 Summary of Modeling Criteria

To summarize our deductive modelling observations, the sequence of highstands and lowstands of lakes Huron, Erie, and St. Clair, and the associated size and position of the Detroit River, have been significant factors influencing Indigenous land-use in Windsor since the end of the Pleistocene. Changing water levels have also likely resulted in the eradication of significant coastal macroband camps dating to the Middle Holocene lowstand that spanned six millennia. While the layout of the interior drainage systems has remained relatively the same, especially since about 4,000 cal. BP, they too have been affected by the major changes in regional hydrology. The bio-physical landscape has similarly been affected by the changing hydrology and the climatic regimes which were a major driver thereof. The physiography of Windsor,

although generally modest in topographical relief, nevertheless contributed to the development of an evolving mosaic of forest biomes. In addition, the distribution of well-drained soils appears to have become a factor influencing Indigenous settlement in the millennium before European contact when maize agriculture was added to the foraging economy.

Having considered all the environmental parameters reviewed above, and subjecting key parameters to iterative buffering trials, it was determined that a buffer of 250 metres from a historic or current water source captures all of the sites (n = 20). While the sample size is insufficient to support further statistical testing, this is clearly a very robust capture rate.

In light of these considerations, ultimately four water-based criteria were chosen as the most useful predictors of pre-contact Indigenous archaeological potential (In a relatively small area such as a city, especially one like Windsor with very limited topographical/geo-physical variability, other factors were decided to be excluded as irrelevant or as redundant due to overlaps). The following criteria were used to create the pre-contact Indigenous archaeological potential layer. All rivers, major streams, and lakeshores (current and former) were buffered by 250 metres. Verified wetlands were buffered 200 metres outward and 50 metres inward from the border. Registered sites were buffered by 250 metres for villages and large settlements and 100 metres for camps and other small sites.

5 Model Evaluation

The modelling exercise undertaken above presents an approximation of the overall distribution of Indigenous archaeological resources in Windsor. The purpose of this exercise has been to provide land-use planners and heritage resource managers with a theoretically supported estimate of the scope of a resource for which there is limited substantive data available. Given the hypothetical nature of such a model, however, potential users must be fully aware of its limitations in order to employ it

appropriately.

The unknown but undoubtedly complex distribution of sites in Windsor can be described in terms of a geographical continuum of density, or potential for discovery, ranging from none to very high. In this study, the continuum has been subdivided into two classes: areas that demonstrate archaeological potential and areas that do not demonstrate potential. Through a deductive and inductive modelling procedure, involving interpretation of the changing pre-contact landscape and the expected land-use patterns of its pre-contact and historic human occupants, Windsor has been tentatively partitioned into zones representing these categories. Since the principal orientation of the model revolves around access to water for travel and subsistence, it is anticipated that certain site classes, sacred sites for example, may not conform to the mapped zonation. Residual sites of this kind, and sites in localized zones of potential that could not be resolved at this mapping scale, can be expected to occur throughout Windsor. The validity and utility of archaeological site potential models can be assessed in terms of predictive capacity or gain. Predictive gain has been explicitly defined as follows (Kvamme, 1988, p. 326):

$$Gain = 1 - \left(\frac{\text{percentage of total area covered by model}}{\text{percentage of total sites within model area}} \right)$$

where the total sites variable would represent all known and unknown archaeological sites in Windsor. Of course, since the total number of sites is never known, the evaluation of gain cannot be based on a random sample of sites. One way of dealing with this problem is to undertake a random sample of the study area in the hope that this will constitute a suitable proxy for a random sample of sites. In most cases, where there is reason to believe that site distributions may be non-random, the confidence of this approach can often be improved by stratifying the sample into hypothetical density classes. For example, the site potential model for Windsor has suggested that sites may be non-randomly distributed and has defined two zones to predict the nature of the distribution. A stratified random sample of the City suggested the model

was effective at this point for capturing Indigenous sites. An alternative approach for evaluating gain is to employ relatively large samples or data acquired through some sort of preliminary investigation (Altscul & Nagle, 1988, pp. 265–268; Kvamme, 1988, pp. 403–404; Rose et al., 1988, pp. 173–255). Systematic archaeological survey, undertaken in Windsor in the context of the pre-development approvals process, will continue to accumulate just this sort of information, and once the site sample has grown even further, the gain statistic can eventually be evaluated. This is one reason why it is recommended that, where any part of a development application falls into the zone of archaeological potential, the entire application should be subject to assessment. This will continue to afford the opportunity of examining lands beyond the archaeological potential zone, thereby improving the site sample and avoiding the self-fulfilling prophesy of only finding sites where one looks for them.

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City of Windsor
Archaeological Management Plan

2024 Update Appendix B:

Colonial Period Thematic History

May 2024

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1 Thematic Overview of Colonial Period Settlement

With the arrival of French explorers followed by European and other settlers some three hundred years ago, Indigenous peoples faced the greatest challenge to their culture and very survival. The overview of post-contact settlement history extends from Indigenous peoples' first contact with Europeans, through the initial stages of French and British settlement along the shores of the Detroit River, the expansion of Euro-Canadian towns and farm communities, to the late nineteenth century urbanization and industrialization of Windsor.

Although the historical themes outlined in this chapter interweave to form the tapestry of Windsor in the twenty-first century, resources dating to the initial period of major colonization are generally considered to exhibit the highest degree of cultural heritage value or interest (CHVI). Consequently, when the provincial standards and guidelines for consultant archaeologists were implemented in 2011, the year 1870 was adopted as an arbitrary demarcation point whereby sites with most (80% or more) of the time span of occupation predating 1870 were deemed to have CHVI (MTC, 2011, p. 59). It is worth noting that the 2005 WAMP employed the year 1850 in a similar fashion. These arbitrary demarcation points are not definitive however, and the provincial standards and guidelines make it clear that any site dating before 1900, or twentieth century sites "where background documentation or archaeological features indicate possible cultural heritage value or interest," may be worthy of archaeological concern (MTC, 2011, p. 41).

1.1 Post-Contact Indigenous Settlement

The arrival of Europeans and their new diseases brought about disastrous consequences to Indigenous groups throughout the Americas. Indigenous populations were decimated and the social fabric which had developed over the millennia was changed rapidly and irreparably. These changes resulted in the relocation and reorganization of Indigenous groups as European influences moved north and west from the original points of contact. In southwestern Ontario, conflict that had started between the Neutral and the Anishinaabe in the fifteenth century continued into the sixteenth century. By the mid-sixteenth century, the Algonquian groups were shifting out of southwestern Ontario, and the Neutral had retreated east of the Grand River (Heidenreich, 1990, p. 478).

The earliest historical references to Indigenous villages in the Windsor area are drawn from mid-seventeenth century French sources[1]. The 1641 "Novvelle France" map, discovered in a British naval archive in the 1980s, depicts the locations of the peoples[2] of the Great Lakes in their locations before the dispersals of the following decades (Heidenreich, 1988; Steckley, 1990). Peoples named just west of the Detroit and St. Clair Rivers include the Sauk and the Potawatomi (Steckley, 1990, p. 21). Other Algonquian speaking peoples were living to the south and west in an area that is collectively marked "Gens du Feu." The 1656 Sanson map also depicts the Gens du Feu in what is now Michigan. Sanson's placement of (abandoned) Neutral villages near

[1] Lajeunesse suggests that a Neutral village was in the vicinity of Windsor (Lajeunesse, 1960), but this is a misinterpretation of the original sources. Lajeunesse notes that the Jesuits Brebeuf and Chaumonot spent the winter of 1640-41 travelling among Neutral villages, one village was called Khioetoa. Lajeunesse says that this was a village of a different nation, and he uses indirect evidence from later maps to suggest that it was near the Detroit River. Lajeunesse misinterprets the original text from volume 21, page 231 of the Jesuit Relations (Thwaites, 1896) which says that Khioetoa had a population from a different nation. Lajeunesse says this fact shows that the village was set far away from the rest of the Neutral, but he missed the identification of the nation, whose name in the Wendat language is given as Awenrehronon. This nation is the Wenro, who previously lived south of Lake Ontario before coming to join the Neutral. They later moved north to live with the Huron-Wendat. The wider story of the Wenro is told in Hawkins (Hawkins, 2001).

[2] Names on the "Novvelle France" map are given in the Huron-Wendat language.

Windsor is a cartographic error (Lennox & Fitzgerald, 1990, p. 406).

After the Great Peace of 1701, concluded in Montreal by the French and the First Nations, Sieur de Lamothe Cadillac moved to establish a fort at Detroit in 1701, effectively countering an English move to infiltrate the Great Lakes region. With the establishment of Fort Pontchartrain du Détroit, on the north shore of the river, Cadillac invited the Huron-Wendat and Odawa from his post at Fort Buade (Michilimackinac) to settle at Detroit. The Odawa were amenable to this invitation since the Detroit area had been a summering ground for them since at least the 1680s (C.A.R.F., 1990, p. 3). As a result of an uprising instigated by the Fox people beginning in 1712, many Indigenous peoples abandoned their settlements around Detroit (C.A.R.F., 1990, p. 12) returning after a few years.

Three Indigenous settlements were present in the Windsor area during the 1700s: the Potawatomi, the Odawa (Ottawa) and the Huron-Wendat (Wyandotte) each had a settlement. The Potawatomi village was always on the Detroit side, while for a time, each of the latter two were located on the Windsor side.

1.1.1 The Odawa/Ottawa Village

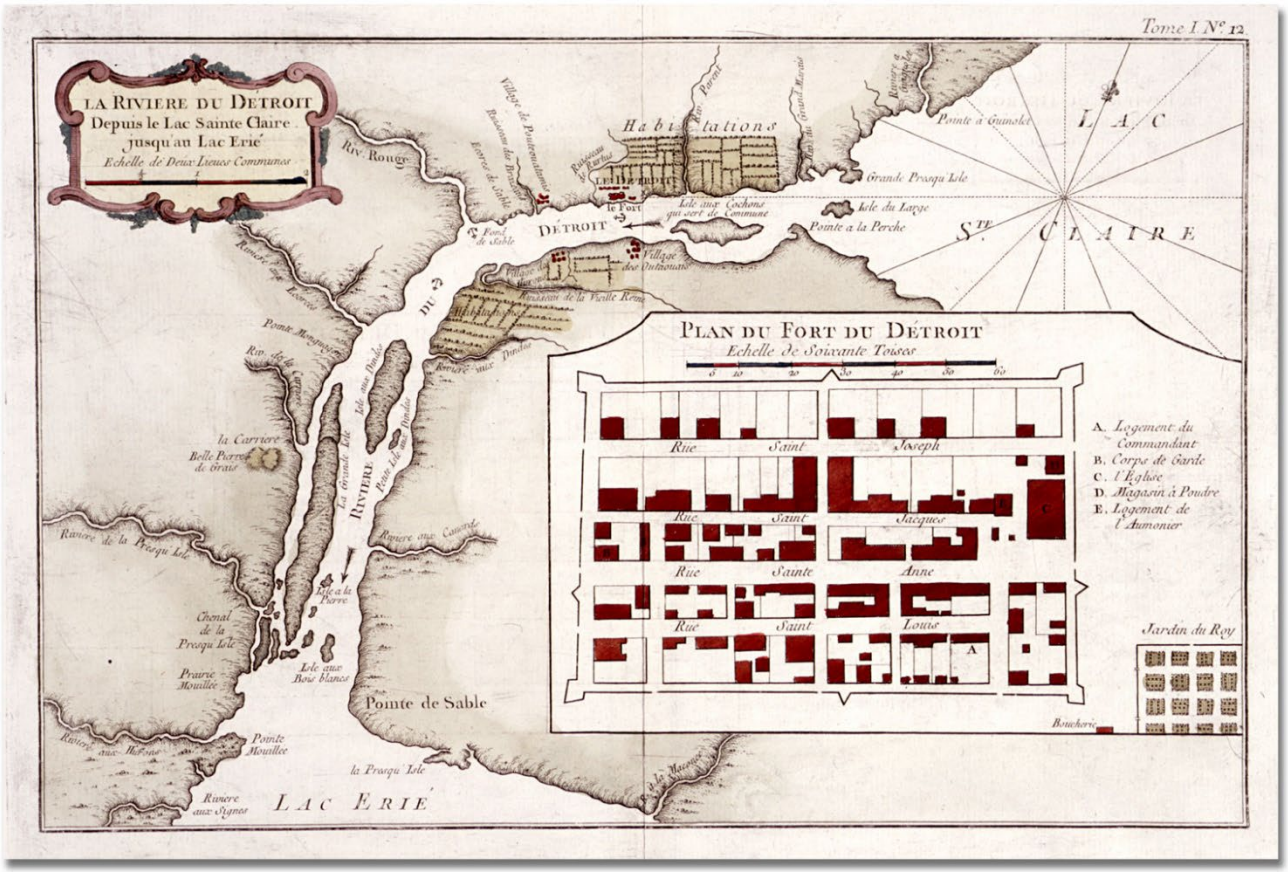
The Odawa people were dispersed during the contact period. In the early 1600s, the Odawa lived on Manitoulin Island, the Bruce Peninsula, the southern shore of Georgian Bay, and in northern Michigan (Fox, 1990; Molnar, 1997). By the mid-1600s, the Five Nations Iroquois (Haudenosaunee) of Upper New York State had pushed northward to disperse the Ontario Iroquoian peoples known as the Petun, Huron-Wendat and Neutral nations. Facing increased threat of warfare, starvation and adoption, some of the Huron-Wendat's northern neighbours and allies, including the Nipissing, the Southeastern Ojibwa nations, and the Odawa, joined the Ontario Iroquoian peoples in their westward dispersal (Molnar, 1997, p. 6). Some of the Odawa returned to Manitoulin Island in 1670, and the Straits of Mackinac between 1676-1695 (Molnar, 1997, p. 6). By 1700, Odawa peoples also returned to southern Ontario.

At the beginning of the 1700s, the village was located on the northern shore near the French fort. The Fox siege may have caused the Odawa to move to the Mackinac area shortly after 1712, and then move back to the Detroit area by around 1717 (Mainfort, 1979, p. 285). By 1721, the Odawa village was located on the south shore of the Detroit River. “To the south on the other side of the river are the Outaouais who, together with the Huron and the Poutouatamis have made wastes containing about two leagues frontage by eight arpents deep” (Lajeunesse, 1960, p. 26). An interpreter for the Odawa also obtained a land grant on the south shore in the 1749-1751 period (C.A.R.F., 1990, p. 4).

Boishebert’s map of 1730 shows the Odawa village on the south shore and those of the Potawatomi and Huron on the north shore (Lajeunesse, 1960). De Lery’s maps of 1749 and 1764 (Figures 1 and 2) show the locations of the Odawa (Ottawa) and the Huron-Wendat villages on the southern side of the Detroit River and a Potawatomi village on the north shore opposite the Huron-Wendat village (de Lery, 1749, 1764). The general configuration of communities did not immediately change with the imposition of British rule in 1763. Montessor’s map of that year suggests that the Odawa, Huron-Wendat and Potawatomi villages continued to inhabit the same lands as during the French regime (Lajeunesse, 1960).

Figure 1: Carte de la Rivière du Détroit by de Lery, 1749

Figure 2: La Riviere du Detroit Depuis le Lac Sainte Claire Jusqu'au Lac Erie by de Lery, 1764



When the first formal British surveys were undertaken, Patrick McNiff (McNiff, 1791) identified a large area on the south shore extending from opposite the French fort eastward past Belle Isle (Isle au Cochon) as being the Odawa village. Within the lands of the Odawa, McNiff identified their burying ground as occupying a small knoll located directly across the river from the fort.

Only minimal traces of the Odawa village have been identified archaeologically. The Great Western Park site (AbHs-11) and an associated burial, identified as a result of an archaeological assessment in 1989 (C.A.R.F., 1990), are affiliated with the Odawa village site. The park is located along the Detroit River waterfront between Riverside Drive and the shoreline. However, the original area of the village and associated

cemetery as indicated on McNiff's 1791 map would have extended well inland, perhaps as far as Brant Street, centred on Louis Street where a natural sand knoll still exists. During construction of the Great Western Railway along this section of the Windsor waterfront, numerous Indigenous burials were disturbed. Newspaper accounts of the day reported that the burials contained a rich offering of European trade goods. Similar burials continued to be found into the early twentieth century near the water works and at the foot of Devonshire Road (Gladstone White, 1989; Windsor Evening Record, 1903). More recently, burials have been found while repairing a light fixture near the foot of Langlois, and during construction of a bike path at the foot of Pierre Street. Although the full extent of the Odawa cemetery is not known, the distribution of burials recovered from the area suggests that it may extend as far west as Langlois Street, as far east as Devonshire Road and inland at least to Brant Street.

1.1.2 The Huron-Wendat Village

The Huron-Wendat came to the Detroit area in response to Cadillac's 1701 invitation to relocate from the French post at Michilimackinac. They had lived in the region between Lake Simcoe and Georgian Bay before being dispersed by the Haudenosaunee in 1649-50. Some members relocated to Quebec, where they live today. Other Huron-Wendat people, along with some of the Petun, fled west and lived in a series of refugee communities. These Huron-Wendat and Petun are also known by the name Wyandot. According to a description provided by Cadillac, the initial Huron-Wendat village was established to "...the right of the fort, at a good distance..." (Lajeunesse, 1960, p. 21). It is assumed that Cadillac is writing from the perspective of the fort looking south toward the river. Consequently, the Huron-Wendat village would have been situated downstream from the fort on the Detroit side of the river. According to a report prepared by Father Charlevoix, a Royal envoy, visiting the French colonies in 1721, a Huron-Wendat village was located on the north shore of the Detroit River, just down river from the fort (Lajeunesse, 1960). Upon the request of the Huron-Wendat in Detroit, a Jesuit missionary, Father Armand de La Richardie, was sent to minister to them in 1728. In correspondence dating from 1741, La Richardie referred

to the mission as the "Mission of the Assumption of the Blessed Virgin Mary among the Hurons" (Lajeunesse, 1960, p. 27) which was later known simply as the L'Assomption parish (Lajeunesse, 1960). Leaving the area briefly in 1738, more than 500 Huron-Wendats returned in 1742 to a new location on Bois Blanc (Bob-lo) Island. Before 1752, they were re-settled upriver at La Pointe de Montreal on the south shore (now at the base of Huron Church Road in Windsor), where a new mission church was built within sight of the French Fort.

Several eighteenth-century maps record the Huron Village and the Mission at Pointe de Montreal. De Lery (de Lery, 1764) depicted both the Huron-Wendat and Odawa villages as having orderly "streets." McNiff (McNiff, 1791) depicts an irregular cluster of houses just west of a farm lot, presumably that given originally for the Mission. As part of the Treaty of 1791, a 1078-acre triangle of land was set aside by the British for the Huron-Wendat[3]. The town of Sandwich was established on this tract of land in 1797, although it was not formally surrendered to Britain by the Huron-Wendat until 1800 (Lajeunesse, 1960, p. 205). A portion of this tract is currently part of a land claim initiated by Bkejwanong (Walpole Island First Nation).

Although no formal archaeological excavations have been conducted on the Mission site, a remote sensing study strongly points to the remnants of the third church and related buildings (O.H.T., 2011b, 2011a). While the Huron-Wendat village and cemetery have not been identified, they may yet be found within the buried undisturbed soil deposits that exist in between the urban development of the area.

1.2 French Settlement

As early as the 1670s, Fathers Dollier and Galinee, and later the adventurer LaSalle made their way up the Detroit River to Lake St. Clair (Morrison, 1954, p. 3) and

[3] The Anishinaabeg of Walpole Island contest the basis of this decision by the British (D. Jabobs and V. Lytwyn 2020, "Naagan ge bezhig emkwaan A Dish with One Spoon Reconsidered," Ontario History 112: 191-210).

documented for France the importance of the region. Not until 1701, however, was a European settlement established on the Detroit River. In that year, Sieur de Lamothe Cadillac began construction of Fort Pontchartrain on the north side of the river in the area that later became the centre of Detroit, opposite to Windsor's Goyeau and Ouellette streets. European settlement on the south shore of the Detroit River began in 1749 when the governor at Quebec sponsored the movement of farming families to the area in order to promote Detroit as a granary for more distant outposts.

Although settlement on the north shore had extended short distances up and down river from the fort, settlers on the south shore initially took up lots well down stream of the main settlement. The long narrow lots fronted onto the river in the Petite Cote area between the community of Sandwich and Turkey Creek. Within a few years, the south shore settlement had extended south well past Turkey Creek, as well as infilling the unoccupied lands strategically situated immediately across from the fort and between the Huron-Wendat and Odawa villages. This eastern extension of the French settlement encroached on the Odawa village.

The mid-eighteenth-century Jesuit Mission at La Pointe de Montreal is estimated to have been located south of Riverside Drive near the foot of Huron Church Road next to the Ambassador Bridge. The existing Assumption church is the fourth sanctuary to be built for the Parish. The associated French cemetery has also been moved several times. By the time McNiff was conducting his 1780s surveys of the area, there were 13 French farm lots identified in the area of downtown Windsor, and 36 lots in Petite Cote. McNiff's 1791 map depicts irregular clusters of three to six buildings on each lot near the trail which ran along the shoreline for the length of the settlement. His map also indicated that small plots of land had been cleared and orchards planted. Much of the inland area was as yet impassable due to extensive swamplands.

As most of the French farmstead sites lie within areas that have undergone extensive nineteenth century development, none of them have ever been properly examined for archaeological sites. Communities such as Brighton Beach, Ojibway and LaSalle may

retain the most potential, although the possibility of finds in denser urban areas cannot be ruled out, as evidenced by the discovery of traces of an eighteenth-century French farmstead in downtown Detroit (Branstner, 2000). This is the only French farm site that has been found and professionally examined on either shore of the Detroit River. It should be noted that amateur "treasure hunters" have for several years been actively recovering eighteenth century French material from construction sites in the LaSalle area. As Windsor's French settlement is the earliest of its kind in Ontario, the search for intact eighteenth-century French sites should be given priority in all planning processes.

After the signing of the Treaty of Paris in 1763, French Canada came under British rule. The French settlers already established in the Detroit River settlement, being far from the administrative centres, were initially little affected by this governmental change and the settlement continued to grow slowly and quietly.

The Windsor Municipal Heritage Register lists a number of buildings along the length of Riverside Drive as associated with French farms. Although none of the existing buildings date to the eighteenth century, they undoubtedly continue to be associated with remnants of earlier structures.

1.3 British Settlement

Following the American Revolutionary War, the influx of United Empire Loyalists prompted formal surveys along the north shores of the lower Great Lakes. McNiff's *ca*. 1790 surveys show irregularly spaced farmsteads on both sides of the river, each with several buildings within a couple of hundred metres of the Detroit River (McNiff, 1791). McNiff instigated a full survey of the French lots along the river, re-numbering them from southwest to northeast. Abraham Iredell, a few years later, re-surveyed the French Concessions. British names begin to appear on the landowner lists of the *circa* 1800 surveys of Iredell, as traders and Loyalists moved into Essex County. Not until the nineteenth century were the inland areas of the township surveyed, using the

standard British grid system where possible. These areas were not settled until well into the nineteenth century, as the land was poorly drained. Even the Walling map of 1877, which is quite complete as to landowner listings, shows some of the inland lots untenanted.

1.4 The Underground Railroad

Black people have lived in the Windsor area since at least the time of the first Loyalist settlers, many of whom were slave owners. A community of freedom seekers existed in Sandwich as early as 1820, when they founded the first Baptist congregation there. After slavery was outlawed by Britain and, following the passage of the Fugitive Slave Act in the United States, the influx of freedom seekers to Canada increased, with Sandwich and Windsor serving as major border crossings for the Underground Railroad (Smardz Frost, 2007, p. 197).

Windsor contains several important sites related to the history of Black people in this country. The Sandwich Baptist Church building, dating from the mid-nineteenth century, may be associated with a number of unmarked burials. Both the Sandwich and Windsor barracks provided interim accommodation for freedom seekers upon their arrival. A prominent American abolitionist wrote of his visit to the Windsor and Sandwich barracks shelters in 1853 (Ruchames, 1971, pp. 72–74). An important Black newspaper, *Voice of the Fugitive*, was published in Windsor by Henry and Mary Bibb, who had recently escaped to Canada. Both the newspaper office and the Windsor Barracks were destroyed by arson in the 1850s.

1.5 Urbanization

The City of Windsor encompasses the nineteenth century cores of three communities, Sandwich, Windsor, and Walkerville. Several other small crossroad communities have also been surrounded by city development in the twentieth century. Ethnicity of settlers has varied over time, with many descendants of the original French still in the community. Scottish and Irish in the early nineteenth century moved into the inner

township areas, followed by other Europeans by the late nineteenth and early twentieth centuries, attracted by work and business opportunities. Black settlers and freedom seekers and their descendants have also been here since the late eighteenth century.

1.5.1 Sandwich

The earliest urban settlement in the area, the town of Sandwich, was planned in the 1790s and lots were given by lottery to fur traders from the fort at Detroit. In 1796, after the other side of the Detroit River was ceded to the Americans, many of these businessmen moved across the river, to remain under British rule. They consisted of both French and Scottish traders.

The original town plan encompasses the area now bordered by Huron Church Road on the north, the Detroit River on the west, John B. Avenue on the south and the Essex Terminal Railway track on the east. Lands within the old Huron Reserve that were cleared for agriculture lie east of the tracks. These lands were allotted as “park lands” when Sandwich was taken up in the 1790s and may contain early structures or remnants associated with the Huron-Wendat village.

Sandwich was the County seat for many years, with a court house and gaol located at the centre of the planned village at the intersection of Bedford (later Sandwich) and Brock streets. Both the Catholic (Assumption) and Anglican (St. John’s) churches and burial grounds were located here, and Windsor residents had to travel to Sandwich to worship. The earliest Black congregation worshipped in the Sandwich First Baptist Church building still standing on Lot 22 west of Peter Street (3652 Peter Street).

During the War of 1812, the Sandwich Stone College (now the General Brock School complex) provided a barracks for some of General Brock’s army, and then was used as a base by the invading American troops. Later, during the Upper Canada Rebellion, the school formed the core of a log barracks occupied by militia, who in 1838 defended Windsor during an attack by rebels and sympathizers from Detroit. The Stone College

and barracks later provided accommodation for Black freedom seekers in the 1850s and 1860s (Ruchames, 1971, pp. 72–74).

Fires and neglect have destroyed many of Sandwich's early buildings. However, archaeological remnants of early Sandwich are likely to be encountered within most of the dwelling lots and parks. Further evidence of this important community continues to lie buried beneath the streets, parking lots and yards of north Sandwich.

1.5.2 Windsor

Windsor's first settlement was established around the southern terminus of the ferries run by the French farmers to carry goods, produce, and people across the river to Detroit. The settlement was initially known as South Detroit. In 1835, public meetings were held to select a new name for the community. The citizens first chose Richmond, but the following year the name was changed to Windsor. At this time, the settlement consisted only of the riverside portions of First Concession Lots 78 to 83 along Riverside Drive, extending only one block inland from the river. Ferry and Church streets were named. Buildings were on both sides of Sandwich Street and there were two wharves (MacDonald, 1921). Sandwich remained the principal settlement on the south side of the river.

By 1857, Pinney's map depicted urban expansion that extended along the river from Lots 78 to 87, with Goyeau as the main thoroughfare to Tecumseh Road. Subdivision extended to Tecumseh along Howard and Goyeau (Pinney, 1857). The coming of the Great Western Railroad in 1854 marked the beginning of faster expansion and Windsor outstripped Sandwich as the economic centre.

By 1892, McPhillips' map (McPhillips, 1892) showed that development stretched along the Detroit River from lot 68 to 91 but was laid out only intermittently inland to Tecumseh Road. South of Tecumseh, at the top of Ouellette, was a popular "Driving Park" or fair grounds, which has since become part of the grounds of Jackson Park and Kennedy Collegiate. At this time, large expanses of undivided fields still lay between

Windsor and the neighbouring communities of Walkerville and Sandwich. The combined growth of large industry, starting with Walker's distillery, Ford's Canadian automobile plant in Walkerville, and salt mining in Sandwich, signalled massive residential and mercantile growth in the twentieth century.

1.5.3 Walkerville

Walkerville got its start in 1858 when American-born distiller Hiram Walker set up his distillery on Lots 95 and 96, east of Windsor (Morrison, 1954, p. 44). Part of his decision would have been based on the recent completion of the Great Western Railway through these properties near the shoreline, giving new opportunities for commercial expansion. Walker also operated subsidiary industries such as farms, stockyards, and a dairy to grow grain and use waste products from the distillery. In 1885, he constructed his own railroad, the Lake Erie Essex & Detroit River, to link the Great Western, his shipping wharves and the inner County. Initially, he developed Walkerville as a planned community designed to house and support his workforce. The core of old Walkerville from Walker Road to Lincoln Road and from the river inland to Niagara Street was established by 1881 (Belden, 1881) but the community was not incorporated as a town until 1890 (Gardner, 1913).

Portions of Walkerville's commercial core remain beyond the distillery but are quickly being subsumed by new development.

1.6 Transportation

French settlement in the Windsor area made use of the existing Indigenous trail system and water transport via the Detroit River for many years. Since the interior was so swampy, settlement did not extend inland until well into the nineteenth century. Although county lands were surveyed and grants given by the 1820s, roads and settlers had to wait for provincial and federal drainage projects of the mid to late nineteenth century. Early settlement roads of particular note are Riverside Drive (Front Road), Sandwich Street (Bedford Street), Huron Church Line, old Talbot Road,

Tecumseh Road, Grand Marais Road, and Division and Cabana Roads (Concession 3). Historic maps indicate that early structures can be found within a relatively short distance from these roads where they have not been destroyed by twentieth century development (Belden, 1881; McNiff, 1791; Walling, 1877).

Ferries, which played such a crucial role in the founding of Windsor, continued to play an important role well into the twentieth century. Ferries operated from a wharf situated at the foot of Ferry Street and later from Walker's dock until the late 1930s, when they were finally discontinued. Completion of the Ambassador Bridge and the Windsor-Detroit Tunnel by 1930 all but eliminated the need for ferry transport.

In 1851 Windsor had a modest population of 300 persons, fewer than nearby Sandwich; ten years later that population had reached 2,500, eclipsing Sandwich (Lafreniere & Rivet, 2009). This rapid rise was tied directly to the completion of the Great Western Railway (GWR) in 1854, connecting Windsor to Niagara; the well-established ferry service from Windsor provided additional connections from the train to Detroit. The completion of the GWR signalled the rise of Windsor as an international trade nexus and focus for new industrial development, and in 1858 Windsor was incorporated as a town. As Windsor grew, the prominent citizens and businesses of Sandwich relocated east. New industries such as meat packing benefited enormously from access to the railroad (Lafreniere & Rivet, 2009; Morrison, 1954).

The 1860s were a time of continued growth for Windsor, with the railroad acting as a stimulus for the formation of new industries and the development of trade infrastructure, especially along the waterfront. The railroad provided locals with a way to get agricultural and timber goods to markets in Detroit, Toronto, Chicago, and elsewhere; more farmland was cleared including in the swampier concessions away from the river which had been mostly undeveloped. Access to markets in the larger population centres caused farmers to shift away from personal subsistence crops towards cash crops such as wheat, corn, and tobacco, and a few wealthy local families amassed large land holdings for streamlined agricultural production, like Hiram Walker's tobacco farm and processing centre in Sandwich East Township (Morrison,

1954). Catches of whitefish and herring from the Detroit River's productive fisheries were shipped as far as Boston, New Orleans, and San Francisco (Morrison, 1954).

By the turn of the twentieth century, Windsor was a main junction point for rail shipping to and from the United States. The Great Western (later Grand Trunk, then Canadian National) had been followed by the Canada Southern (later Michigan Central, Conrail) in the 1880s, Walker's 1885 Lake Erie, Essex and Detroit River (later Pere Marquette, Chesapeake and Ohio, CSX) and the Canadian Pacific in 1890. By 1910, the Michigan Central rail tunnel beneath the river was completed, thus reducing the problems and dangers of ferrying rail trains across the river.

Hiram Walker and Sons built a local airport in 1928, which formed the core of what is now the Windsor Airport (Walker Airport map, ca. 1930). The early airport lay at the southwest corner of the airport lands where the terminal is now located.

1.7 Industries

Founded on the fur trade frontier and on agriculture, the Windsor area has altered its economic framework dramatically over the last three centuries. Until the first decade of the twentieth century, industries were mainly small manufacturing plants and craft industries, most of which grew up after the coming of the railroad. Walker's distillery operation with its associated supporting industries was an outstanding exception in the late nineteenth century as it was much larger in scale. Cross-border trading formed a major portion of the urban economic base.

Several mills were built along the Detroit River and Turkey Creek in the late eighteenth and early nineteenth centuries. One of these, Baby's Mill, has been commemorated with a reconstructed building at the foot of Mill Street in Sandwich. The actual site of Baby's mill lies to the north on Lot 3 south of Russell Street (Sandwich Town Patent Plan) and may retain some archaeological integrity. Other mills are depicted on early maps. McNiff's 1791 survey (Lajeunesse, 1960; Figure 9) shows as many as six windmills on the river between Hogg Island (Péche Island) and Turkey Creek, none of

which are in the location of Baby's. All of these would have been associated with the dwellings of a miller and workers. The mill known to have stood on the Walker Distillery property, once owned by Montreuil, was built in 1815 (Belden, 1881; Douglas, 2001; Neal, 1909; Teasdale, 2018, p. 122).

The 1812 military engineer's map shows only one of the mills on a small point between McKee's homestead (Lot 59) and the mouth of Turkey Creek (about Lot 35). This mill is mentioned in the *Historical Atlas of Essex County* (Belden, 1881, p. 10) as still standing with a copestone date of 1802. Although this exact location is unknown, any construction in the area should be aware of its potential.

Although most of the mills were wind powered, water powered mills were situated on the stream variously named Ruisseau de la Vielle Reine, Riviere à Jarvais/Gervais, Nagg's Creek) which formerly flowed through Sandwich, and on Turkey Creek in the First Concession. Fere's mill on Turkey Creek was in place by 1798 (Lajeunesse, 1960) and structures remained in the area on the 1881 map. Similarly, a mill which may be Gervais' is depicted on a 1797 map as being on Col. McKee's Lot 59 just south of the Huron Purchase (Lajeunesse, 1960). Gervais is listed as the landowner on de Lery's map (de Lery, 1764).

After Henry Ford established a Canadian automobile plant in the Walker Wagon works building in 1904, the influx of supporting industries and other automobile companies was dramatic. A small community, eventually named Ford City (incorporated in 1915; incorporated as City of East Windsor in 1928), quickly grew up around the rapidly expanding Ford factory, just east of Walkerville on Francois Drouillard's land (Price & Kulisek, 1992). The development of supporting manufacturing industries, low taxes and the presence of a skilled workforce eventually drew other automobile makers to the Walkerville area. The Chrysler Corporation had its beginnings in the 1916 Maxwell Motor Company on Tecumseh Road East and General Motors grew out of a small 1920s auto parts plant on Walker Road.

1.8 Schools and Institutions

Early schools in Ontario were locally organized by subscription. Not until the School Improvement Act of 1871 were curricula broadened and attendance more accessible for everyone.

Sandwich residents put together money to build the first subscription school *circa* 1808. The Stone College was a one storey, U-shaped masonry building opposite St. John's Church on Sandwich Street. Soon after its construction, the school was occupied by troops during the War of 1812 and records are unclear as to whether this building was ever again used for education. In 1868, a new school was built on the original site, and it is now the location of the current General Brock School.

The Assumption College building was constructed in 1857 as a seminary school. By 1866, Catholic girls were accommodated at St. Mary's Academy on the corner of Ouellette and Park (Morrison, 1954, pp. 96–97). Affiliated with the University of Western Ontario until 1953, Assumption formed the foundation of the University of Windsor.

The first Windsor primary school may have been built in 1838 by James Dougall opposite his house on Sandwich Street and soon after, a brick building was erected on the corner of Pitt and Windsor Avenues. After 1854 it became necessary to expand, and two new schools (one Catholic and one Protestant) were constructed, one on the south side of Chatham between Church and Bruce, and the other on Goyeau near Park. The grammar (secondary) school moved from Sandwich to Windsor in 1857. Classes were held in a building on Pitt Street and later on the upper floor of the newly opened City Hall building, now demolished. The schools were combined in the Windsor Central School in 1873 (Morrison, 1954, p. 40).

Walkerville had an elementary school on the corner of Wyandotte and Devonshire by at least 1890 (W.A.C.A.C., 1997) which was replaced in 1905 by King Edward Public School, now demolished.

Windsor has not retained any of its original nineteenth century school buildings. Several of them, however, are built on the sites of earlier schools and their grounds retain archaeological potential.

1.9 Religion

By 1752, the Jesuits' Huron Mission had become the earliest Catholic parish in Ontario. The Mission had also expanded its mandate to serve the French community. Assumption Church stands on a portion of its original property and there is archaeological potential for the previous churches, mission houses and cemeteries through much of it. No other denominations were populous in the area until after the influx of United Empire Loyalists. Since Sandwich was the early centre of settlement in the Windsor area, the first Anglican church was also built here. St. John's, on the corner of Sandwich and Brock streets retains its original cemetery, although the original 1807 church building has been replaced. Residents living along Detroit River shoreline had to travel to Sandwich to worship. The freedom-seeking Black population formed a Baptist congregation by the 1820s but did not build the existing Sandwich First Baptist Church until the 1850s.

The first churches in the Windsor settlement were built in the 1850s after the Great Western railway terminus sparked a population boom. The first St. Alphonsus church, near Goyeau and Park, dates to this period. All Saints Anglican church, situated just north of City Hall Square, dates to 1857 and St. Andrew's Presbyterian Church followed in 1865 at the corner of Chatham Street and Victoria Avenue. A non-sectarian church building, on the site of the *Windsor Star* building, served the Methodists until they opened a new church in 1873 at Windsor Avenue and Chatham Street. Two Black churches, built on McDougall Street, were the African Methodist Episcopal (1856) and the Baptist (1861) (Morrison, 1954, p. 39).

1.10 Recreation

Numerous parks and fields for games existed around the core of nineteenth century

Windsor and Sandwich, although no pleasure parks existed in the mid-nineteenth century. The Windsor Driving Park and fairgrounds at the top of Ouellette at Tecumseh, (now Jackson Park and Kennedy Collegiate) was the site of horse racing by 1889 (McPhillips, 1892). During World War I, barracks were established in and around the Exhibition building of the Fair Grounds. The open spaces in the existing grounds likely retain archaeological integrity.

The Mineral Springs Spa in Sandwich was established after a sulphur spring was found in 1866 while drilling for oil. A luxury brick hotel was constructed at Chappell and Sandwich Streets for the accommodation of visitors to the springs and a canal was dug from the Detroit River to Russell Street for easy access to American tourists. It was still operating in 1909 under the name Lagoon Park (Neal, 1909, p. 61).

2 Colonial Period Site Potential Model

The archaeological potential modelling for colonial period sites was derived by reviewing historic documentation of colonial settlement in the Windsor area. Unlike the environmental modelling necessary for understanding pre-contact Indigenous land use, settlement after about A.D. 1700 had been partially documented, and it is recognized that these historical sources provide more specific locational information than could be gained through geographic analysis. Historic eighteenth and nineteenth century maps of the Detroit River and Windsor areas have provided general locations for military installations, French farmsteads, eighteenth century Indigenous settlements, early roads and railways, crossroad communities, urban cores, public buildings, cemeteries, and some early industrial sites. In order to identify areas of archaeological potential, historic structures, settlement areas, and transportation routes were transcribed as closely as possible from historical maps. The greatest potential for finding Euro-Canadian sites is found in proximity to these mapped features.

In the eighteenth century, the land use patterns of Indigenous and European cultural groups overlapped, with all the initial French farms apparently falling within the area along the Detroit River already identified as having high potential for Indigenous sites. Early nineteenth-century settlement imposed a structure on the inland landscape as townships were surveyed in rectangular patterns, lands were drained, and roads were constructed along concession lines throughout Essex County. Potential for finding the archaeological remains of historic structures exists within early urban boundaries, along settlement roads or waterways, and within the vicinity of known sites.

The second main criterion for modeling colonial period archaeological potential is based on the determination of archaeological site significance. In Ontario, the Standards and Guidelines for Consultant Archaeologists (MTC, 2011, p. 41) suggest that colonial sites may have cultural heritage value or interest when they date prior to 1900 or when the site is associated with the first generation of settlement. Sites dating after this marker tend to be considered less significant unless they are unique

in some way, such as an association with a famous person or event, an institution (schools, churches, hospitals, town halls) or small craft industry/business such as a blacksmith shop, general store or hotel.

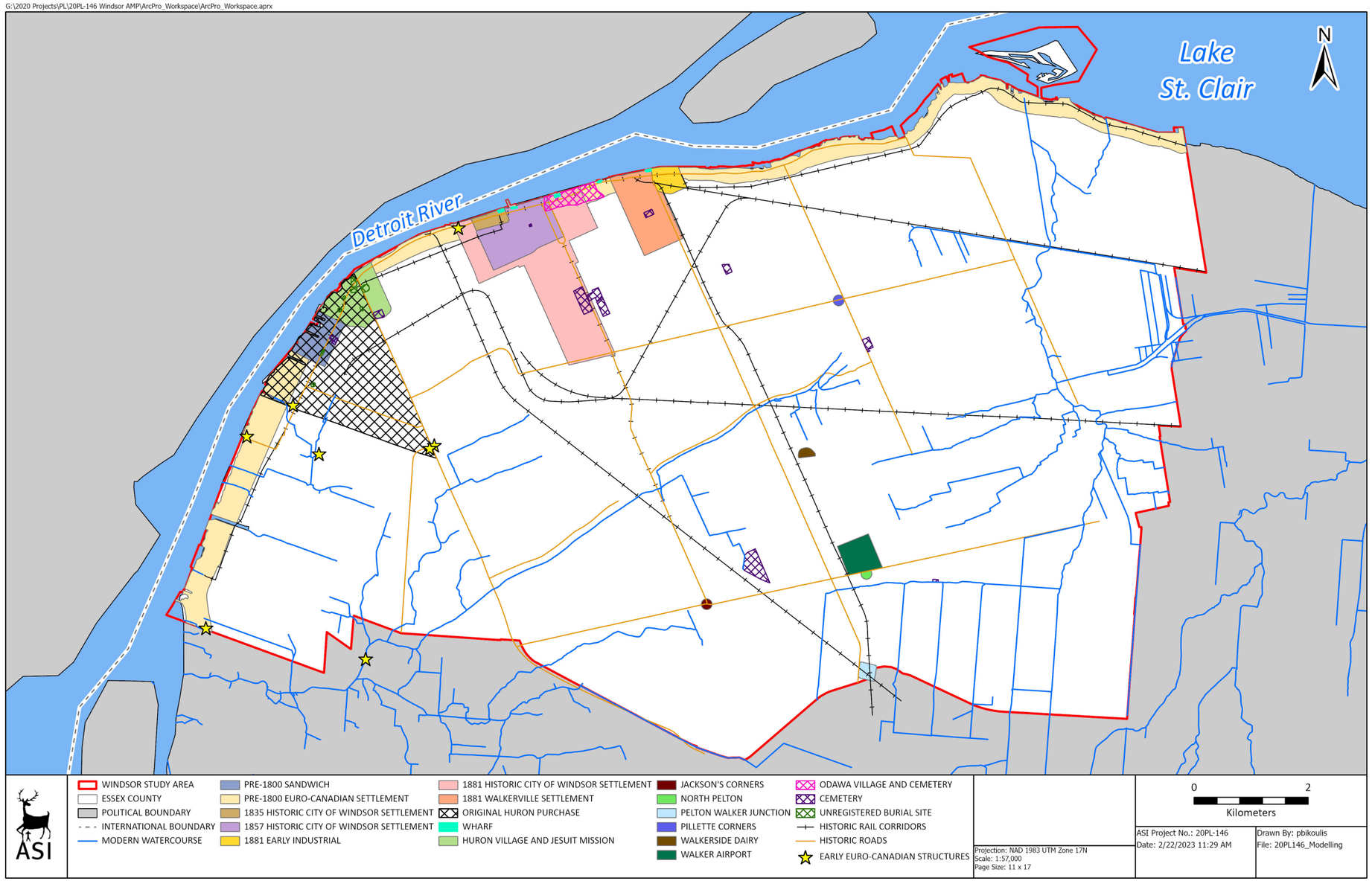
2.1 Registered Colonial Period Sites Layer

To date, the Ontario Archaeological Sites Database (OASD) includes sixty-six colonial period sites in Windsor. Fifteen of these also have Indigenous archaeological components. All have been incorporated into the project GIS. They are classified in the OASD as follows: residential/house/farmstead/homestead (32), unknown (16), artifact scatter (8), campsite (3), village (2), administrative/jail (1), burial (1), depot (1), dump (1), and railway (1).

2.2 Colonial Period Settlement Layer

As noted above, colonial period settlement mapping was based on the analysis of primary documents. As most early maps are notoriously unreliable for locating the sites of former historic structures, the plotting of a number of significant sites required the examination of several maps. Mapping attempted to identify localities that had the potential to contain archaeologically significant settlement. Significant settlement

Figure 3: Historical Features



structures included wind and water mills, hotels, schools, churches, government institutions, military emplacements, cemeteries, roads, railways, wharves and small industries. Specific structure locations were found on McNiff (McNiff, 1791), Walling (Walling, 1877) and Belden (Belden, 1881) maps.

Since European settlement proceeded in two phases, farmstead buildings may be expected to be found in two general patterns. The eighteenth-century French farmers set up along the Detroit River, with buildings oriented to the river "highway" along the frontage. McNiff's map (McNiff, 1791) illustrates irregular clusters of structures in a long strip parallel to the shoreline within a relatively short distance from the river. Although specific structures could not be accurately mapped, the strip was found to lie within the high potential zone already identified for Indigenous occupation along the river. The second phase of settlement involved the extension of the French seigneury-style lots inland for three concessions and filling in behind them with the standard British rectangular grid pattern of concessions. Buildings associated with these later settlers would be expected to lie within a reasonable distance of early concessions and side roads.

Since historical mapping was insufficient to identify all the significant structure locations within developed urban population cores, the urban boundaries of Windsor, Sandwich and Walkerville were plotted and all areas within the nineteenth century cores were considered to exhibit archaeological potential. Urban boundary mapping was derived from Pinney (Pinney, 1857), Belden (Belden, 1881), McPhillips (McPhillips, 1892) and MacDonald (MacDonald, 1921).

Early roads were identified by comparing nineteenth century maps to twentieth century topographic and City mapping. Since a portion of the original Front Road, along the Detroit River, south of Sandwich, appears to have fallen into disuse and eroded into the river between 1881 when the Belden *Atlas* was produced and the 1909 topographic mapping, part of that original trail could not be placed accurately. Most of the road alignments, however, appearing in Belden 1881 and on Walling 1877, are

still in existence. These include Riverside Drive, Huron Church Line, and Talbot Road lying along former Indigenous trails, and Grand Marais Road associated with the Turkey Creek marsh. Concession and sideroads in place by the mid- nineteenth century include Howard Avenue, Walker Road, Pilette Road, Lauzon Road and Malden Road running north to south, and Tecumseh Road, Cabana Road/Division Road and the former Second Concession aligned with E.C. Row expressway. Sprucewood Avenue and Morton Drive in Ojibwa are also early settlement roads with Sprucewood providing access to LaFrere's mill on Turkey Creek. With the exception of E.C. Row, all of these may retain some archaeological potential along portions of their routes.

The Great Western (now CNR) was the first railroad into Windsor (1854). It was followed in the subsequent decades by several others, most of which still maintain their original corridors. These include the Lake Erie, Essex and Detroit River (later Pere Marquette, now CSX), the Canadian Pacific, Conrail (formerly Canada Southern, Michigan Central), and the Essex Terminal built to join up the various lines. The Sandwich, Windsor and Amherstburg, and The Windsor and Tecumseh electric street railways have also been plotted (Belden, 1881; Walling, 1877), as remnants of them may remain below current pavements, and former stations and terminals may still exist along the routes.

Although private and public wharves have been added along the Windsor shoreline, several shoreline structures on the Detroit River in Sandwich, apparent on the Belden (Belden, 1881) map, have not been included as it was impossible to place them accurately along the shoreline. As the full extent of industrial land reclamation along the riverfront through Sandwich and Ojibwa is not known, the presence of early shoreline structures, now under water or landfill, should be considered along with land resources during shoreline alterations in those areas.

Some well-known early industrial sites have been noted, including the Walker Distilleries (Walling, 1877), the early Ford factory (McKay, 1905), and Walkerside industrial dairy (1908 topographic). Detailed information on such sites is not

consistently accessible and undoubtedly many other significant small industries, located in the urban cores, will be located as individual properties are assessed. Many small craft industries such as blacksmith shops, mills and harness or carriage makers, often located in crossroad service communities, would all be considered significant. Only one such operation, a blacksmith shop depicted on the northwest corner of Talbot Road and Howard Ave (Belden, 1881), could be specifically located within the city limits. Early mill sites are located within the city limits. Baby's mill in Sandwich has not yet been definitively located, but the site of the Badichon-Labadie (alternatively known as the Lassaline-Montreuil) windmill which stood on what is now Walker distillery land, has likely been destroyed. Windsor now encompasses several nineteenth century crossroad villages such as Meros Corners (Pilette Corners), Jackson's Corners (Roseland), Pelton (Walker Junction) and North Pelton (Belden, 1881; Walling, 1877) (Canada Topographic Series, Essex No.46 1913). These have been plotted according to the general boundaries indicated in Belden (Belden, 1881). Crossroad communities traditionally are the sites of important local services such as craft industries, hotels, churches and schools.

Military sites in the Windsor area include two barracks sites, an 1812 American encampment and several American landing sites along the river. The location of General Hull's 1812 American camp, sometimes referred to as Fort Gowie, could be mapped as it is known to have been on Lot 76, Conc. I, a property purchased by Robert Gowie *circa* 1805 (M214 3/RR). The bastioned fortification has been depicted on an 1812 military engineer's map (RG1 B-11) but due to various inconsistencies, the site could not be accurately mapped. With the exception, however, of the Windsor Barracks in Civic Square, all are within the high potential strip identified along the Detroit River frontage. The Sandwich barracks on the site of Brock School has been excavated.

2.3 Cemeteries

All burials and cemeteries, regardless of age, are considered significant and are

afforded protection under the Ontario Funeral, Burial, and Cremation Services Act.

Unregistered family burial plots may be found unexpectedly on any early farmstead. The Ontario Genealogical Society's listing of cemeteries in Essex County was examined for unmapped family plots, but none have as yet been identified within the city boundary. Sometimes churchyards, which were in use as cemeteries in the past, no longer display evidence of grave markers. The Sandwich First Baptist Church on Peter Street is thought to have been used for burials in the nineteenth century.

The oldest church burial ground in Windsor is the Assumption Parish cemetery. It has, however, occupied several locations throughout its 250-year history, the latest of which is still in use and has been included in the WAMP mapping. The earlier cemetery grounds are poorly documented and could not be pinpointed. They exist in the general areas north of Assumption Church in association with Vista Place and Patricia Road. Some parts of these burial areas may be intact where buildings have not been constructed over them.

The two large eighteenth century Indigenous cemeteries are shown generally on several early maps, particularly McNiff (McNiff, 1791). Since these locations are approximate and not delimited, thus, mapping of true boundaries for the Windsor AMP has not been possible. An attempt has been made to place them generally in relation to landmarks such as unregistered Indigenous burial finds, French lot locations, and oral history about burial locations. These cemeteries were associated with the Odawa and Wendat villages described in Sections 1.1.1 and 1.1.2, above, the precise locations and extents of which are also unknown.

2.4 Application of the Colonial Period Potential Model

The modelling of colonial period site potential assumes that archaeological resources, including structures, are most likely to be found in and around documented cultural features. The proximity model assumes that most buildings and landscape alterations were built with access to nearby transportation routes, business trade, or specific

resources such as water power. Urbanization on several scales also engenders clusters of structures creating city neighbourhoods and crossroad villages. Aspects of the roads, rails, and wharves themselves also contain potential for technological information. As described above, areas of historical settlement dating prior to the mid-nineteenth century were treated as having high archaeological potential.

Although historical maps provided general locations for former structures, they could not be relied upon for accuracy because of differences of survey methodology, scale and completeness. To allow for these variances, buffer zones were applied to the mapped features to determine general areas of potential. A 100-metre buffer zone was drawn around each specific registered archaeological site, early residential, institutional, or commercial structures where known, in order to capture associated outbuildings and make allowance for unreliable eighteenth and nineteenth century mapping. Buffer zones were not added to historical sites which fell within areas of high potential for Indigenous occupation, as they already included a sufficient buffer zone. Several known wharves along the Detroit River, which represent both underwater and land-based potential, are marked with a 50-metre buffer zone to allow for approximate historic mapping.

Nineteenth century settlements and transport routes from the first half of the nineteenth century were considered to hold high potential for attracting roadside dwellings, businesses, utility buildings, and route stations. Early routes considered significant were Riverside Drive/Sandwich Street (Front Road), Tecumseh Road (the first inland concession road), Grand Marais Road, Huron Church Road, Talbot Road, and farm lot sideroads leading from Riverside to Tecumseh (Howard, Walker, Lauzon, Pillette). The locations of farmsteads along settlement roads, although roughly illustrated on McNiff (McNiff, 1791) and Walling (Walling, 1877), were not individually plotted, as almost all lie within a short distance of an early road or the Detroit River within a buffer zone of 100 metres to either side of roadways. The buffer zones were

plotted to catch most of these potential structures associated with the corridor rights-of-way. Similarly, 50-metre buffer were applied for early railways.

Developed urbanized areas, referenced as historical settlement centres in Table 2 of the Main Report, cannot automatically be eliminated from having potential because of the assumed disturbance of heritage resources by later construction. All areas within early nineteenth century urban limits were considered to have archaeological integrity in the model, as many of them may encompass relatively undisturbed green patches and paved areas. Development dating prior to the 1950s has often been shown to affect the integrity of pre-existing archaeological sites only partially, and portions of such sites are often found to remain intact. Such locations include school yards, parking lots, house yards, roadsides, and parks.

Registered cemeteries were given a buffer of 10 metres beyond known limits and other suspected or pioneer ones were marked with a 100 metre buffer around a point.

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City of Windsor
Archaeological Management Plan

2024 Update Appendix C:
Contingency Plan for the Protection of Archaeological Resources in Urgent Situations

May 2024

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1 Introduction

The archaeological sites that are the physical remains of the City of Windsor's 13,000-year settlement history represent a fragile and non-renewable cultural heritage resource that must be conserved and protected.

The City of Windsor Archaeological Management Plan (WAMP) represents a comprehensive approach to the conservation of its archaeological resources. While the WAMP reduces the risk of unexpected discovery of archaeological remains during construction (such as disturbing a burial site or nineteenth century building foundation), unexpected discoveries may still occur. To address this possibility, this document outlines processes for dealing with such discoveries:

- A notification process involving the City of Windsor, relevant Indigenous communities, and the Ministry (MCM) [1] from the Archaeology Program Unit;
- An investigation and reporting process undertaken by a consultant archaeologist;

One of the underlying premises of this contingency plan is that, upon discovery of an archaeological resource in an urgent situation, it is illegal for any person or agency to alter that archaeological site, whether registered or not, without an archaeological license issued by the Province of Ontario. This offers automatic protection to all archaeological sites and the City of Windsor must exercise due diligence in all contexts, including emergency situations, such as broken water mains, to ensure that archaeological features are protected from disturbance of any nature.

[1] Provincial management of cultural heritage resources has been carried out by operation units attached variously to the Ministry of Citizenship, Culture and Recreation (1993-1998), the Ministry of Tourism, Culture and Recreation (1998-2002), the Ministry of Culture (2002-2010), the Ministry of Tourism, Culture and Sport (2011 to 2019), Ministry of Heritage, Sport, Tourism and Culture Industries (2019 to 2022), Ministry of Tourism, Culture, and Sport (2022), and Ministry of Citizenship and Multiculturalism (2022).

While the nature of the emergency must obviously be balanced with the needs of archaeological resource conservation, the identification of human remains in such situations requires an immediate cessation of work in the area of the remains.

This contingency plan is divided into two main parts, the first of which presents a process for dealing with urgent situations concerning archaeological resources other than human remains. The second part includes a best practice approach to situations involving the unanticipated discovery of human remains. These parts are followed by recommendations and references.

2 Discovery of Archaeological Resources (Non-Human Remains)

2.1 Defining Archaeological Resources

The 2020 Provincial Policy Statement defines archaeological resources (Section 6.0, Definitions) as including "artifacts, archaeological sites, and marine archaeological sites." Individual archaeological sites are distributed in a variety of locational settings across the landscape, being locations or places that are associated with past human activities, endeavours, or events. These sites may occur on or below the modern land surface or may be submerged under water. The physical forms that these archaeological sites may take includes the following: surface scatters of artifacts; subsurface strata which are of human origin or incorporate cultural deposits; the remains of structural features; or a combination of these attributes.

As such, archaeological sites are both highly fragile and non-renewable. The Ontario Heritage Act (Ontario Regulation 170/04) defines "archaeological site" as "any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest;" "artifact" as "any object, material or substance that is made, modified, used, deposited or affected by human action and is of cultural heritage value or interest;" and "marine archaeological site" as "an archeological site that is fully or partially submerged or that lies below or partially below the high-water mark of any body of water." Archaeological fieldwork is defined as "any activity carried out on, above or under land or water for the purpose of obtaining and documenting data, recovering artifacts and remains or altering an archaeological site and includes monitoring, assessing, exploring, surveying, recovering, and excavating."

2.2 Policies and Protocols in other Jurisdictions Regarding Contingency Plans

Relevant planning policies do exist within infrastructure agreements between environmental monitoring agencies in association with, or separately from, Indigenous communities in Canada and large infrastructure construction corporations (e.g., TransCanada Pipelines, Enbridge). The policies in such agreements follow a similar direction to those presented here, although they are also consistent with the corporate consultation and contingency planning policies of those corporations and those of the planning jurisdiction(s) within which the project is located.

Thus, there are numerous models upon which to base the creation of *specific* emergency procedures in terms of the course of actions to take upon the discovery of archaeological resources. Such protocols are found applied to specific projects, such as state- or sometimes city-level infrastructure works in the United States (i.e., New York City, Minnesota, Wyoming and Washington State). These are all situations in which the funding and legislative context has triggered archaeological requirements. Some U.S. state departments of transportation, such as California, also maintain a roster of contractors qualified to carry out the cultural resource management components of their development projects.

For major projects undertaken by the City of Windsor, special clauses might be inserted in agreements with the contractors to allow for emergency discoveries of archaeological resources. In New Zealand, for example, the Heritage Places Trust may require that an "Accidental Discovery Protocol" be applied to private development projects, and the protocol may form part of the original archaeological assessment report(s) completed for the initiative. Such documents are generally comparable with Ontario's "Discovery of Human Remains – Best Practices Protocol" (see Section 3, below) in terms of the manner in which they outline the steps to be followed (e.g., stop work → secure area of concern → notify authorities → consult with relevant stakeholders and experts to evaluate significance → develop suitable mitigation plan, etc.). Such plans may also identify specific individuals who will serve as project management and supervisory personnel, agency and stakeholder contacts and archaeological consultants who

are responsible for implementing the procedures, should they be required during the execution of the project.

2.3 Role of Province

The Ministry is charged under Section 2 of the Ontario Heritage Act with the responsibility to "determine policies, priorities and programs for the conservation, protection and preservation of the heritage of Ontario" and so fills the lead provincial government role in terms of direct conservation and protection of cultural resources. The Minister is responsible for determining policies, priorities, and programs for the conservation, protection, and preservation of the heritage of Ontario. These goals are partly accomplished through other legislated processes, such as those required by the Planning Act and Environmental Assessment Act, rather than directly through the *Ontario Heritage Act* itself.

The Ministry has the primary administrative responsibility under the *Planning Act* and *Ontario Heritage Act* for matters relating to cultural heritage resource conservation including archaeological resource identification and mitigation in advance of land development, specifically the Archaeology Program Unit with respect to the latter.

The Ontario Heritage Act governs the general practice of archaeology in the province in order to maintain a professional standard of archaeological research and consultation. The Minister is responsible for issuing licenses to qualified individuals. All consultant archaeologists who undertake Stage 1 to 4 archaeological assessments must be licensed by the Ministry. All work conducted by the consultant archaeologist must conform to the standards set forth in the most current *Standards and Guidelines for Consultant Archaeologists* (2011) authorized by the Ministry and the accompanying bulletins, such as *Engaging Aboriginal Communities in Archaeology*. All archaeological fieldwork in urgent situations must be carried out by consultant archaeologists.

In the case of the discovery of unanticipated archaeological remains, under Subsection 48(1) of the Ontario Heritage Act, it is illegal for any person or agency to knowingly alter an archaeological site without a license. Alteration of an

archaeological site is deemed to include any form of unsanctioned disturbance or destruction of an archaeological resource brought about by any means (e.g., construction, archaeological excavation, or soil disturbance of any nature on the site). This in effect offers automatic protection to all archaeological sites and the City of Windsor should help in all accidental discovery contexts to ensure that archaeological features are protected from further disturbance of any nature.

Accordingly, contractors should stop work in the vicinity of a find pending its assessment by a consultant archaeologist. It is likely that most discoveries will be found by a contractor, a pedestrian observer, a private citizen on their own property, or a City of Windsor official. In any of these cases, authorities should be alerted and any further disturbance to the archaeological resource should stop. The City of Windsor by-law enforcement staff can issue a stop work order in such situations, if necessary.

All reports on archaeological investigations concerning accidental discoveries will be submitted to the Ministry by the consulting archaeologist, as a condition of an archaeological license. These will be reviewed by Ministry staff to ensure that the activities conducted under a license meet current technical guidelines, resource conservation standards, and the regulations of the Ontario Heritage Act. The reports must also be provided to the City of Windsor's Planning Department. Figure 1 outlines the basic process to be followed in a development context.

2.4 Role of the City of Windsor

Figure 1 charts the steps in the process of dealing with an accidental discovery of archaeological resources and Appendix 1 of this contingency plan includes one-page instruction sheets for handling the accidental discovery of archaeological resources or human remains. In the event that a municipal employee observes archaeological resources during a property inspection, he or she should consult the one-page instruction sheet and make the necessary calls to alert officials to the discovery. The person discovering or reporting the find can seek assistance from the municipal planning department should they require help in determining next steps. A roster of pre-qualified consultants can also be used to secure professional

help immediately in the case of either private property projects or public sector projects (see Recommendation 4 in Section 4, below).

2.5 Role of Consultant Archaeologist

Once a consultant archaeologist has attended to the scene, retained by either the relevant municipality or a private proponent/landowner, the consultant archaeologist will define the nature and extent of the deposit and direct arrangements for the protection of the precise area of concern. Should a stop work order have been placed by the municipality, arrangements can be made to have it rescinded to allow a development proponent or property owner to carry on without impact to the archaeological resource. The consultant archaeologist will then investigate the archaeological resource and assess the potential impact to the archaeological resource posed by the soil disturbance, development, and/or site alteration.

The development proponent or property owner, the consultant archaeologist, the Ministry, and the municipal approval authority must then arrive at appropriate decisions regarding integration of that resource into the development plan or the implementation of mitigative options. In the case of the discovery of Indigenous archaeological resources, the consultant archaeologist is required to engage with the appropriate First Nations to seek their input into this process in accordance with the *Standards and Guidelines for Consultant Archaeologists* (MTC, 2011).

2.6 Role of Property Owner

Should the resource be further threatened on a construction site, the two options available are to immediately avoid and protect the resource in the development plan, such as through the allocation of the area as non-parkland open space or undertake procedures to mitigate the resource through excavation. In the case of a private property owner, the decision will generally be to either abandon the project or undertake mitigative removal of the feature. These decisions will most likely be subject to a cost-benefit analysis where the mitigative option involves input from all stakeholders and rightsholders (i.e., the City of Windsor, Ministry,

First Nations, and the property owner). In the case of a private property owner, the financial implications of an unexpected find may be onerous (see Recommendation 3 in Section 4, below). All participants in any consultation process undertaken in the event of an unexpected discovery must enter into it with the understanding that it will take some time to complete.

2.7 Mitigative Options

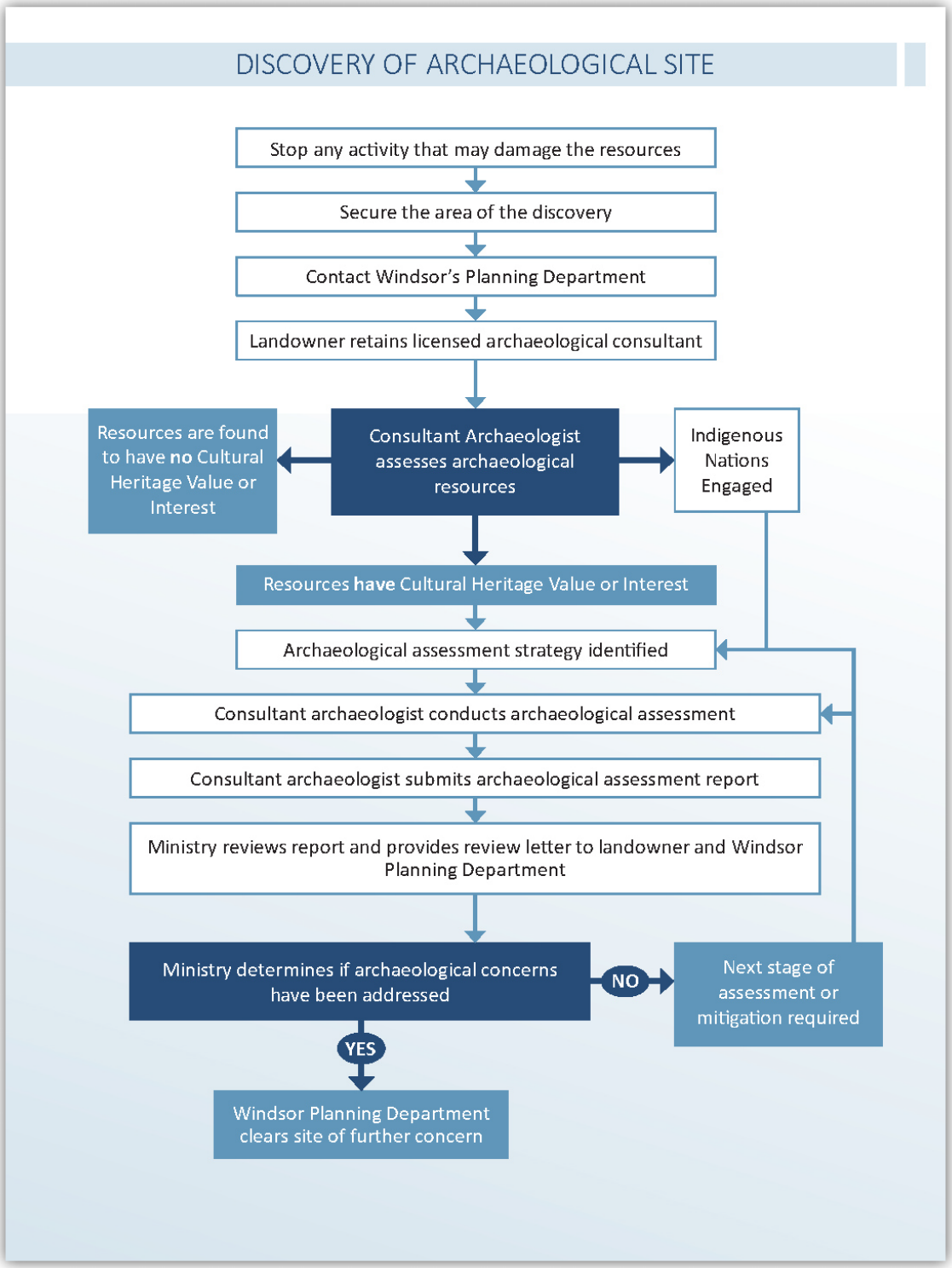
Section 8.3.5 of the WAMP Main Report sets out the criteria for determining the cultural heritage value of archaeological resources, including information value, value to a community and value as a public resource. There is also a set of indicators based on these criteria, which helps to determine which archaeological resources are significant and therefore must be preserved or conserved. Section 8.3.6 of the WAMP describes a number of mitigative options, including avoidance, modifications to construction techniques, long-term protection, and various degrees of documentation and/or excavation.

It should be noted that detailed information regarding a site is frequently required in order to make a more accurate assessment of significance and to determine the potential for adverse effects. This may involve different levels of intensity and phases of on-site investigations.

2.8 Emergency Response Process

The following flowchart (Figure 1) outlines the recommended decision-making process and actions for responding to the unanticipated discovery of archaeological resources.

Figure 1: Emergency Response Process in the Event of the Accidental Discovery of an Archaeological Site.



3 Discovery of Human Remains – Best Practices Protocol

3.1 Introduction

The following is designed to assist all those involved in responding to and addressing unanticipated discoveries of human skeletal remains outside of a licensed cemetery. This is presented as a series of best practices among the many overlapping interests and jurisdictions of several ministries, agencies, police services and other government bodies that are triggered when human skeletal remains are uncovered. This approach was developed originally for the Toronto region with the support and approval of many Indigenous representatives from across Ontario and is equally applicable to discoveries of human remains elsewhere in the province.

These best practices support the existing regulatory and statutory mechanisms in Ontario. Responsibility for previously unknown human remains passes through a number of jurisdictions (i.e., police, coroner, and the Registrar of Burials in the Ministry of Public and Business Service Delivery, formerly Ministry of Government and Consumer Services), and the intent of this section is to ensure this flow is effective and as seamless as possible.

3.2 Media

Getting through the entire discovery and disposition process when human remains are found will see the authority for the issue shift among several agencies. As such, until all investigations have been carried out and the disposition resolved, formal press releases or contacting the media should only occur if all affected authorities have concurred (i.e., police, coroner, First Nations and Registrar of Burials). In addition, after all investigations have been completed, the concerns of the landowner and group acting as representative for the deceased should be considered before media contact. Premature media notification, particularly prior to having accurate identification of the deceased, will lead to misinformation,

misplaced concerns being raised, and potentially a hardening of attitudes. This can make a final disposition agreement more difficult to reach.

Any media interest should be directed to the agency that has authority over the burial site at the time of the media contact (i.e., police, coroner's office or Registrar of Burials). Media photography of the remains, particularly if they are of Indigenous peoples, should be avoided. A publicly displayed photograph of skeletal remains may be offensive to representatives of the deceased.

3.3 Role of Consultant Archaeologist

It is important to note that the discovery of human remains will occur in two basic contexts: either through accidental discovery by an individual in unexpected circumstances, such as during construction, or through discovery as part of an archaeological examination/excavation of a locale by a consultant archaeologist. In any case, a Burial Site Investigation ordered by the Registrar of Burials, Ontario Ministry of Public and Business Service Delivery, under the provisions of the Funeral, Burials and Cremation Services Act must be conducted by the holder of a Professional-class archaeological license issued by the Ministry of Citizenship and Multiculturalism (MCM) under the Ontario Heritage Act. The work must also be done under a Project Information Form (PIF) issued by MCM with all the attendant license reporting obligations. The consulting archaeologist must have the necessary skills, knowledge and expertise to assist both the police and coroner in determining the age of the interment, as well as to assist the property owner in generating the information required by the Registrar to determine the nature, extent and cultural affiliation of the person(s) buried. His or her presence at the front end of the discovery process is required by law and will greatly aid all authorities in making quick and accurate determinations and should be relied on as much as possible in such circumstances.

3.4 Coroner Notification

A person finding any skeletal material that may be human is required to immediately report the find to the local police or coroner. An appropriate contact

list (e.g., police, regional coroner's offices, Registrar of Burials, MCM) should be maintained by all municipal divisions involved in or managing land disturbing activities, including municipal law enforcement officers, property and building inspectors, and contractors working on behalf of the City of Windsor who may be the first contact with such a discovery. Figure 2 outlines the process that will be followed from the time of discovery onward.

When the police are first contacted, they will attend the scene, protect the site and contact the local coroner. The coroner, or the police on behalf of the coroner, will conduct an investigation to determine if the remains are human and if foul play is involved. The investigator will need to obtain all the information required to make a determination. Efforts should be made at this stage to minimize site disturbance. All bone and associated grave goods still embedded in the ground should not be disturbed. Poking, pulling, and digging up the bone in an uncontrolled manner can quickly destroy critical data essential to making accurate identifications.

The police and coroner will typically rely on their forensic anthropologists in conducting the investigation. Burials are archaeological deposits in their own right and are often found as part of more extensive archaeological deposits. The consultant archaeologist can help ensure that the larger cultural heritage resource is not destroyed or damaged during investigation of the skeletal material as well as determine whether or not the human remains are part of a crime scene.

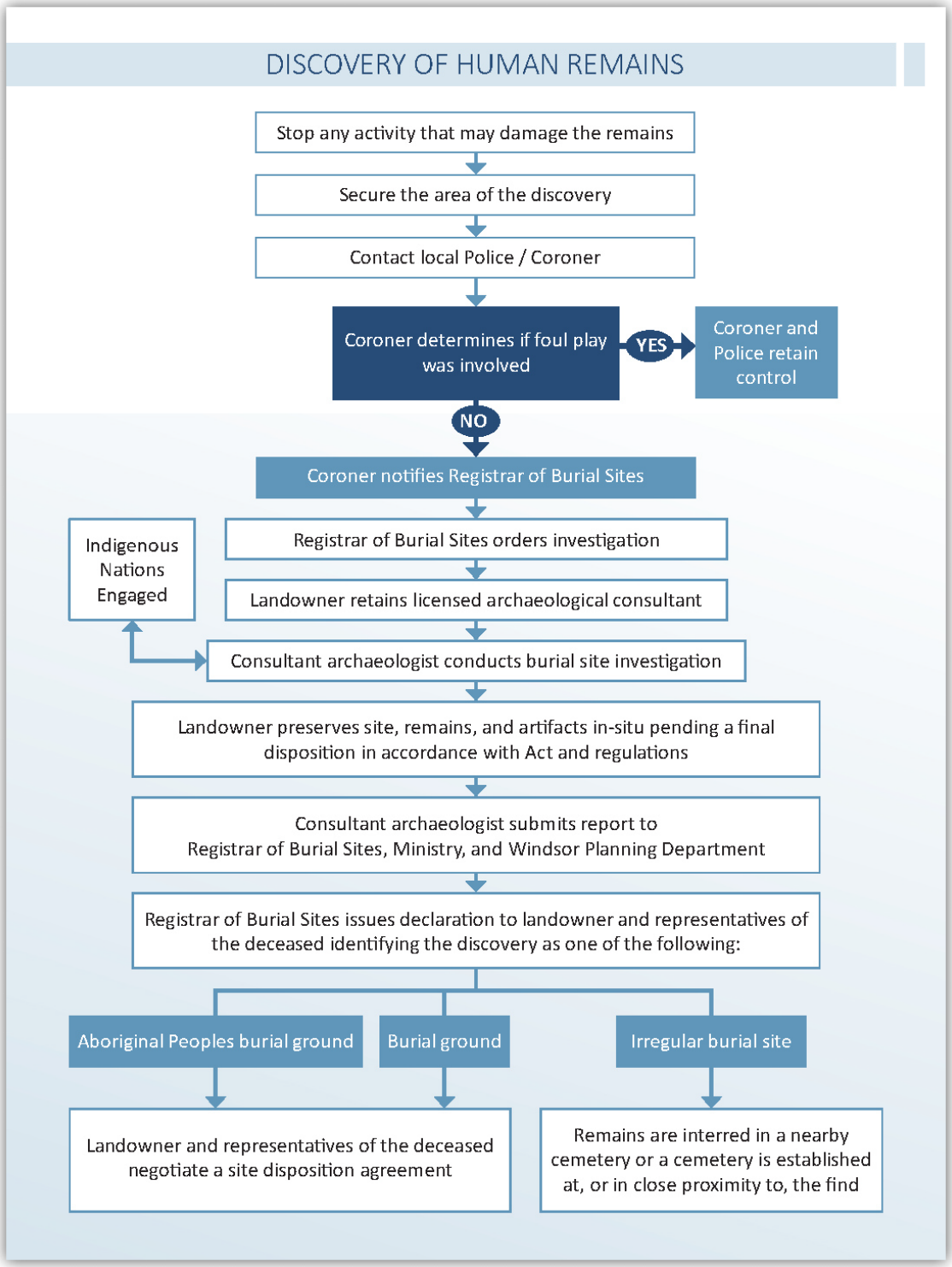
If the burial is found in the course of an archaeological site investigation, or if other archaeological evidence is immediately available without further disturbing the burial, consultant archaeologists may be able to assist with the coroner's initial determination. Such evidence may include the following: the condition and discoloration of the bone; presence of artifacts around the discovery site, such as the presence/absence of a coffin, grave goods, etc.; knowledge of known archaeological sites at or in the vicinity of the burial; intact archaeological features, such as a grave shaft; or depth of and position of remains. Such evidence will also be collected in the course of a subsequent Burial Site Investigation (see Section 3.5).

When skeletal material is found and it is not readily obvious that this material is either a burial or crime scene, coroners will often employ the services of a forensic

anthropologist to examine the bone in detail. While the coroner requires only a basic determination of age (i.e., recent vs. historic/ancient) and nature of the interment, the forensic anthropologist's examination can also determine cultural affiliation (based on the presence/absence of specific skeletal traits), age of the individual at death, sex and even funerary practices. This information will be essential for the investigations for the Registrar of Burials, as well as for the deceased's representative in determining the appropriate re-interment requirements. Allowing the forensic anthropologist to complete a descriptive analysis of the skeletal material as part of the coroner's investigation will greatly aid in addressing remaining issues associated with this process.

When the coroner makes a determination that no foul play is involved, they will contact the Registrar of Burials who may choose to order a Burial Site Investigation. It is essential that the Registrar of Burials and the City of Windsor are notified of the discovery, and given any relevant information (e.g., contacts, results of any analyses). The property owner is legally required to preserve and protect the site when the police are no longer involved until a disposition is made under Regulation O. Reg. 30/11 of the Funeral, Burial and Cremation Services Act.

Figure 2: Emergency Response Process in the Event of the Discovery of Human Remains.



3.5 Funeral, Burial and Cremation Services Act Requirements

As detailed in Section C of O. Reg. 30/11, issued in accordance with the Funeral, Burial and Cremation Services Act , the Registrar of Burials will be required to determine and formally declare whether the discovery constitutes an Aboriginal Peoples Burial Ground, a Burial Ground, or an Irregular Burial Site, as defined in the Act. To support this determination, the Registrar of Burials will issue an order to the property owner requiring the submission of a Burial Site Investigation report prepared by a licensed professional archaeologist.

The objectives of the Burial Site Investigation include the following: whether or not the interment(s) was/were intentional, and the basis on which this conclusion is made; the cultural affiliation of the deceased; the defined limits of the area containing burials; the style and manner in which the remains are interred; a description of the artifacts determined to form part of the burial site; and any other information relevant to the preparation of a site disposition agreement as determined by the Registrar (O. Reg. 30/11 s174(2)6.). It may also be necessary to determine the exact number of discrete burials present in the area. Excavation methods should maximize recovery of these data, while minimizing disturbances to the remains. At the conclusion of the investigation, a report must be submitted to the Registrar of Burials, Archaeology Program Unit of MCM, and to the City of Windsor's Planning Department.

During the investigation, the remains must be treated with respect and care. All artifacts found in the burial are to be considered grave goods and should be treated as part of the burial and kept with the skeletal remains. Burials must not be unnecessarily exposed to the elements or to casual viewing and must be covered over as soon as possible following identification. The property owner continues to be responsible for preserving and protecting the site during this investigation and until a disposition is made under the Funeral, Burial and Cremation Services Act.

Once the Registrar of Burials makes a declaration, attempts will be made to locate a representative for the deceased. If the locale is deemed to be an Aboriginal

Peoples Burial Ground, the Registrar of Burials will contact the appropriate First Nation(s).

There are currently seven Indigenous nations that have an expressed interest in the City of Windsor, as follows:

- Walpole Island First Nation
- Caldwell First Nation
- Chippewas of the Thames First Nation
- Aamjiwnaang First Nation
- Haudenosaunee Confederacy Chiefs Council
- Six Nations of the Grand River
- Huron-Wendat Nation

If the burial is non-Indigenous, the Registrar of Burials will attempt to find a representative. Where no descendant is identified, a representative of the same religious denomination as the person buried can act for the deceased. If religious affiliation cannot be determined, the Registrar of Burials will determine the appropriate representative.

For Aboriginal Peoples Burial Grounds and Burial Grounds, the property owner and the representative for the deceased shall reach a disposition agreement outlining what is to be done with the burials. Where there is no agreement, binding arbitration is provided for under the Funeral, Burial and Cremation Services Act. Removal of remains or associated artifacts from the site is not permitted without the consent of the representative of the deceased. A site disposition agreement will contain the following elements (O.Reg. 30/11, s. 184):

1. a legal description of the location of the burial site in which the human remains are interred and, if applicable, a statement that the remains will be left where they are interred, and the site established as a cemetery;

2. the style and manner in which the human remains are to be disinterred and reinterred, if applicable;
3. the time within which the disinterment and reinterment are to take place, if applicable;
4. the provisions being made for the future maintenance of the cemetery in which the human remains are to be located;
5. the allocation of the costs of carrying out the agreement;
6. all other matters that the parties to the agreement agree upon; and
7. in the case of an arbitration, all other matters that the arbitration board or arbitrator considers necessary.

If the discovery is declared to be an Irregular Burial Site, the process will not be subject to a site disposition agreement. Instead, the owner of the land is required to carry out either of two options, as follows:

1. leave the remains in place or move them to land in close proximity to the site and establish the site as a cemetery; or

2. remove the remains and re-inter them into an existing cemetery in the same local municipality as the site or in an adjoining local municipality.

The property owner is responsible for all costs, although claims of financial hardship will be evaluated by the Registrar in cases where the landowner cannot pay.

The option selected with respect to an Aboriginal Peoples Burial Ground will be negotiated between the property owner and representative for the deceased.

With respect to an Aboriginal Peoples Burial Ground, if a disinterment/reburial option is ordered by the Registrar, the Registrar will direct this process. Costs associated with a disposition agreement will be negotiated by the property owner and representative of the deceased. While the time it takes to complete this work will be subject to the terms laid out in the site disposition agreement, factors such as the number and nature of interments and level of observations prescribed in the site disposition agreement will affect the length of time needed to complete the removal and re-interment.

4 Recommendations

The major recommendations arising from this *Contingency Plan for the Protection of Archaeological Resources in Urgent Situations* are the following:

1. In the case of private property projects, it is recommended that municipal staff provide the landowner with a list of those consultant archaeologists capable of responding immediately. In the case of public sector projects, the roster of pre-qualified consultants can be used to secure professional help immediately.

2. The City of Windsor should develop a roster of pre-qualified consulting archaeologists capable of responding immediately to contingent situations. The key criteria for the roster are the ability of the consultant archaeologist to attend a site within 24 hours or less and demonstration that the consultant archaeologist has an appropriate Health and Safety Plan in place for use under all circumstances. The roster of archaeologists could be accessed through the City of Windsor Planning Department.

5 References

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6 Appendices

6.1 Appendix 1: Instruction Sheet – Accidental Discoveries of Archaeological Sites

The City of Windsor has developed a *Contingency Plan for the Protection of Archaeological Resources in Urgent Situations*.

Archaeological Sites

The Ontario Heritage Act is intended to ensure the protection of heritage buildings and archaeological sites. Under Subsection 48(1) of the Act, it is illegal for any person or agency to knowingly disturb an archaeological site without a license, with penalties specified in Subsection 69(1). The City of Windsor must exercise due diligence in all contexts, including emergency situations, to ensure that this requirement is enforced.

Evidence of an Indigenous archaeological site may include stone (flint or chert) tools or flakes, burnt and unburnt animal bone, reddish-brown unglazed earthenware-like pottery, burnt stones and spreads of charcoal. Evidence of later colonial archaeological sites may include bottle glass, crockery, iron/metal items, old foundations, wells, drains or similar structures. Examples of some of these types of remains are provided in the photographs overleaf.

In the event that the property owner/proponent believes that such remains have been uncovered and are being destroyed by actions not being carried out by licensed archaeologists, the property owner/proponent should:

1. Request work stop on the property.

2. Ensure that the area is secured.

3. Notify the appropriate authorities: the **Archaeology Program Unit,** Ministry **(MCM) and the City of Windsor Planning Department** (see contact information below).

Arrangements will then be made with the development proponent or property owner to have qualified archaeological personnel investigate the remains.

If in doubt about potential archaeological remains, take a photograph of the site/finds and send it to the City of Windsor planning department.

Contact Information

Planning and Building Services Department, **City of Windsor** Suite 201, 350 City Hall Square East Windsor, Ontario, Canada N9A 7K6 Phone: (519) 255-6543 Fax: (519) 255-6544 Email: planningdept@citywindsor.ca	**Archaeology Program Unit** **Ministry of Citizenship and Multiculturalism** email: archaeology@ontario.ca Include “Urgent” in subject line.

6.2 Appendix 2: Accidental Discoveries of Archaeological Sites – Examples

Examples of Indigenous stone tools.

An example of a charcoal and dark soil stain that is an archaeological feature.

An example of a field stone foundation.

An example of a well.

An example of a stone foundation

An example of a stone and brick foundation

An example of a wood drain

Examples of nineteenth-century ceramics

6.3 Appendix 3: Instruction Sheet – Accidental Discoveries of Human Remains

The process to be followed regarding unanticipated discoveries of human skeletal remains outside of a licensed cemetery is laid out in O.Reg. 30/11 of the Funeral, Burial and Cremation Services Act. If human remains should be encountered during construction, the following steps must be followed by those individuals who discover the remains:

1. Work must cease immediately.

2. The area must be secured.

3. The discovery must be reported to the **City of Windsor Police Service** and the **Coroner** (note that the police may do this themselves). The police/coroner may call in specialists in forensic or biological anthropology to determine whether or not the bones are human.

4. In the event that the police/coroner determine that the remains do not constitute a crime scene, the **City of Windsor Police Service** or the **Coroner** will notify the **Registrar of Burials, Ministry of Public and Business Service Delivery**. The **City of Windsor Planning Department** and the **Archaeology Program Unit of MCM**, (see contact information below) should be contacted by the property owner or their delegate (e.g., licensed consultant archaeologist).

5. The **Registrar of Burials, Ministry of Public and Business Service Delivery**, which is the senior agency in this process, may order a formal burial investigation to be carried out by a licensed archaeologist.

If in doubt about potential human remains, take a photo and send it to the City of Windsor's Planning Department.

Contact Information

Windsor Police Service

Police Headquarters
150 Goyeau Street
P.O. Box 60
Windsor, ON
N9A 6J5
519-255-6700

Amherstburg Detachment
532 Sandwich Street South
Amherstburg, ON
N9V 3R2
519-736-8559

Office of the Chief Coroner

Regional Supervising Coroner's Office, West Region

Richmond North Office Centre
235 North Centre Rd, Suite 303
London, ON
N5X 4E7

To contact the Coroner on Call - Coroners Dispatch -- 1-855-299-4100

Email: occ.london@ontario.ca

Dr. Crystal Forrest

Registrar of Burials,

Ministry of Public and Business Service Delivery

T: 647-233-4033

Email: crystal.forrest@ontario.ca

Manager

Archaeology Program Unit

Ontario Ministry of Citizenship and Multiculturalism

email: archaeology@ontario.ca

Include “Urgent” in subject line.

Planning & Building Services Department

Planning Division

City of Windsor

T: (519) 255-6543

Email: planningdept@citywindsor.ca

City of Windsor
Archaeological Management Plan

2024 Update Appendix D:
Proposed Policy Revisions to the City of Windsor Official Plan

May 2024

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Geomatics Specialist:	Adam Burwell, M.Sc.

Fisher Archaeological Consulting

Project Archaeologist:	Jacqueline Fisher, M.A., A.P.A., Principal Archaeologist
Project Archaeologist:	Jim Molnar, Ph.D., Manager
Project Archaeologist:	Ruth Macdougall, M.A., Project Manager

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1 Introduction

The following appendix provides a presentation of the City of Windsor's current policies in the Official Plan related to the identification and conservation of archaeological resources.

The City of Windsor Official Plan enables the implementation of the Archaeological Management Plan. Amendments to the Official Plan will include revised policies for identifying and conserving archaeological resources and for engaging with Indigenous nations in this regard.

The current Official Plan's general objectives and cultural heritage policies include ones that obligate the City to identify archaeological sites in accordance with the Ontario Heritage Act, and adhere to provincial legislation regarding the conservation of archaeological resources.

2 Current Official Plan Policies Pertaining to Archaeological Resources

The current policies relevant to conservation and management of archaeological resources in the City of Windsor Official Plan are presented below. These were consolidated in January 2012 as part of Official Plan Amendment #76. The numbered headings of these policies follow that of the Official Plan, not this report.

9.3 Policies

9.3.2 Identification of Heritage Resources

9.3.2.1 Council will identify Windsor's heritage resources by:

ARCHAEOLOGICAL MASTER PLAN

(a) Maintaining and updating the inventory of registered archaeological sites or lands of archaeological potential, as identified in the Windsor Archaeological Master Plan and Schedule 'C-1': Development Constraint Areas – Archaeological Potential; (added by OPA 55 – July 24, 2006)

9.3.4 Protection of Heritage Resources

9.3.4.1 Council will protect heritage resources by:

ARCHAEOLOGICAL SITES

(a) Requiring that development or infrastructure undertakings on lands containing potential archaeological resources avoid the destruction or alteration of these resources; or where this is not possible, requiring the proponent to conserve significant archaeological resources through documentation and removal or mitigation in advance of land disturbances, in accordance with the Ontario Heritage Act and the policies contained within the Windsor Archaeological Master Plan, its implementation manual and Schedule 'C-1': Development Constraint Areas – Archaeological Potential; (amended by OPA 55 – July 24, 2006)

9.3.7 Heritage Resources and Planning Initiatives

9.3.7.1 Council will integrate heritage conservation into the development and infrastructure approval process by:

ARCHAEOLOGICAL ASSESSMENT

(a) Requiring the preparation of an archaeological assessment when development proposals or infrastructure undertakings affect known archaeological resources or areas of archaeological potential as designated on Schedule 'C-1': Development Constraint Areas – Archaeological Potential and in accordance with the Windsor Archaeological Master Plan and its implementation manual; (amended by OPA 55 – July 24, 2006)

3 Proposed Amendments to Windsor's Official Plan Policies

The following amendments are recommended to update Windsor's official plan. New sections are indicated by the letter X. All policies may be subject to repositioning within the Official Plan Chapter during the amendment.

9.2 Objectives

9.2.X To identify, protect and conserve Windsor's archaeological resources in place wherever possible and encourage development that respects Windsor's archaeological heritage. Through an understanding of, and measures to protect archaeological heritage, Windsor can incorporate the past into planning for the future.

9.2.XX To recognize that the lands within its jurisdiction are of interest to a number of Indigenous communities. As such, Windsor will engage with all such communities in the land development process.

9.2.XXX To use as appropriate relevant Provincial legislation that references the conservation of cultural heritage resources, particularly the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, and the Funeral, Burial and Cremation Services Act in order to identify and conserve Windsor's cultural heritage including archaeological resources.

9.3 Policies

9.3.2 Identification of Heritage Resources

9.3.2.1 Council will identify Windsor's heritage resources by:

WINDSOR ARCHAEOLOGICAL MANAGEMENT PLAN (WAMP)

(a) Preparing and maintaining an archaeological management plan that identifies known archaeological resources and areas of archaeological potential, and that provides direction and requirements for the

identification, evaluation, conservation and management of archaeological resources in accordance with the Ontario Heritage Act. Maintenance will include updating the inventory of registered archaeological sites and lands for which an archaeological assessment has been completed by a provincially licensed archaeological consultant in accordance with provincial standards and guidelines.
Schedule C-1 of the Official Plan is a map indicating areas of archaeological potential in Windsor.

9.3.4 Protection of Heritage Resources

9.3.4.1 Council will protect and conserve heritage resources by:

ARCHAEOLOGICAL SITES

(a) Requiring that development or infrastructure undertakings on lands containing potential archaeological resources avoid the destruction or alteration of these resources; or where this is not possible, requiring the proponent to mitigate the impact to archaeological resources through documentation and removal in advance of land disturbances, in accordance with the Ontario Heritage Act and the policies contained within the Windsor Archaeological Management Plan. Where archaeological resources must be preserved in situ, avoidance and protection measures must be implemented under the direction of a licensed archaeological consultant in accordance with provincial standards and guidelines.

(b) Where Indigenous archaeological resources are to be preserved on site, the development proponent, and the consultant archaeologist shall engage with the appropriate Indigenous communities to identify approaches to the landscaping and interpretation of the site if desired, subject to discussions with stakeholders.

(c) Where Indigenous archaeological resources are identified and preservation on site is not possible, the development proponent, and the consultant archaeologist shall engage with the appropriate Indigenous communities to identify interpretive and commemorative opportunities relating to the resource if desired, subject to discussions with stakeholders.

HUMAN REMAINS

(X) In the event that unexpected human remains or cemeteries are identified or encountered during assessment, development, or site alteration, all work must immediately cease, and the site must be secured. The appropriate provincial and municipal authorities must be notified. Provisions of the Funeral, Burial and Cremation Services Act, the Ontario Heritage Act, and other applicable protocols and policies must be followed. Where there are Indigenous burials, they will be addressed in consultation with the relevant Indigenous communities. A licensed archaeological consultant will be required to carry out an investigation if ordered by the Bereavement Authority of Ontario or the Registrar of Burials, Ministry of Public and Business Service Delivery.

ARTIFACT CURATION

(XX) All artifacts found on property owned by the City of Windsor are to be reported to the City of Windsor for review and possible acceptance and curation by Museum Windsor, in accordance with the artifact transfer process of the Archaeology Program Unit, Ministry of Citizenship and Multiculturalism (MCM). Museum Windsor will also consider accepting transfers of significant artifacts found on private land, subject to Museum Windsor's Collections Policy.

9.3.7 Heritage Resources and Planning Initiatives

9.3.7.1 Council will integrate heritage conservation into the development and infrastructure approval process by:

ARCHAEOLOGICAL ASSESSMENT

(a) An archaeological assessment is required as part of a complete application for all development or site alteration applications, including municipal projects, if it is determined using the archaeological management plan potential mapping that any part of a potential development area possesses archaeological potential or known archaeological resources as set out in Schedule C-1. Projects involving in-water works may require a marine archaeological assessment if so determined using

the *Criteria for Evaluating Marine Archaeological Potential* checklist published by the Archaeology Program Unit, MCM.

(b) Archaeological assessments shall be undertaken to the Appropriate Stage of assessment by a consultant archaeologist in compliance with provincial requirements and standards.

(c) All archaeological assessments reports shall be provided to the Archaeology Program Unit, Ministry of Citizenship and Multiculturalism in accordance with the Ontario Heritage Act. The assessment report shall also be provided to the City of Windsor for comment to ensure that the scope is adequate and consistent with the conservation objectives of the WAMP. A copy of the Ministry review letter will be provided to the City by the licensed archaeologist who completed the assessment or the proponent. The City will maintain copies of all reports and review letters for information purposes.

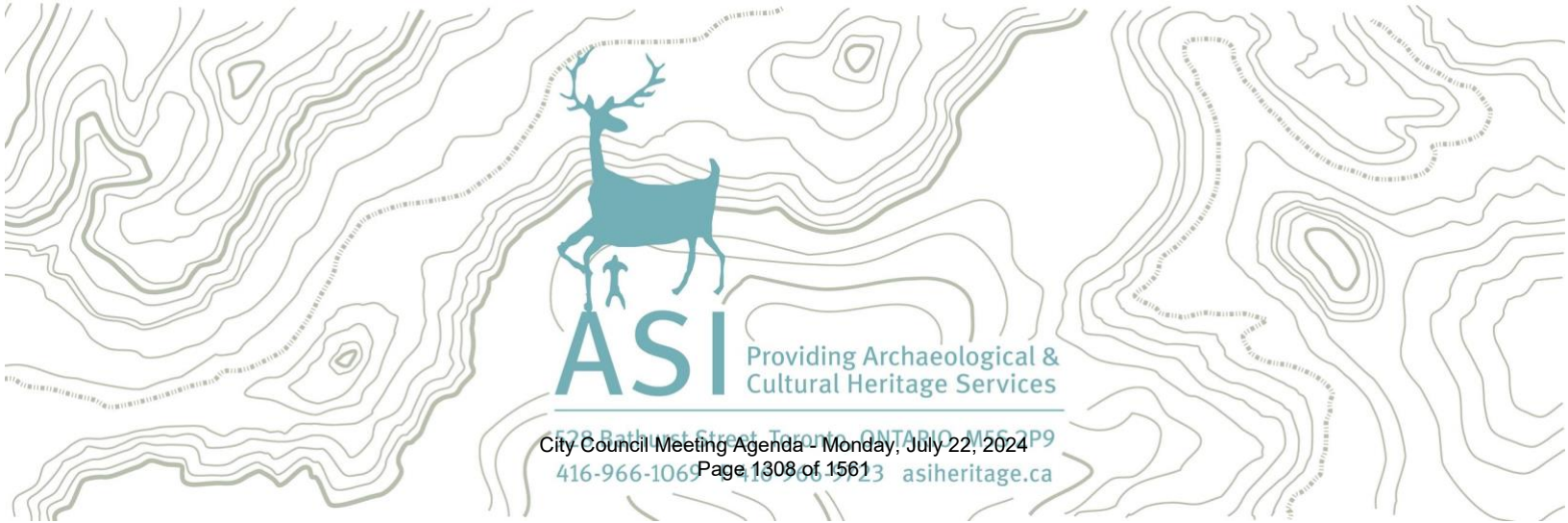
(d) Where archaeological resources are documented and found to be Indigenous in origin, a copy of the assessment report shall be provided by the consultant to the appropriate Indigenous communities.

(e) Where Stage 3 or Stage 4 archaeological assessments are undertaken on Indigenous archaeological resources, the consultant archaeologist shall engage with appropriate Indigenous communities in accordance with Ministry *Standards and Guidelines for Consultant Archaeologists*.

City of Windsor
Archaeological Management Plan Update

Indigenous Engagement Summary Report

March 12, 2024



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1.0 Introduction

The Indigenous engagement program for the City of Windsor Archaeological Management Plan Update project followed the approach of separate and direct engagement with Indigenous communities or organizations. A list of Indigenous communities or nations that have established or potential Aboriginal or Treaty rights within the Study Area, or who have an established interest in the City, has been consolidated from several sources, including contact lists maintained by the City of Windsor and ASI. Based on these criteria, 14 nations, communities and organizations were contacted about the project:

- Aamjiwnaang First Nation;
- Aboriginal Education Centre – Turtle Island at the University of Windsor;
- Caldwell First Nation;
- Can-Am Indian Friendship Center;
- Chippewa of the Thames First Nation;
- Delaware Nation;
- Haudenosaunee Confederacy Chiefs Council;
- Huron-Wendat Nation;
- Kettle and Stony Point First Nation;
- Métis Nation of Ontario
- Oneida of the Thames First Nation;
- Six Nations of the Grand River First Nation;
- Walpole Island First Nation, and;
- Wyandot of Anderdon

2.0 Notices and updates to all communities

In total, there have been four notices or updates circulated to all Indigenous nations or communities as it relates to the City of Windsor Archaeological Management Plan Update. This includes a formal Notice of Study Commencement on March 2, 2021, a formal Project Update on October 15, 2021, and a Notice of Study Completion on ??, 2023 (Table B1). All notices and update emails are provided below.

Table B1: Correspondence between City of Windsor and all Indigenous Communities

Date	Subject	Format	Description
03/02/2021	Notice of Study Commencement	Email / mail	This notice describes the decision to undertake the project, its goals and timeline, as well as providing a contact for the City of Windsor. The notice invites recipients to contact the City if they have any preliminary comments on the project or would like to organize a meeting to discuss the project further.
10/15/2021	Project Update	Email	Kristina Tang (City of Windsor) circulates project update outlining meetings with Indigenous communities, Stakeholders meetings, Public engagement sessions, as well as the status of the potential model, heritage policies and the draft report.
08/13/2022	Project Update	Email	Kristina Tang (City of Windsor) distributes the draft City of Windsor AMP Update for review and comment to all recipients.
MM/DD/2024	Notice of Study Completion	Email / Mail	This letter will be provided to Communities upon completion of the Study

2.1 Notice of Study Commencement – March 2, 2021

THE CORPORATION OF
THE CITY OF WINDSOR
PLANNING AND BUILDING DEPARTMENT
PLANNING DIVISION

Thom Hunt, MCIP, RPP
City Planner/Executive Director

March 2, 2021

[redacted],

Notice of Study Commencement:
Windsor Archaeological Management Plan

Dear [redacted],

The City of Windsor is updating its Archaeological Management Plan (AMP) in order to further identify, protect, and conserve the City's archaeological sites. The Planning Act requires that municipal decision makers and planners be aware of all lands containing known archaeological sites or areas of archaeological potential, and that all planning decisions are made in accordance with provincial policies and regulations. Once complete, this study will provide comprehensive mapping of all known archaeological sites in the City of Windsor as well as areas of Indigenous and colonial period archaeological potential to help guide future planning and development decisions.

Given the importance of this study in guiding future development, the City of Windsor plans to seek council endorsement of the AMP documents and mapping by December 2021. The approved Archaeological Management Plan will also include recommended policies related to archaeological assessments and review, the accidental discovery of archaeological features or remains, and engagement with Indigenous communities related to cultural heritage concerns. As with other archaeological management plans, the City of Windsor intends to make the final archaeological potential layer publicly available for use in identifying areas that require archaeological assessment prior to development. For further information on the process being undertaken by the City of Windsor and upcoming events and milestones, we will be setting up a project webpage, which should be up and running in the near future. In the meantime, feel free to contact me for any information on the project.

The City of Windsor would like to ensure that Indigenous communities that may have an interest in the AMP project are fully engaged in its preparation. For this reason, the City is contacting [redacted] to invite you to participate in the study. Should [redacted] wish to participate, require additional information, or would like to organize a meeting to discuss this project further, please contact the Project Manager for City of Windsor, Kristina Tang, at ktang@citywindsor.ca.

Sincerely,

Kristina Tang, MCIP, RPP
Heritage Planner
City of Windsor Planning & Building Services
ktang@citywindsor.ca
Phone: 519-255-6543 ext. 6179
*Note that due to COVID, at this time staff is working on a rotational schedule at the office and may not have phone access. The best way to start the contact would be through email. Subsequently, other preferred means of communication can be arranged.

Copy to: Martin Cooper, ASI;
[redacted]

2.2 Project update email – October 15, 2021

THE CORPORATION OF
THE CITY OF WINDSOR
PLANNING AND BUILDING DEPARTMENT
PLANNING DIVISION

Thom Hunt, MCIP, RPP
City Planner/Executive Director

October 15, 2021

[redacted]
Wallaceburg, ON N8A 4K9

Project Update #1:
Windsor Archaeological Management Plan

Dear [redacted]

I wanted to provide you a brief update on the progress of the City of Windsor Archaeological Management Plan (WAMP) update, which is being prepared for us by Archaeological Services Inc. (ASI) and Fisher Archaeological Consulting (FAC). The original City of Windsor WAMP was prepared in 2005 and is available here on the WAMP website. It is anticipated that the current update will be completed early in 2022 following which you will be informed of any changes to the Plan prior to consideration by City Council. Once complete, this study will provide comprehensive GIS mapping of all known archaeological sites in the City of Windsor as well as areas of Indigenous and colonial period archaeological potential to help guide future planning and development decisions. Please find below a description of the major tasks that have been completed to date and upcoming milestones.

Meetings with Indigenous Communities:

A notice of study commencement for the Windsor AMP update was sent to Indigenous communities and organizations on March 2, 2021. At present, City Staff and consultants have met with two Indigenous communities, including WIFN to discuss the Windsor Archaeological Management Plan update project. Comments received at these meetings are being incorporated into the WAMP project. The City looks forward to future meetings with Indigenous communities with rights or interests in City of Windsor as draft deliverables and studies are produced.

Public Meetings:

Two Public Engagement Session were held virtually on June 16, 2021 to inform the public and gather input on the key background studies informing the Archaeological Management Plan update. ASI and FAC project staff, along with City staff, were in attendance at the session and engaged in discussions with the inquiring public about the AMP project. A total of 44 people attended the PIC. Video recordings of the PICs are publicly available on the WAMP website.

Stakeholder Consultation:

Consultation activities for gathering stakeholder input is ongoing, with opportunities to comment on key deliverables both in writing and in person.

The steering committee for the AMP review is the Development & Heritage Standing Committee of Windsor City Council. With respect to the AMP review project, the role of the steering committee is to support the project, provide feedback on the study work products, and review the final draft AMP at the end stages of the project before it proceeds to Council and ultimately for final adoption. A virtual presentation on the project was made to the steering committee on March 22, 2021.

A technical working group has been established to provide more hands-on support, input, and oversight for the project. The members of this working group include key City of Windsor staff; key members of the consultant team; representatives of the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries; and the president of the Windsor Chapter of the Ontario Archaeological Society. A meeting was held with the Technical Working Group on April 30, 2021

There has also been stakeholder consultation of different municipal department staff. Their feedback would be incorporated into the WAMP review.

Draft Potential Modelling, Policies and Reporting:

The City of Windsor, ASI and FAC continue to analyze the archaeological site data, historical data and information, environmental data, and policies in order to develop an updated plan that best fits the needs of the City. Several documents and draft Indigenous and colonial period archaeological potential models are in preparation and the City hopes to provide these to you soon for your review. Please feel free to reach out if you would like to know more about these documents prior to circulation.
The City of Windsor would like to ensure that Indigenous communities that may have an interest in the WAMP update project are fully engaged in its preparation and your community's continuing involvement is welcomed and valued.

Please feel free to contact me should you require additional information, would like to discuss the project in greater detail, or if you would like to schedule a meeting. We look forward to hearing from you.

Sincerely,

Kristina Tang, MCIP, RPP
Heritage Planner
City of Windsor Planning & Building Services
ktang@citywindsor.ca

Copy to: Martin Cooper, ASI;
[redacted]

2.3 Project update email – July 13, 2022

THE CORPORATION OF
THE CITY OF WINDSOR
PLANNING AND BUILDING DEPARTMENT
PLANNING DIVISION

Thom Hunt, MCIP, RPP
City Planner/Executive Director

[redacted]

July 13, 2022

Indigenous Nations and Communities Draft WAMP Review:
Windsor Archaeological Management Plan

Dear [redacted],

Please find attached a draft version of the City of Windsor Archaeological Management Plan (WAMP) Update report. This document, as well as the associated appendices and geospatial datasets, presents the recommended archaeological resource management for the City of Windsor with several major objectives: the compilation of inventories of registered and unregistered sites within the City of Windsor; the development of an archaeological site potential model based on archaeological site data, environmental data, and an understanding of past and present land uses; and lastly, recommendations and policies as it relates to archaeological resources and land disturbance processes in the City of Windsor. Given the importance of this study in guiding future decisions, the City of Windsor is hoping to finalize these documents over the next several months so that they can be brought to Council for endorsement in the fall of 2022. Following endorsement of the WAMP documents, the City Planning Department will also commence an Official Plan Amendment process to update the corresponding Archaeology and Cultural Heritage policies of the Official Plan.

For your interest, all appendices to the main report are included: Appendix A represents the research conducted in the development of the Pre-Contact Indigenous Site Potential model; Appendix B is the Colonial Period Thematic History, including the Post-Contact Indigenous history and the Colonial Period Site Potential Model. Appendix C presents a stand-alone contingency plan outlining what measures to follow should an archaeological site or human remains be discovered outside of the archaeological assessment process. Appendix D are proposed policy revisions to the City of Windsor Official Plan based on the 2022 WAMP update. The City of Windsor would greatly value any feedback that you have on these documents.

Your Nation's continued participation and input in the City of Windsor Archaeological Management Plan project is welcomed and valued. Please note that the City of Windsor would like to receive all comments on the draft Archaeological Management Plan report, mapping, and appendices by **Friday August 5, 2022**. Should you require additional information, documents, or would like to organize a meeting to discuss this project or reports further, please contact me at the email address below.

Sincerely,

Kristina Tang, MCIP, RPP
Heritage Planner
City of Windsor Planning & Building Services
ktang@citywindsor.ca

Copy to: Martin Cooper, ASI;
[redacted]

2.4 Notice of Study Completion Letter – TBD

This letter will be provided to Communities upon completion of the Study.

3.0 Specific correspondence with Indigenous communities

In addition to the notices and updates sent to all communities, the City of Windsor and ASI corresponded directly with designated contacts for each of the Indigenous communities identified in Section 1.0. These individual points of contact included emails, phone conversations, and virtual meetings. Individual correspondence is presented below as a table for each community. All emails and meeting minutes are on file at Archaeological Services Inc. and at the City of Windsor.

3.1 Amjiwnaang First Nation

Table B2: Correspondence with Amjiwnaang First Nation

AFN: Courtney Jackson (CJ); Norm Joseph (NJ); Lynn Rosales (LR); Cathleen O'Brien (CO) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC); Rob MacDonald (RM)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	NJ	MSC	email and post	NOSC	Notice of Study Commencement
2021-10-15	KT	NJ, MSC, TT		email	Project update #1	Project Update #1
2022-07-13	KT	NJ, MSC		email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	NJ, MSC		email	follow up	reminder to return comments on the Draft plan by Aug 26
2022-08-11	CJ	KT	LR, CO	email	follow up	Thank you and would like to invite to upcoming Environment Committee meeting
2022-08-11	KT	CJ	LR, CO, MSC	email	follow up	Thank you and look forward to hearing about meeting
2022-08-25	LR	KT, CJ	CO, MSC	email	meeting scheduling	provided meeting dates and Presentation Guidelines
2022-08-29	KT	LR, CJ	CO, MSC, RM	email	meeting scheduling	ASI team will provide presentation Sept 6, 6:50-7:20
2022-08-29	LR	KT, CJ	CO, MSC, RM	email	meeting scheduling	Is a 5:40 start time acceptable?

AFN: Courtney Jackson (CJ); Norm Joseph (NJ); Lynn Rosales (LR); Cathleen O'Brien (CO)
City of Windsor: Kristina Tang (KT); Tracy Tang (TT)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)

Date	From	To	cc	Method	Action	Description/Comments
2022-08-29	KT	LR, CJ	CO, MSC, RM	email	meeting scheduling	That time is good for us
2022-08-29	LR	KT, CJ	CO, MSC, RM	email	meeting scheduling	confirmed, will you be doing a PowerPoint?
2022-09-02	LR	KT, RM, MSC	CO	email	Zoom Meeting Invite	Zoom meeting Invite
2022-09-06	KT	LR, MSC, RM	CO	email	meeting scheduling	ASI team will provide presentation
2022-09-06	LR	KT, RM, MSC	CO	email	meeting scheduling	please send copy of presentation
2022-09-06	KT	LR, MSC, RM	CO	email	meeting scheduling	presentation attached
2022-09-07	RM	LR, CO	KT, MSC	email	follow up	providing requested contacts: MP, Dan Minkin (MTCS), Andrea Williams (MTCS) and link to Empathic Traditions
2022-09-07	KT	LR, CO	MSC, RM	email	follow up	Thank you and we would like to receive feedback by Sept. 16
2022-09-21	MSC	LR		email	follow up	will AFN be submitting comments, we would like to finalize draft by the end of the month
2022-09-21	LR	MSC		email	follow up	Auto reply, will be away until Sept. 23
2022-09-21	MSC	CO		email	follow up	will AFN be submitting comments, we would like to finalize draft by the end of the month
2022-09-26	CO	MSC		email	follow up	Waiting for meeting minutes but support the contents of the WAMP update, which was well received. Does not anticipate any comments

3.2 Aboriginal Education Centre – Turtle Island at the University of Windsor

Table B3: Correspondence with Aboriginal Education Centre – Turtle Island at the University of Windsor

AEC: Russel Nahdee (RN) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	RN	MSC	email and post	NOSC	Notice of Study Commencement
2021-10-15	KT	RN	MSC, TT	email	Project update #1	Project Update #1
2022-07-13	KT	RN	MSC	email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	RN	MSC	email	follow up	reminder to return comments on the Draft plan by Aug 26

3.3 Caldwell First Nation

Table B4: Correspondence with Caldwell First Nation

CFN: Allen Deleary (AD); Zack Hamm (ZH); Julia Irullo (JI); July Le (JL); Michelle McCormack (MM); Brianna Sands (BS); Susan Sullivan (SS)
City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM),
Windsor Museum: Michelle Phillips (MP)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)
Fisher Archaeological Services: Jacquie Fisher (JF)

Date	From	To	cc	Method	Action	Description/Comments
2021-03-02	KT	BS	MSC	email and post	NOSC	Notice of Study Commencement
2021-04-30	MSC	BS		phone	meeting scheduling	Call to discuss consultation portal and set up meeting for WAMP with CFN. Portal up and running but is not necessary for WAMP.
2021-04-30	MSC	BS	KT	email	meeting scheduling	Looking forward to meeting and sent link to the project webpage
2021-05-07	MSC	BS		email	meeting scheduling	Request for Teams meeting with CFN, providing potential dates
2021-05-07	BS	MSC		email	meeting scheduling	available May 27, also would like to include consultation coordinator
2021-05-07	MSC	BS		email	meeting scheduling	will send invite, request correct contact info for BS and con. cood.
2021-05-07	MSC	BS, JL, KT, TT, MC, MP, RM, JF, MSC		Teams Meeting Invite	meeting scheduling	Invite sent
2021-05-12	BS	MSC		email	meeting scheduling	Request to add Julia, the consultation coordinator at CFN to meeting
2021-05-12	MSC	BS		email	meeting scheduling	Invite already sent to consultation coordinator, will send again to Julia
2021-05-12	MSC	JI		Teams Meeting Invite	meeting scheduling	Invite sent
2021-05-12	BS	MSC		email	meeting scheduling	Thanks for sending Invite

CFN: Allen Deleary (AD); Zack Hamm (ZH); Julia Irullo (JI); July Le (JL); Michelle McCormack (MM); Brianna Sands (BS); Susan Sullivan (SS)
City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM),
Windsor Museum: Michelle Phillips (MP)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)
Fisher Archaeological Services: Jacquie Fisher (JF)

Date	From	To	cc	Method	Action	Description/Comments
2021-05-25	MSC	BS		email	meeting scheduling	meeting info and request for Julia's last name
2021-05-25	BS	MSC		email	meeting scheduling	Julia Irullo
2021-05-25	MSC	BS, JI, KT, TT, MC, MP, RM, JF, MSC		email	meeting scheduling	Agenda sent
2021-05-27		BS, JI, KT, TT, MC, MP, RM, JF, MSC		Teams Meeting	meeting	meeting
2021-05-27	MSC	BS	JI, KT, TT, MC, MP, RM, JF	email	follow up	copy of the presentation, look forward to working with you and your community on the AMP and will be in touch to follow up on our discussion.
2021-06-01	KT	BS, JI, KT, TT, MC, MP, RM, JF, MSC		email	follow up	Agenda from previous two TWGM and invitation to join TWG or continue separate engagement (in response to their interest in joining TWG
2021-06-04	KT	BS, JI	TT, MSC	email	PIC	Invitation to join WAMP PIC to be held via Zoom on June 16, 2021, also links to social media.
2021-06-07	BS	KT	JI, TT, MSC	email	follow up	Thank you
2021-10-15	KT	BS, JI, MSC, TT		email	Project update #1	Project Update #1
2022-07-13	KT	BS	JI, MSC	email	Draft WAMP review	Draft WAMP Update sent for review
2022-07-13	ZH	KT, MSC, MM		email	follow up	Thank you and CFN requires capacity funding to perform review
2022-07-15	KT	ZH		email	follow up	please send agreement and I will pass it on to staff
2022-07-15	ZH	KT	MC, MM	email	follow up	agreement and estimate 30+ hour range for review

CFN: Allen Deleary (AD); Zack Hamm (ZH); Julia Irullo (JI); July Le (JL); Michelle McCormack (MM); Brianna Sands (BS); Susan Sullivan (SS)
City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM),
Windsor Museum: Michelle Phillips (MP)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)
Fisher Archaeological Services: Jacquie Fisher (JF)

Date	From	To	cc	Method	Action	Description/Comments
2022-07-15	KT	ZH		email	follow up	Thank you and will pass it on. Question about time and cost. Request a review sooner than 30 days, would like comments by Aug. 5th
2022-07-15	ZH	KT		email	follow up	will try to meet deadline but presentation to chief and council and community engagement must be considered
2022-07-20	ZH	KT	MM	email	follow up	review process will only begin after contract is signed
2022-07-25	ZH	KT, MM		email	follow up	
2022-07-26	KT	ZH		email	follow up	problem with single sourcing over $5,000, would need to write report to CAO
2022-07-28	ZH	KT		email	follow up	made comments, will do best to review in a timely manner. If OK to sign will begin review
2022-08-02	KT	ZH		email	follow up	Windsor has made some changes, highly values CFN's review
2022-08-03	ZH	KT		email	follow up	CFN consents to the changes and look forward to conducting the review
2022-08-22	ZH	KT	MM, Allen AD, JL, SS	email	follow up	review has begun but will take into next week.
2022-08-24	KT	ZH	MM, AD, JL, SS, MSC	email	follow up	Thank you and will the review be complete by Sept. 2 and if not when?
2022-09-01	ZH	KT	MM, AD, JL, SS, MSC	email	report review	CFN review of draft WAMP update

3.4 Can-Am Indian Friendship Center

Table B5: Correspondence with Can-Am Indian Friendship Centre

CIFC: Matt Nahdee (MN); Russell Nahdee (RN) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	MN	RN, MSC	email and post	NOSC	Notice of Study Commencement
2021-03-02	RN	KT	MN; MSC	email	NOSC response	thank you and would like to keep updated on project and points out other 'stakeholders' such as WIFN.
2021-03-02	KT	RN	MN; MSC	email	NOSC response	interest noted and WIFN has received notice
2021-10-15	KT	MN, MSC, TT		email	Project update #1	Project Update #1
2022-07-13	KT	MN, MSC		email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	MSC		email	follow up	reminder to return comments on the Draft plan by Aug 26

3.5 Chippewa of the Thames First Nation

Table B6: Correspondence with Chippewa of the First Nation

COTFN: Fallon Burch (FB); Rochelle Smith (RS); Carolyn Albert (CA), Jennifer Mills (JM) City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM), Windsor Museum: Michelle Phillips (MP) ASI: Martin Cooper (MSC); Rob MacDonald (RM) Fisher Archaeological Services: Jacquie Fisher (JF)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	FB	MSC	email and post	NOSC	Notice of Study Commencement
2021-03-21	FB	KT	MSC	email	follow up	received NOSC and that WAMP is in McKee Treaty area of which COTTFN were a signatory. Also located in trad. Territory. Would like to receive updates.
2021-03-21	KT	FB	MSC	email	follow up	interest noted and will be in contact
2021-10-15	KT	FB	MSC, TT	email	Project update #1	Project Update #1
2021-11-05	FB	KT	RS, CA, MSC, TT	email	follow up	response letter and request for a meeting
2021-11-05	KT	FB	RS, CA, MSC, TT	email	follow up	Thank you, we will get back to you after Nov 15 to arrange a meeting
2021-11-23	KT	FB	RS, CA, RM, JF, MSC, MP, MC, TT	email	meeting scheduling	response to meeting request from COTTFN with potential dates
2021-11-23	FB	KT		email	meeting scheduling	proposed dates are not good, request to meet in the New Year
2021-12-16	FB	KT	TT, JM, RS	email	meeting scheduling	would like to schedule the meeting Jan. 12, 2022
2021-12-26	MSC	FB, RS, CA, JS, KT, MC, TT, MP, RM, JF		Teams Meeting Invite	meeting scheduling	Invite sent

COTFN: Fallon Burch (FB); Rochelle Smith (RS); Carolyn Albert (CA), Jennifer Mills (JM)
City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM),
Windsor Museum: Michelle Phillips (MP)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)
Fisher Archaeological Services: Jacquie Fisher (JF)

Date	From	To	cc	Method	Action	Description/Comments
2022-01-11	MSC	FB, RS, C A, JM, JS, KT, MC, TT, MP, RM, JF		email	meeting scheduling	Agenda sent
2022-01-12		FB, RS, C A, JM, JS, KT, MC, TT, MP, RM, JF, MSC		Teams Meeting	Meeting	meeting
2022-01-12	MSC	FB	RS, C A, JM, JS, KT, MC, TT, MP, RM, JF	email	follow up	Thank you and presentation on WAMP attached
2022-07-13	KT	FB	MSC	email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	FB	RS, JM, MSC	email	follow up	reminder to return comments on the Draft plan by Aug 26
2022-08-08	FB	KT	RS, JM, MSC	email	follow up	Thank you and appreciate the extra time
2022-08-08	KT	FB	RS, JM, MSC	email	follow up	Thank you and we look forward to receiving your comments
2022-08-19	FB	KT	MSC	email	follow up	would like extension of deadline for comments to Sept 2
2022-08-24	KT	FB	MSC	email	follow up	We look forward to hearing back from you on Sept. 2
2022-09-01	FB	KT	MSC	email	report review	COTTFN review of draft WAMP update
2022-09-06	FB	KT	MSC	email	follow up	Events and Promotion Coordinator refers to the time RS spent reviewing the docs

3.6 Delaware Nation

Table B7: Correspondence with Delaware Nation

DN: Denise Stonefish (DS) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	DS	MSC	email and post	NOSC	Notice of Study Commencement
2021-10-15	KT	DS	MSC, TT	email	Project update #1	Project Update #1
2022-08-08	KT	DS	MSC	email	follow up	reminder to return comments on the Draft plan by Aug 26

3.7 Haudenosaunee Confederacy Chiefs Council

Table B8: Correspondence with the Haudenosaunee Confederacy Chiefs Council

HCCC: Aaron Detlor (AD); Brian Dolittle (BD); Tracey General (TG); Haudenosaunee Development Institute (HDI); Leroy Hill (LH); Wayne Hill (WH); Todd Williams (TW) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	LH	HDI, TG, MSC	email and post	NOSC	Notice of Study Commencement
2021-03-03	WH	KT	BD, AD, TG, TW	email	NOSC response	would like to formalize involvement and receive information as project progresses.
2021-03-03	KT	WH	BD, AD, TG, TW, MSC	email	NOSC response	interest noted and will be in contact
2021-10-15	KT	LH	HDI, TG, MSC, TT	email	Project update #1	Project Update #1
2022-07-13	KT	LH, TG, MSC		email	Draft WAMP review	Draft WAMP Update sent for review

3.8 Huron-Wendat Nation

Table B9: Correspondence with the Huron-Wendat Nation

HWN: Marie Sophie Gendron (MSG); Mario Gros louis (MGL); Isabelle Lasseur (IL); Maxime Picard (MP); Domenic Sainte -Marie (DSM); Melanie Vincent (MV); Naomi Leduc; Thieffaine Terrier (ThT); Lori-Jeanne Bolduc (LJB); Rémy Vincent (RV); René Picard (RP); Louis Lesage (LL); Simon Picard (SP)
City of Windsor: Kristina Tang (KT); Tracy Tang (TT)
ASI: Martin Cooper (MSC)

Date	From	To	cc	Method	Action	Description/Comments
2021-03-02	KT	MP	MV; MSC	email and post	NOSC	Notice of Study Commencement
2021-03-10	MP	KT	MV; MSC	email	follow up	HWN is interested in the study and would like to discuss next steps
2021-03-10	KT	MP	MV; MSC	email	follow up	interest noted and will be in contact to discuss next steps
2021-10-15	KT	MSG	IL, MSC, TT	email	Project update #1	Project Update #1
2022-07-13	KT	MGL	DSM, MSC	email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	MGL	DSM, MSC	email	follow up	reminder to return comments on the Draft plan by Aug 26
2022-11-08	LJB	KT	RV, RP, LL, SP			HWN general comments regarding WAMP
2023-03-14	DSM	KT	MC, NL, ThT	email	Follow up	The Wendat Nation does not have the capacity to properly assess this AMP. We thank you for the integration of our comments in your current draft AMP.

3.9 Kettle and Stony Point First Nation

Table B10: Correspondence with the Kettle and Stony Point First Nation

KSPFN: Valerie George (VG) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	VG	MSC	email and post	NOSC	Notice of Study Commencement
2021-10-15	KT	VG, MSC, TT		email	Project update #1	Project Update #1
2022-07-13	KT	VG, MSC		email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	VG, MSC		email	follow up	reminder to return comments on the Draft plan by Aug 26

3.10 Métis Nation of Ontario

Table B11: Correspondence with Métis Nation of Ontario

MNO: Jesse Fieldwebster (JF); Justin Hunt (JH); Sharlene Lance (SL); Métis Nation of Ontario (MNO) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	MNO	JH, SL, MSC	email and post	NOSC	Notice of Study Commencement
2021-03-26	MSC	JF		email	follow up	NOSC returned, request for update contact information
2021-03-26	JF	MSC		email	follow up	JF provided updated address and contact information.
2021-03-26	MSC	JF		email	follow up	Thanks for update
2021-03-26	JF	MSC		email	follow up	No worries
2021-10-15	KT	JH, SL, MSC, TT		email	Project update #1	Project Update #1
2022-07-13	KT	MNO, SL	MSC	email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	MNO	SL, MSC	email	follow up	reminder to return comments on the Draft plan by Aug 26

3.11 Oneida of the Thames First Nation

Table B12: Correspondence with Oneida of the Thames First Nation

OTFN: Adrian Chrisjohn (AC); Dawn Doxtator (DD); Sandra Doxtator (SD) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-02-05	MSC	DD		email	contact information	MSC request contact info for consultation coordinator at OTFN
2021-02-05	DD	MSC		email	follow up	DD indicates that there is no consultation coordinator, but Mary Elijah should be able to help
2021-02-06	MSC	DD		email	follow up	MSC thanks DD
2021-02-08	SD	MSC		phone	follow up	enquiring regarding request for contact information for OTFN.
2021-02-08	MSC	DS		email	follow up	MSC request contact info for consultation coordinator at OTFN
2021-02-08	DS	MSC		email	follow up	will forward information regarding WAMP to Environmental Department for follow up.
2021-03-02	KT	AC	MSC	email and post	NOSC	Notice of Study Commencement
2021-10-15	KT	AC	MSC, TT	email	Project update #1	Project Update #1
2022-07-13	KT	AC	MSC	email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	AC	MSC	email	follow up	reminder to return comments on the Draft plan by Aug 26

3.12 Six Nations of the Grand River First Nation

Table B13: Correspondence with the Six Nations of the Grand River First Nation

SNGRFN: Lonny Bomberry (LB); Dawn LaForme (DL); Tanya Hill-Montour (THM) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	LB	DL, MSC	email and post	NOSC	Notice of Study Commencement
2021-03-23	THM	MSC		email	follow up	received NOSC for WAMP and was happy that MSC was involved
2021-10-15	KT	LB	DL, THM, MSC, TT	email	Project update #1	Project Update #1
2022-07-13	KT	THM	LB, DL, MSC	email	Draft WAMP review	Draft WAMP Update sent for review
2022-07-14	THM	KT	MSC, LB, DL	email	follow up	Thank you and will reach out if she has any questions
2022-08-08	KT	THM	LB, DL, MSC	email	follow up	reminder to return comments on the Draft plan by Aug 26

3.13 Walpole Island First Nation

Table B14: Correspondence with Walpole Island First Nation

WIFN: Dean Jacobs (DJ); James Jenkins (JJ); Kennon Johnson (KJ); Burton Kewayosh (BK); Everett Kicknosway (EK); Janet MacBeth (JM)
City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM),
Windsor Museum: Michelle Phillips (MP)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)
Fisher Archaeological Services: Jacquie Fisher (JF)

Date	From	To	cc	Method	Action	Description/Comments
2020-12-10	MSC	DJ		phone	MSC to DJ to touch base and introduce WAMP	MSC to DJ to touch base and introduce WAMP
2020-12-10	MSC	DJ		email	MSC to DJ phone call follow up	It was great speaking with you this morning. I would greatly appreciate receiving the publications and any other information that you can pass along that will benefit the indigenous engagement process for the Windsor AMP. I look forward to working with you on this exciting project.
2020-12-10	DJ	MSC		email	follow up	DJ provides MOU with City of Windsor, Write up on mural, the U of W Statement of Respect and a link to the Article in Ontario History on the Dish with One Spoon Treaty.
2020-12-10	MSC	DJ		email	follow up	MSC request article that DJ co-wrote with Neal Ferris and Mike Spence
2020-12-11	DJ	MSC		email	follow up	DJ sends Learning from Ancestors article
2020-12-12	MSC	DJ		email	follow up	MSC thanks DJ
2021-03-02	Kristina Tang (KT)	DJ	JM, MSC	email and post	NOSC	Notice of Study Commencement
2021-03-02	JM	DJ, KT	MSC	email	NOSC response	WIFN is interested in the project and would like to set up a meeting

WIFN: Dean Jacobs (DJ); James Jenkins (JJ); Kennon Johnson (KJ); Burton Kewayosh (BK); Everett Kicknosway (EK); Janet MacBeth (JM)
City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM),
Windsor Museum: Michelle Phillips (MP)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)
Fisher Archaeological Services: Jacquie Fisher (JF)

Date	From	To	cc	Method	Action	Description/Comments
2021-03-02	KT	JM	DJ; MSC	email	NOSC response	interest noted and will be in touch to set up meeting
2021-05-07	MSC	DJ	JM	email	meeting scheduling	Request for Teams meeting with WIFN, providing potential dates
2021-05-07	JM	MSC; DJ		email	meeting scheduling	will be away for a month would like to book the beginning of June
2021-05-07	MSC	JM; DJ		email	meeting scheduling	will check team's availability in June
2021-05-07	MSC	JM	DJ	email	meeting scheduling	Request for Teams meeting with WIFN, providing potential dates
2021-05-07	JM	MSC; DJ		email	meeting scheduling	available June 11 at 10:00 AM, request for invite
2021-05-07	MSC	JM, DJ, KT, TT, MC, MP, RM, JF		Teams Meeting Invite	meeting scheduling	Invite sent
2021-05-28	JM			Teams Meeting Invite	meeting scheduling	JM declined June 11 meeting, will be away until July 12
2021-05-28	MSC	JM		email	meeting scheduling	asked to re-schedule meeting after July 2
2021-05-28	JM	MSC		email	meeting scheduling	auto reply, will be away until July 12
2021-06-03	KT	JM; DJ	MSC, RM, TT	email	PIC	Invitation to join WAMP PIC to be held via Zoom on June 16, 2021
2021-06-04	MSC	JM, DJ, KT, TT, MC, MP, RM, JF		Teams Meeting Invite	meeting scheduling	June 11 meeting cancelled, will reschedule after July 2
2021-07-07	MSC	JM	DJ, JJ	email	meeting scheduling	Request for Teams meeting with WIFN, providing potential dates
2021-07-13	DJ	MSC	JJ	email	meeting scheduling	July 21, 1:00 to 4:00 is good

WIFN: Dean Jacobs (DJ); James Jenkins (JJ); Kennon Johnson (KJ); Burton Kewayosh (BK); Everett Kicknosway (EK); Janet MacBeth (JM)
City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM),
Windsor Museum: Michelle Phillips (MP)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)
Fisher Archaeological Services: Jacquie Fisher (JF)

Date	From	To	cc	Method	Action	Description/Comments
2021-07-13	MSC	DJ		email	meeting scheduling	How is 2:00 PM?
2021-07-13	DJ	MSC		email	meeting scheduling	OK
2021-07-13	MSC	JM, DJ, KT, TT, MC, MP, RM, JF		Teams Meeting Invite	meeting scheduling	Invite sent
2021-07-13	MSC	DJ		email	meeting scheduling	should an invites be sent to JM and JJ?
2021-07-14	MSC	JJ		phone	meeting scheduling	provided information on WAMP update.
2021-07-14	MSC	JJ		email	meeting scheduling	followed up phone call with email asking who else should be invited to meeting
2021-07-15	Robert Pollock (RP)	MSC	BK, KJ	email	meeting scheduling	RP, Director of Operations, asked for WIFN councillors BK and KJ be invited to meeting.
2021-07-15	MSC	BK, KJ		Teams Meeting Invite	meeting scheduling	Invite sent
2021-07-16	BK	RP	MSC, KJ	email	meeting scheduling	BK is able to attend
2021-07-16	DJ	MSC		phone	meeting scheduling	DJ wanted to know if there are any materials to review before the meeting
2021-07-16	MSC	DJ		email	meeting scheduling	told DJ that it is to find out about the project and meet the WAMP team. Sent link to the project website and that Agenda will go out on Monday
2021-07-16	DJ	MSC		email	meeting scheduling	Miigwech
2021-07-19	MSC	DJ, KT, TT, MC,	RP	email	meeting scheduling	Agenda sent

WIFN: Dean Jacobs (DJ); James Jenkins (JJ); Kennon Johnson (KJ); Burton Kewayosh (BK); Everett Kicknosway (EK); Janet MacBeth (JM)
City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM),
Windsor Museum: Michelle Phillips (MP)
ASI: Martin Cooper (MSC); Rob MacDonald (RM)
Fisher Archaeological Services: Jacquie Fisher (JF)

Date	From	To	cc	Method	Action	Description/Comments
		MP, RM, JF, KJ, BK				
2021-07-21		DJ, KT, TT, MC, MP, JF, BK		Teams Meeting	Meeting	Meeting
2021-10-06		DJ, KT, MC		Virtual	Meeting	Meeting between KT, MC and DJ
2021-10-15	KT	DJ	JJ, JM, MSC, TT	email	Project update #1	Project Update #1
2022-07-13	KT	DJ	JJ, JM, EK, MSC	email	Draft WAMP review	Draft WAMP Update sent for review
2022-07-13	DJ	KT	JJ, JM, MSC	email	follow up	Thank you and would like to engage and consult
2022-07-13	KT	DJ	JJ, JM, EK, MC, MSC	email	follow up	we will send a list of possible dates to meet
2022-07-14	DJ	KT	JJ, JM, EK, MC, MSC	email	meeting scheduling	July 19 or 22 works
2022-07-18	MSC	DJ		email	Teams Meeting Invite	Teams Meeting Invite for July 22, 1:30 to 2:30
2022-07-21	MSC	DJ		email	meeting scheduling	who else would you like at the meeting?
2022-07-21	DJ	MSC		email	meeting scheduling	Larissa Wrightman (LW) and JM
2022-07-21	MSC	DJ		email	meeting scheduling	Any particular area of the WAMP you would like to focus on?
2022-07-21	DJ	MSC		email	meeting scheduling	Starting point would be to address previous comments and brief presentation
2022-07-21	MSC	KT, MC, TT, DJ, JM, LW, RM, MP		email	meeting scheduling	Agenda sent

WIFN: Dean Jacobs (DJ); James Jenkins (JJ); Kennon Johnson (KJ); Burton Kewayosh (BK); Everett Kicknosway (EK); Janet MacBeth (JM) City of Windsor: Michael Cooke (MC); Kristina Tang (KT); Tracy Tang (TT); Rob MacDonald (RM), Windsor Museum: Michelle Phillips (MP) ASI: Martin Cooper (MSC); Rob MacDonald (RM) Fisher Archaeological Services: Jacquie Fisher (JF)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2022-07-22	DJ,	DJ, LW, MP, KT, TT, MC, RM, MSC			Meeting	meeting
2022-08-03	KT	DJ, JM, LW	TT, MC, MP, RM, MSC	email	follow up	Meeting notes, WIFN comment matrix, areas of interest highlighted
2022-08-16	DJ	KT		email	report review	WIFN comments on draft WAMP

3.14 Wyandot of Anderdon

Table B15: Correspondence with Wyandot of Anderdon

WA: John Cutting (JC) City of Windsor: Kristina Tang (KT); Tracy Tang (TT) ASI: Martin Cooper (MSC)						
Date	**From**	**To**	**cc**	**Method**	**Action**	**Description/Comments**
2021-03-02	KT	JC	MSC	email and post	NOSC	Notice of Study Commencement
2021-10-15	KT	JC	MSC, TT	email	Project update #1	Project Update #1
2022-07-13	KT	JC, MSC		email	Draft WAMP review	Draft WAMP Update sent for review
2022-08-08	KT	JC, MSC		email	follow up	reminder to return comments on the Draft plan by Aug 26

Committee Matters: SCM 183/2024

Subject: Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]

Moved by: Councillor Fred Francis
Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 617**
THAT Official Plan Amendment No. 181 as shown in Appendix A, regarding the Windsor Archaeological Management Plan (WAMP) review and as detailed in the administrative report entitled "Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]" **BE ADOPTED**; and,

THAT administration **BE REQUESTED** to meet with representatives from the Caldwell First Nation Group to review their concerns and that an update **BE PROVIDED** to Council accordingly; and,

THAT the Caldwell First Nation Group **BE REQUESTED** to provide a commentary letter regarding the meetings and discussions with administration and that this information **BE PROVIDED** to City Council for their consideration.
Carried.

Report Number: S 16/2024
Clerk's File: Z/14780

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.

2. Please refer to Item 7.1 from the Development & Heritage Standing Committee held on June 3, 2024.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240603/-1/10488

Subject: Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]

Reference:

Date to Council: June 3, 2024
Author: Kristina Tang, MCIP, RPP
Heritage Planner
ktang@citywindsor.ca
519-255-6543 X 6179
Planning & Building Services
Report Date: January 30, 2024
Clerk's File #: Z/14780

To: Mayor and Members of City Council

Recommendation:

THAT Official Plan Amendment No. 181 as shown in Appendix A, regarding the Windsor Archaeological Management Plan (WAMP) review and as detailed in S15/2024, **BE ADOPTED**.

Executive Summary: N/A

Background:

The City of Windsor is an area rich in archaeological resources from both Indigenous peoples and early settlers. City Council recognized this through adoption of the Windsor Archaeological Master Plan (WAMP) and associated Official Plan policies in 2005 and 2006, including a map of Archaeological Potential which has been used to identify when and where archaeological assessments are required prior to land disturbances. Review of the Windsor Archaeological Management Plan has resulted in the development of updates to the archaeological related Official Plan policies and Schedule presented in this report and further detailed in report S15/2024.

Discussion:

The legislative context and policy basis for the Official Plan Amendments are described:

Planning Act

Section 2 of the *Planning Act* identifies the conservation of features of significant archaeological interest as a matter of Provincial interest and requires that any decision made pursuant to the Planning Act by the Minister, City Council, and the Ontario Land Tribunal to have regard to this matter.

Section 3 of the Planning Act sets out further municipal responsibilities in regard to the Provincial Policy Statement by indicating that a decision of the council of a municipality, in respect of the exercise of any authority that affects a planning matter, “shall be consistent” with the policy statement.

Provincial Policy Statement

2.6 Cultural Heritage and Archaeology

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

Ontario Heritage Act

The Ontario Heritage Act governs the general practice of archaeology in the province to maintain a professional standard of archaeological research and consultation. The Archaeology Program Unit at the Ministry of Citizenship & Multiculturalism is responsible for licensing archaeologists and reviewing archaeological assessments. Part VI of the *Ontario Heritage Act* legislates the conservation of resources of archaeological value, restricting archaeological activities, alteration or removal of artifacts on both land based and marine archaeological sites to licensed archaeologist. All archaeological assessment reports are submitted to the Ministry of Citizenship & Multiculturalism as a condition of an archaeological license and are reviewed by Ministry staff to ensure that the activities conducted under a license meet current technical guidelines, resource conservation standards, and the regulations of the Ontario Heritage Act.

Funeral, Burial and Cremation Services Act

Burial locations uncovered on archaeological sites are under the jurisdiction of the Funeral, Burial and Cremation Services Act. The discovery of such burials requires further archaeological investigation in order to define the extent and number of interments, and either the registration of the burial location as a cemetery, or the removal of the remains for re-interment in an established cemetery. The Registrar of Burial Sites in the Ministry of Public and Business Service Delivery assists the

coordination and negotiation between various parties and ensures that burial site investigations by licensed archaeologists meet provincial policies, standards, and guidelines.

Risk Analysis:

Risk to not approving the OPA Schedule is the continual use of information from an outdated Archaeological Potential Model. This lack of clarity in identification of archaeological resources can lead to threat to archaeological resources in the City.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

The Financial implications of the OPA is outlined in full WAMP report in S15/2024 as it is not an isolated/standalone item related to the OPA.

Consultations:

Indigenous Engagement

The project team reached out to 14 Indigenous First Nations and Communities to invite their engagement in the WAMP project:

• Aamjiwnaang First Nation;
• Aboriginal Education Centre – Turtle Island at the University of Windsor;
• Caldwell First Nation;
• Can-Am Indian Friendship Center;
• Chippewa of the Thames First Nation;
• Delaware Nation;
• Haudenosaunee Confederacy Chiefs Council;
• Huron-Wendat Nation;
• Kettle and Stony Point First Nation;
• Métis Nation of Ontario
• Oneida of the Thames First Nation;
• Six Nations of the Grand River First Nation;
• Walpole Island First Nation, and;
• Wyandot of Anderdon

The list was compiled by ASI based on have established or potential Aboriginal or Treaty rights within the Study Area, or who have an established interest in the City, 7 Indigenous First Nations responded with Interest and their comments have been incorporated into the Project or noted as beyond the scope of the WAMP. Notice of Study Commencement, and Project Updates, as well as invitation to review the draft

WAMP was circulated to the Indigenous Contacts. Should Council decide to endorse the Plan, a notice of study completion will also be sent to the Indigenous communities.

Technical Working Group

A technical working group was established to provide more hands-on support, input, and oversight for the project. The members of this working group include key City of Windsor staff (Planning staff & staff representing Museum Windsor/Recreation & Culture); key members of the consultant team; representatives from the Ministry; and the president of the Windsor Chapter of the Ontario Archaeological Society.

Stakeholder & Public Engagement

Besides the presentation overview of the WAMP project provided by ASI to the DHSC March 2021 Meeting, two public engagement sessions were also held virtually on June 16, 2021 to inform the public and gather input on the key background studies informing the Archaeological Management Plan update. A total of 44 people attended the public information session.

Municipal Departments were solicited for their input and involvement in the project in 2021, and circulated the draft WAMP for review in 2022 and again in separate circulations in 2023 and 2024.

Where feedback was received, it was incorporated into the WAMP review and or incorporated into the Recommendations of this report.

Departments Circulated:

- Planning
- Building
- Infrastructure Services
- Parks & Facilities
- Asset Planning
- Recreation & Culture (Museum Windsor)
- Legal

Conclusion:

As the approval authority, the City of Windsor undertook an update to the current Windsor Archaeological Management Plan to satisfy the requirements of current legislation, and update the archaeological potential model to better conserve archaeological resources in the community. The WAMP and its resulting recommendations to amend the Official Plan should be approved by Council.

Planning Act Matters:

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

Insert Name, Title

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

Insert CLT Initials

Approvals:

Name	**Title**
Neil Robertson	Deputy City Planner - Growth
Thom Hunt	City Planner / Executive Director Planning & Building
Mark Nazarewich (on behalf of Wira Vendrasco)	City Solicitor (Acting)
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

List provided to Clerk's office		

Appendices:

1 Appendix A – Official Plan Amendment Schedule
2 Appendix B – Official Plan Schedule C-1 Archaeological Potential

AMENDMENT NO. 181

TO THE

CITY OF WINDSOR OFFICIAL PLAN

Part E (Details of the Amendment) of the following text and attached Schedule C-1 of the City of Windsor Official Plan constitute Amendment No. 181.

Also included, but not constituting part of the Amendment, are explanations of purpose, location, background, legislative and policy basis, public involvement, implementation, and additional in Appendix I (Results of Public Notification).

A. PURPOSE

The proposed Official Plan amendments will enable implementation of the updated Windsor Archaeological Management Plan for identification and conservation of archaeological resources. The amendments are proposed in Chapter 9 to 11 of the Official Plan, and to Schedule C-1 Archaeological Potential.

B. LOCATION

The changes made apply to all land within the municipal boundaries of the City.

C. BACKGROUND

The City of Windsor is an area rich in archaeological resources from both Indigenous peoples and early settlers. City Council recognized this through adoption of the original Windsor Archaeological Master Plan (WAMP) and associated Official Plan policies in 2005 and 2006, including a map of Archaeological Potential which has been used to identify when and where archaeological assessments are required prior to land disturbances. The WAMP is now updated to current legislation and standards, and the Archaeological potential model has been refreshed and supplemented with data collected from the past 20 years. Therefore, all of the Official Plan policies related to archaeology are proposed to be amended (majority in Chapter 9 Heritage Conservation), and Schedule C-1 Archaeological Potential is proposed to be renamed and replaced.

D. LEGISLATIVE CONTEXT AND POLICY BASIS FOR THE AMENDMENT

Refer to the Council Report for Legislative context.

Official Plan

The City's Official Plan currently addresses archaeology.

Chapters 1 (Introduction) describes reference to Schedule C-1: Development Constraint Areas: Archaeological Potential to identify potential development constraints on an area or parcel of land, and for municipal infrastructure undertaking or by-law.

Chapter 2 (Glossary) describes archaeological sites as heritage resources considered by Council to be of significance.

Chapter 5 (Environmental Management) indicates that any alteration or related works within Shoreline and Floodprone Areas will be evaluated based on potential negative impacts upon archaeological resources.

Chapter 9 (Heritage Conservation) speaks to maintaining and updating inventory of registered sites and lands of archaeological potential identified in the WAMP and in Schedule C-1. Protection of archaeological resources is also required for development or infrastructure undertakings to ensure sites are preserved mitigated prior to land disturbance/site development, through archaeological assessments.

Chapter 10 (Procedures) indicates that the Municipality may require archaeological assessments for Planning Act applications, and outlines the stages of Archaeological Assessments and the requirement that land disturbance is not to take place prior to Ministry review and "clearance".

Chapter 11 (Tools) describes Zoning By-law specification of uses permitted and to contain regulation with respect to matters such as development on or near archaeological potential lands or significant archaeological sites.

E. THE AMENDMENT

Summary of Revisions to Archaeological Policies

Many of the Official Plan policies related to archaeology will remain. Schedule C-1 is proposed to be replaced and renamed to Schedule C-1 Archaeological Potential. New policies are included in Chapter 9.2 Objectives to Heritage Conservation. Identification and protection of archaeological sites will be strengthened through revisions to 9.3.2.1(a) and 9.3.4.1(a) with increased language about Indigenous engagement as required by Legislative changes. New policies on Human Remains and artifact curation provides some direction in those areas. In the policy on Heritage Resources and Planning Initiatives, Archaeological Assessment (9.3.7.1 (a)), more clarity is provided for the requirement of archaeological assessment including for municipal projects, and requirements for marine archaeological assessments. The process for review of the Archaeological assessment(s) and its acceptance is detailed, along with instructions for engagement with Indigenous communities. Housekeeping terminology changes are proposed for 10.2.16.3 for reference made to the Ministry and in 11.6.2.2 to the new name for Schedule C-1 Archaeological Potential.

Details of Official Plan Amendment

1) That Schedule "A-1" of Volume 1: The Primary Plan of the City of Windsor Official Plan BE AMENDED be replaced.

2) General

Volume I: The Primary Plan, Schedule C-1 is hereby amended by:

changing the name of the schedule as follows:
- Schedule C-1 Development Constraint Areas: Archaeological Potential is changed to Schedule C-1 Archaeological Potential as shown on Appendix x.

Volume I: The Primary Plan, is hereby amended by:

changing the words Schedule C-1: Development Constraint Areas: Archaeological Potential to Schedule C-1: Archaeological Potential throughout Volume 1: The Primary Plan

Volume II: Secondary Plans & Special Policy Areas is hereby amended by:
changing the words Schedule C-1: Development Constraint Areas: Archaeological Potential to Schedule C-1: Archaeological Potential throughout Volume II: Secondary Plans and Special Policy Areas

3) Specifics

Chapter 9 entitled Heritage Conservation is amended by adding the following sections 9.2.5 to 9.2.7:

ARCHAEOLOGICAL CONSERVATION	9.2.5	To identify, protect and conserve Windsor's archaeological resources in place wherever possible and encourage development that respects Windsor's archaeological heritage. Through an understanding of, and measures to protect archaeological heritage, Windsor can incorporate the past into planning for the future.
INDIGENOUS COMMUNITY ENGAGEMENT	9.2.6	To recognize that the lands within its jurisdiction are of interest to a number of Indigenous communities. As such, Windsor will engage with all such communities in the land development process.
PROVINCIAL LEGISLATION	9.2.7	To use as appropriate all relevant Provincial legislation that references the conservation of cultural heritage resources, particularly the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, and the Funeral, Burial and Cremation Services Act in order to identify and conserve Windsor's cultural heritage including archaeological resources.

Chapter 9 entitled Heritage Conservation is amended by deleting sections 9.3.2.1(a), 9.3.4.1(a), and 9.3.7.1(a) and substituting the following:

WINDSOR ARCHAEOLOGICAL MANAGEMENT PLAN (WAMP)	9.3.2.1(a)	Preparing and maintaining an archaeological management plan that identifies known archaeological resources and areas of archaeological potential in Schedule C-1 Archaeological Potential and that provides direction and requirements for the identification, evaluation, conservation and management of archaeological resources in accordance with the Ontario Heritage Act. Maintenance will include updating the inventory of registered archaeological sites and lands for which an archaeological assessment has been completed by a provincially licensed archaeological consultant in accordance with provincial standards and guidelines. Schedule C-1 of the Official Plan is a map indicating areas of archaeological potential in Windsor.
		9.3.4 Protection of Heritage Resources

	9.3.4.1	Council will protect and conserve heritage resources by:
ARCHAEOLOGICAL SITES	9.3.4.1(a)	Requiring that development or infrastructure undertakings on lands containing potential archaeological resources avoid the destruction or alteration of these resources in Schedule C-1 Archaeological Potential; or where this is not possible, requiring the proponent to mitigate the impact to archaeological resources through documentation and removal in advance of land disturbances, in accordance with the Ontario Heritage Act and the policies contained within the Windsor Archaeological Management Plan. Where archaeological resources must be preserved in situ, avoidance and protection measures must be implemented under the direction of a licensed archaeological consultant in accordance with provincial standards and guidelines. Where Indigenous archaeological resources are to be preserved on site, the development proponent, and the consultant archaeologist shall engage with the appropriate Indigenous communities to identify approaches to the landscaping and interpretation of the site if desired, subject to discussions with stakeholders. Where Indigenous archaeological resources are identified and preservation on site is not possible, the development proponent, and the consultant archaeologist shall engage with the appropriate Indigenous communities to identify interpretive and commemorative opportunities relating to the resource if desired, subject to discussions with stakeholders.
HUMAN REMAINS	9.3.4.1(a)(i)	In the event that unexpected human remains or cemeteries are identified or encountered during assessment, development, or site alteration, all work must immediately cease, and the site must be secured. The appropriate provincial and municipal authorities must be notified. Provisions ofthe Funeral, Burial and Cremation Services Act, the Ontario Heritage Act, and other applicable protocols and policies must be followed. Where there are Indigenous burials, they will be addressed in consultation with the relevant Indigenous communities. A licensed archaeological consultant will be required to carry out an investigation if ordered by the Bereavement Authority of Ontario or the Registrar of Burials, Ministry of Public and Business Service Delivery.
ARTIFACT CURATION	9.3.4.1(a)(ii)	All artifacts found on property owned by the City of Windsor are to be reported to the City of Windsor for review and possible acceptance and curation by Museum Windsor, in accordance with the artifact transfer process of the Archaeology Program Unit, Ministry of Citizenship and Multiculturalism (MCM). Museum Windsor will also consider accepting transfers of significant artifacts found on private land, subject to Museum Windsor's Collections Policy.

ARCHAEOLOGICAL ASSESSMENT	9.3.7.1(a)	An archaeological assessment is required as part of a complete application for all development or site alteration application, including municipal projects, if it is determined using the archaeological management plan potential mapping that any part of a potential development area possesses archaeological potential or known archaeological resources as set out in Schedule C-1 Archaeological Potential. Projects involving in-water works may require a marine archaeological assessment if so determined using the Criteria for Evaluating Marine Archaeological Potential checklist published by the Archaeology Program Unit, MCM. Archaeological assessments shall be undertaken to the appropriate stage of assessment by a consultant archaeologist in compliance with provincial requirements and standards. All archaeological assessments reports shall be provided to the Archaeology Program Unit, Ministry of Citizenship and Multiculturalism in accordance with the Ontario Heritage Act. The assessment report shall be provided to the City of Windsor for comment to ensure that the scope is adequate and consistent with the conservation objectives of the WAMP. A copy of the Ministry review letter will be provided to the City by the licensed archaeologist who completed the assessment or the proponent. The City will maintain copies of all reports and review letters for information purposes. Where archaeological resources are documented and found to be Indigenous in origin, a copy of the assessment report shall be provided by the consultant to the appropriate Indigenous communities. Where Stage 3 or Stage 4 archaeological assessments are undertaken on Indigenous archaeological resources, the consultant archaeologist shall engage with appropriate Indigenous communities in accordance with Ministry Standards and Guidelines for Consultant Archaeologists.

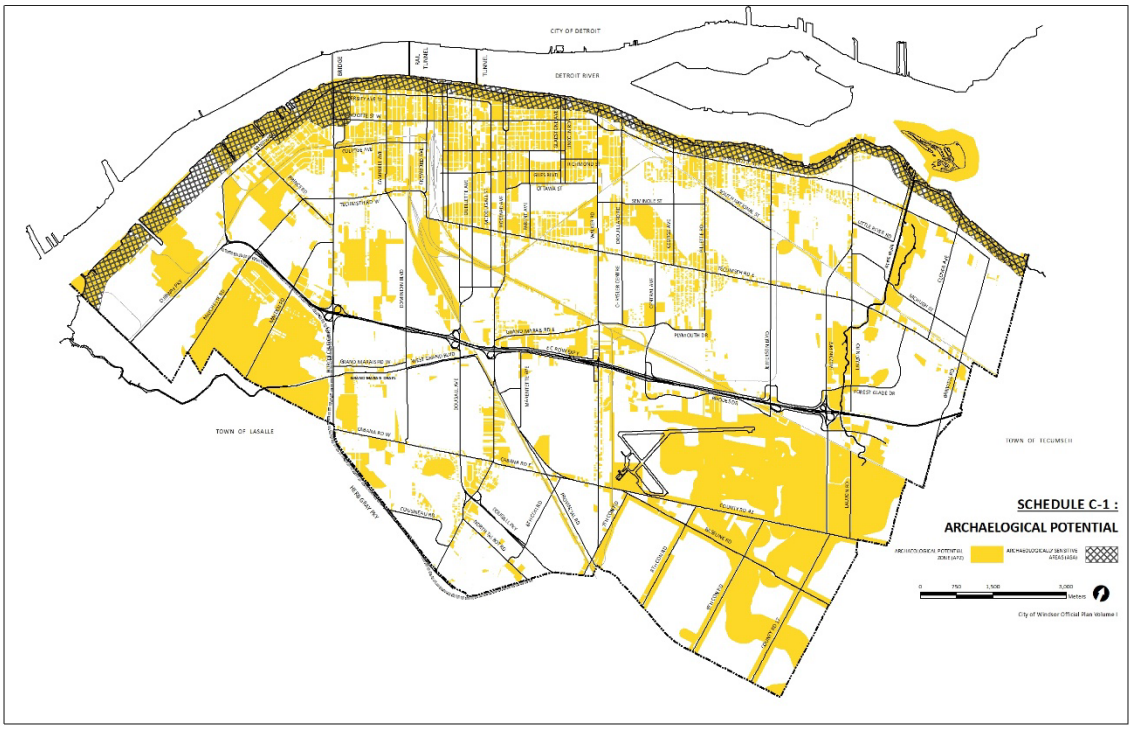
Chapter 10 entitled Procedures is amended by substituting reference to the Ministry, with the following proposed section 10.2.16.3:
(amendments noted in **bold** lettering, deletions noted by strikeouts)

APPROVAL AUTHORITY	10.2.16.3	No land disturbance shall be permitted until notification has been received from the Ministry ~~of Culture~~ **(Archaeology Program Unit)** that the property has been cleared of archaeological concerns.

Chapter 11 entitled Tools is amended by revising reference to Schedule C-1, with the following proposed section 11.6.2.2(c):
(amendments noted in **bold** lettering, deletions noted by strikeouts)

COMPREHENSIVE ZONING BY-LAWS(S)	11.6.2.2	The comprehensive Zoning By-law(s) shall specify the uses permitted in all areas of the city and shall contain regulations with respect to matters such as: (c) Development on or near lands identified on ~~Schedule 'C': Development Constraint Areas~~ **Schedule C-1 Archaeological Potential** and significant archaeological sites;

Schedule C-1



F. PUBLIC INVOLVEMENT:

The policies were drafted with the archaeological consultants (ASI) who prepared the Windsor Archaeological Management Plan review, and where much of the contents from this amendment originated from. Administration have also consulted with the Ministry of Citizenship & Multiculturalism (Archaeology Program Unit), and City of Windsor's Departments including Planning, Building, Engineering, Parks, Recreation & Culture, Asset Planning, Legal, Geomatics.

14 Indigenous First Nations, communities, and organizations, were consulted in March 2021, October 2021, and July 2022:

• Aamjiwnaang First Nation;
• Aboriginal Education Centre – Turtle Island at the University of Windsor;
• Caldwell First Nation;
• Can-Am Indian Friendship Center;
• Chippewa of the Thames First Nation;
• Delaware Nation;
• Haudenosaunee Confederacy Chiefs Council;
• Huron-Wendat Nation;
• Kettle and Stony Point First Nation;
• Métis Nation of Ontario
• Oneida of the Thames First Nation;
• Six Nations of the Grand River First Nation;
• Walpole Island First Nation, and;
• Wyandot of Anderdon

Ontario Archaeological Society Windsor Chapter was circulated through their Chapter president.

Public Notice:

The statutory notice required under the Planning Act was provided in the Windsor Star prior to the Development & Heritage Standing Committee Meeting (DHSC) meeting.

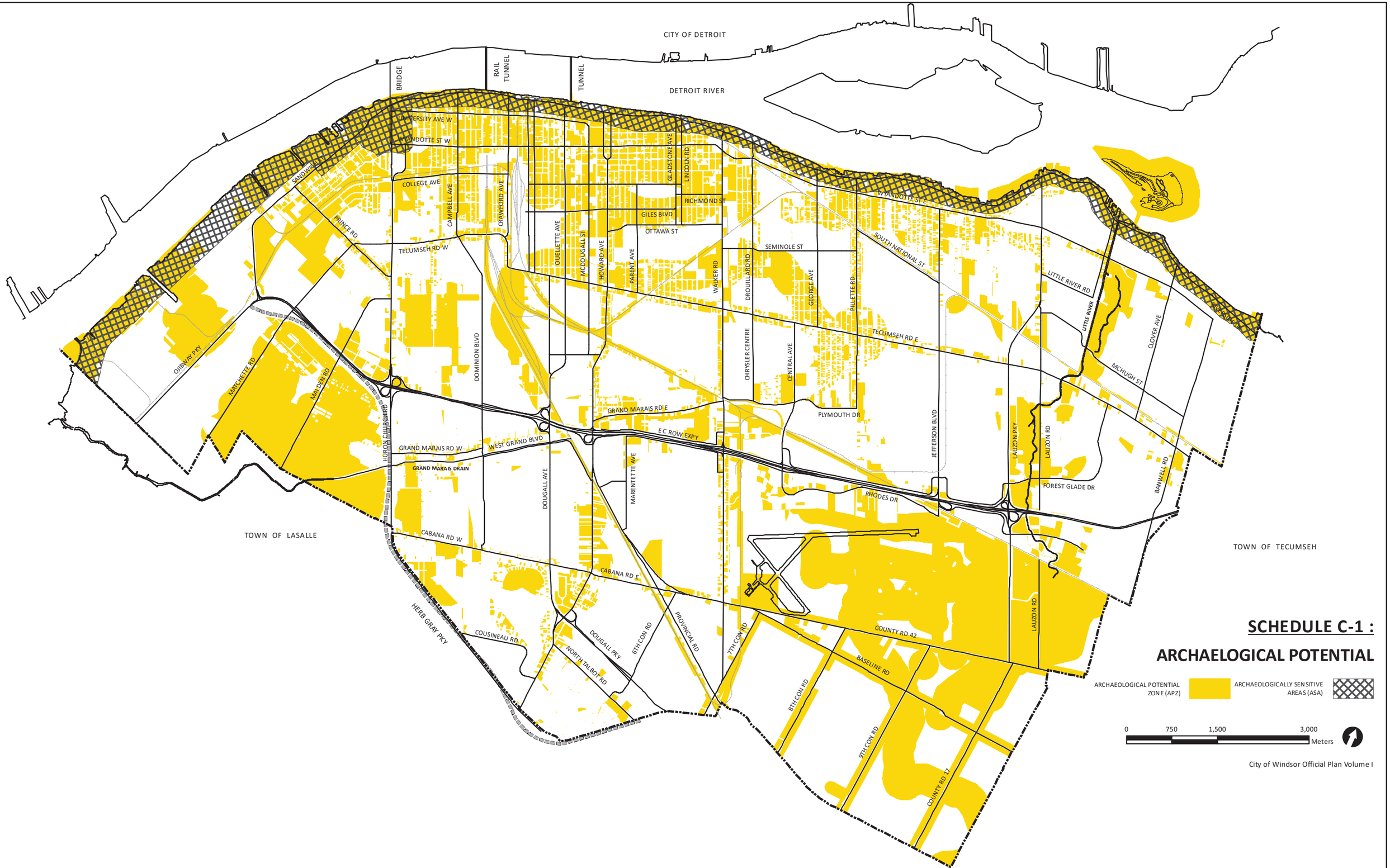
G. IMPLEMENTATION:

This amendment brings the Official Plan into conformity with provincial Legislation such as the *Planning Act, Ontario Heritage Act, Environmental Assessment Act, Funeral, Burial and Cremation Services Act* and consistency with the Provincial Policy Statement (2020). The amendment also references the archaeological potential model which has been updated.

The Amendment should be read and implemented in conjunction with the overall policies contained with the Official Plan.

APPENDIX I

The following are the results of public notification of the amendments and the outcome of public meetings. Comments relate to the Official Plan Amendment:


CITY OF DETROIT
DETROIT RIVER
BRIDGE
RAIL TUNNEL
TUNNEL
UNIVERSITY AVE W
WYANDOTTE ST W
SANDWICH ST
COLLEGE AVE
PRINCE RD
CAMPBELL AVE
CRAWFORD AVE
TECUMSEH RD W
OUELLETTE AVE
MCDOUGALL ST
HOWARD AVE
PARENT AVE
GLADSTONE AVE
LINCOLN RD
RICHMOND ST
GILES BLVD
OTTAWA ST
WALKER RD
DROUILLARD RD
SEMINOLE ST
GEORGE AVE
PULLETTE RD
WYANDOTTE ST E
SOUTH NATIONAL ST
LITTLE RIVER RD
LITTLE RIVER
CLOVER AVE
MCHUGH ST
TECUMSEH RD E
RIVERSIDE DR
OJIBWAY PKY
MARCHETTE RD
MALDEN RD
DOMINION BLVD
CHRYSLER CENTRE
CENTRAL AVE
PLYMOUTH DR
JEFFERSON BLVD
LAUZON PKY
LAUZON RD
BANWELL RD
HURON CHURCH RD
GRAND MARAIS RD E
GRAND MARAIS RD W
WEST GRAND BLVD
GRAND MARAIS DRAIN
E C ROW EXPY
DOUGALL AVE
MARENTETTE AVE
RHODES DR
FOREST GLADE DR
TOWN OF LASALLE
TOWN OF TECUMSEH
CABANA RD W
CABANA RD E
HERB GRAY PKY
COUSINEAU RD
DOUGALL PKY
NORTH TALBOT RD
6TH CON RD
PROVINCIAL RD
7TH CON RD
8TH CON RD
9TH CON RD
COUNTY RD 42
BASELINE RD
COUNTY RD 17
SCHEDULE C-1 :
ARCHAEOLOGICAL POTENTIAL
ARCHAEOLOGICAL POTENTIAL ZONE (APZ)
ARCHAEOLOGICALLY SENSITIVE AREAS (ASA)
0
750
1,500
3,000
Meters
City of Windsor Official Plan Volume I

Subject: Supplementary Information for the Windsor Archaeological Management Plan (WAMP) - Engagement with Caldwell First Nations (City-wide)

Reference:

Date to Council: July 22, 2024
Author: Kristina Tang, MCIP, RPP
Heritage Planner
City of Windsor Planning & Building Services
Email: ktang@citywindsor.ca
Phone: 519-255-6543 X 6179

Michael Cooke
Email: mcooke@citywindsor.ca
Phone: 519-255-6543 X 6102
Planning & Building Services
Report Date: July 4, 2024
Clerk's File #: SPL/14797 and MD/14771

To: Mayor and Members of City Council

Recommendation:

A. THAT Recommendation I of Report S15/2024 regarding the adoption of the WAMP **BE AMENDED** at the request of representatives of Caldwell First Nation to include revised wording to the Executive Summary as stated in Appendix 3;

B. THAT City Council **ACKNOWLEDGE** the 12 items identified by representatives of Caldwell First Nations (CFN) on May 22, 2024 (Appendix 1) and that Administration **BE DIRECTED** to:

i. Network with other Municipalities and Provincial Ministries to continually improve upon best practises regarding archaeological matters;

ii. Proceed with training sessions, for relevant staff, provided by the WAMP Archaeological Consultants (ASI) that will facilitate the implementation of WAMP, OPA 181 and build a better understanding of best practices to ensure meaningful engagement with all interested First Nations;

iii. Implement the updated polices to the Official Plan and Schedule C-1: Archaeological Potential to ensure adherence to all Provincially legislated regulations, procedures and the Provincial Policy Statement.

Executive Summary: N/A

Background:

Report S15/2024 (SCM 182/2024) titled “Windsor Archaeological Management Plan Review (City-wide)” was presented and adopted by the Development & Heritage Standing Committee (DHSC) on June 3, 2024 as recommended by Administration.

Report S16/2024 (SCM 183/2024) tilted “Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]” was also presented on June 3, 2024.

The following recommendation was adopted by the DHSC:

Moved by: Councillor Fred Francis
Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 617**
THAT Official Plan Amendment No. 181 as shown in Appendix A, regarding the Windsor Archaeological Management Plan (WAMP) review and as detailed in the administrative report entitled "Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]" **BE ADOPTED**; and,

THAT administration **BE REQUESTED** to meet with representatives from the Caldwell First Nation Group to review their concerns and that an update **BE PROVIDED** to Council accordingly; and,

THAT the Caldwell First Nation Group **BE REQUESTED** to provide a commentary letter regarding the meetings and discussions with administration and that this information **BE PROVIDED** to City Council for their consideration.

As directed by DHSC, Administration has arranged for a number of meetings with CFN and the results of those meetings have been summarized in this report.

The following is a timeline of more recent engagement with Caldwell First Nations (CFN).

- **May 22, 2024:** Additional written comments were received from CFN when notification was provided for the 2024 WAMP review for reports presented to the DHSC (Appendix 1).

- **May 28, 2024:** ASI archaeological consultants (Robert MacDonald & Martin Cooper) and Administration (Michael Cooke, Kristina Tang, Wira Vendrasco) provided written response to CFN representatives and offered to schedule meetings to further discuss if desired by CFN.

- **June 3, 2024:** Project team consisting of ASI archaeological consultants (Robert MacDonald & Martin Cooper) and Administration (Michael Cooke, Kristina Tang)

engaged in Part 1 of 3 virtual meetings with CFN representatives (Natalya Garrod, Zack Hamm, Michael McMaster).

- **June 3, 2024:** CFN representatives (Natalya Garrod & Zack Hamm) attended DHSC meeting to voice CFN comments.
- **June 13, 2024**: Part 2 meeting between Project Team and CFN Representatives.
- **June 18, 2024**: Part 3 meeting between Project Team and CFN Representatives

Responses were then formulated based on discussions with CFN, Project Team, and other relevant City Department staff (Appendix 2). This report is aimed at addressing CFN comments, with a focus on the 12 key items outlined in their letter of May 22, 2024.

It is important to note that in addition to the recent meetings listed above, Indigenous Engagement was conducted as part of the Windsor Archaeological Management Plan Review since the beginning of the project (refer to S 15/2024, Appendix 6 Indigenous Engagement Summary Report).

Discussion:

The WAMP is a city-wide document that provides guidance on the identification and conservation of archaeological resources. Since 2005, the original WAMP document has been in use as a tool to manage archaeological resources and risks. WAMP documents are not intended to provide guidance to the specifics of particular archaeological sites that may or may not involve human remains, but rather provides general direction and procedures that may be involved. The 2024 WAMP includes updated archaeological potential modelling that was developed and created by ASI archaeological consultants based on their technical expertise.

It is critical that the outdated 2005 WAMP model and document be replaced with the proposed updated 2024 WAMP to ensure that new areas of archaeological potential are identified. CFN has indicated that, while they currently do not have any additional archaeological data to share, they may in the future. If new information becomes available, Administration will work with CFN and would welcome any additional archaeological data in the future. The model is meant to be "living" and data can be added to it, as information becomes available.

Some other prominent topics of concerns heard through the engagement with CFN were the participation and funding of CFN in all Stages of Archaeological Assessments (AA), Indigenous Cultural Landscape Mapping, gaps and concerns in contact and communication with City of Windsor municipal project/work situations, etc. These matters are beyond the scope of the high-level WAMP document and OPA adoption.

As part of a recent corporate restructuring, a new Equity, Diversity, Inclusion, Accessibility & Indigenous Affairs Division was created. Further dialogue regarding the issues identified above would fall under the mandate of that division once its structure

has been established and its positions staffed. A P and C memo containing additional information is enclosed for Council.

In the meantime, with regards to the funding of First Nations participation in AA, the City's current practice is in keeping with the Ministry Standards and Guidelines for Consultant Archaeologists (MTC, 2011) which includes standards for engagement with Indigenous nations during specific stages of the AA process. Accordingly, the City will continue to engage during:

- Stage 3, when assessing the cultural heritage value or interest of an Indigenous archaeological site that is known to have or appears to have sacred or spiritual importance or is associated with traditional land uses or geographic features of cultural heritage interest or is the subject of Indigenous oral histories [Section 3.4]; and,

- At the end of Stage 3, when formulating a Stage 4 strategy to mitigate the impacts on the following types of Indigenous archaeological sites through avoidance and protection or excavation [Sections 3.4 and 3.5]:

    1. rare Indigenous archaeological sites;
    2. sites identified as sacred or known to contain human remains;
    3. Woodland period Indigenous sites;
    4. Indigenous archaeological sites where topsoil stripping is contemplated;
    5. undisturbed Indigenous sites; and,
    6. sites previously identified as of interest to an Indigenous community.

Nevertheless, the City is encouraging engagement and notification to interested First Nations at Stage 1 & 2.

The Project team has also explained to CFN that through adoption of the 2024 WAMP and OPA 181, there would be subsequent implementation such as municipal training roll out and development of Corporate Procedures.

Administration and the ASI Consultants have held a total of three (3) meetings with representatives of CFN with the specific intent of discussing the May 22, 2024, list of twelve (12) items of concern. A summary of the responses provided to CFN are detailed in Appendix 2.

Risk Analysis:

It is important that both the WAMP and OPA 181 be adopted and implemented so that newly identified areas of archaeological potential – as identified by the archaeological consultants - can be managed properly given the higher level of archaeological interest. This effectively reduces the risk of procedures not being followed and assessments not being conducted on lands considered to be archaeologically significant.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

The Financial implications of the project is outlined in full in WAMP report S15/2024 as it is not an isolated/standalone item. There is an executed agreement between the Corporation of the City of Windsor with Caldwell First Nation for the purpose of providing technical review for the WAMP Review (CAOP 107/2022, approved August 15, 2022).

Consultations:

ASI (Consultant Archaeologists Robert MacDonald & Martin Cooper) engaged with Caldwell First Nations representatives (Natalya Garrod, Zack Hamm, Michael McMaster). City representatives involved in the engagement included the Planning Department and Legal Services.

Conclusion:

The project team and city administration have worked to engage with Caldwell First Nations to address possible comments and solutions that are within the scope of the Windsor Archaeological Management Plan and Official Plan Amendment 181.

Planning Act Matters:

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

Thom Hunt, MCIP, RPP
City Planner/Executive Director of Planning and Building

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

MW RM JG DP JP JM

Approvals:

Name	Title
Neil Robertson	Deputy City Planner- Growth
Thom Hunt	City Planner / Executive Director Planning & Building
Wira Vendrasco	City Solicitor (Acting)
Mark Winterton	Commissioner, Infrastructure Services and City Engineer (A)
Ray Mensour	Commissioner, Community Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Dana Paladino	Commissioner, Corporate Services (A)
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Notification List provided to Clerk's Office

Appendices:

1 Appendix 1- Comments received by Caldwell First Nation May 22 2024
2 Appendix 2- Caldwell First Nation Engagement Responses
3 Appendix 3- 2024 WAMP Executive Summary Excerpt Revision

Caldwell First Nation

14 Orange Street, Leamington, Ontario, N8H 1P5
Phone: **519-322-1766** Fax: **519-322-1533**

To: Kristina Tang

Heritage Planner

City of Windsor

RE: Windsor Archaeological Master Plan

Report Review and Comments

Reference	Text Example	Comments	Reviewer
Masterplan p. 10	The archaeological sites that are the physical remains of the City of Windsor's 13,000-year settlement history represent a fragile and non-renewable cultural heritage resource that must be conserved and protected	As opposed to referring to settlement history, refer to the history of First Nations people who have been stewarding these lands since time immemorial. The history of Windsor is not limited to the last 13,000 years.	
AMENDMENT NO. 181 TO THE CITY OF WINDSOR OFFICIAL PLAN p. 4 of 9	…are of interest to a number of Indigenous communities.	The communities should be listed and updated as required so as to remove any ambiguity as to which communities should be contacted. This list should be seen as inclusive rather than exclusive. In other words, no interested community should be excluded from being contacted because they were not yet added to the list.	
Ibid p. 4 of 9	Maintenance will include updating the	This standard is completely inadequate for the reality of archaeology as it has	

	inventory of registered archaeological sites and lands for which an archaeological assessment has been completed by a provincially licensed archaeological consultant in accordance with provincial standards and guidelines.	been practiced in Essex County and the City of Windsor. The Ontario Heritage Act was passed in 1991, and there has been extensive archaeology that was carried out prior to both the provincial standards and guidelines as well as the provincial licensing system. Sites that were known to have been excavated prior to the OHA should be included as well, and if their precise location is not know, the best estimate of their location should be included in the registry until further information comes to light.	
Ibid p. 5 of 9	…unexpected human remains or cemeteries are identified or encountered during assessment, development, or site alteration…	The limitation of Schedule C-1 is that it only shows areas of archaeological potential, without differentiating what they could potentially contain. There are several known areas that are burial or ossuary complexes. Given what is known about the nature of those sites and the various indigenous cultures that used them, it would be reasonable to have both a map of known burial sites as well as potential areas around them where the probability of additional remains and grave sites is high. These areas should be treated with more care a scrutiny than a typical archaeological assessment would have. While we understand the need to not put the precise location of known burials on a map due to the possibility of vandalism or looting, it is important that areas with a high potential for human remains be flagged as a high priority.	
Ibid p.5 of 9	All artifacts found on property owned by the City of Windsor are to be reported to the City of Windsor for review and possible acceptance and curation by Museum	There should be some sort of mechanism in place for reporting the discovery of these artifacts to potentially impacted First Nations as well, regardless of their supposed origin (classified as either Euro-Canadian or Indigenous in origin). Given that First Nations families	

	Windsor,	continued to live in their traditional territory (including the city of Windsor) to the present day, and gradually (or suddenly) adopted the artifacts, technology, and lifeways of the colonial peoples there is always the possibility that found artifacts could be associated with a First Nation individual or family.	
Ibid p. 6 of 9	…if it is determined using the archaeological management plan potential mapping that any part of a potential development area possesses archaeological potential or known archaeological resources as set out in Schedule C-1 Archaeological Potential.	As recent events have indicated, there are serious gaps in the map set out in Schedule C-1. For example, [redacted], an area that has been excavated several times during the 20th century, is a known burial site, and is within 50-100 meters of other burial sites was left marked as having "low potential". The only areas that are marked as sensitive are along the riverfront, ignoring areas such as the [redacted] This map needs to be revised to bring it in line with current information, and a protocol needs to be put in place that triggers contact and a review with interested First Nations where there is archaeological assessment being done in a sensitive area, regardless of the stage.	
Ibid p. 6 of 9	Where Stage 3 or Stage 4 archaeological assessments are undertaken on Indigenous archaeological resources, the consultant archaeologist shall engage with appropriate Indigenous communities in accordance with Ministry Standards and Guidelines for	See my previous comments. Last year an archaeological excavation (stage 2) was undertaken in an area marked in Schedule C-1 as "archaeologically sensitive" that was also within 100 meters of an existing burial site. The City did not contact interested First Nations and insisted that they were not required to, despite the clear possibility that any excavation, even test pitting, would disturb human remains. The standards triggering consultation should be higher in areas such as those, and greater care must be taken given the damage that has already been done to burial sites within the city.	

	Consultant Archaeologists.		
Contingency Planning 8.4.2	The document refers to the role of the property owner, province, city, consultant archaeologist, etc.	There is no section that refers to the role of Indigenous communities. The community may have a reference for how the remains are honored. Some may want commemorative signage and some may want them returned and undisturbed.	
Contingency Planning 8.4.2	In the case of the discovery of Indigenous archaeological resources, the consultant archaeologist is required to engage with the appropriate First Nations to seek their input into this process in accordance with the Standards and Guidelines for Consultant Archaeologists (MTC, 2011)	How does the City define appropriate First Nations? It is not always just the closest First Nation to the site.	
Mapping of Significant Areas		By what criteria was used to determine significant sites? There are known archeological sites not mapped.	
Lack of Planning Involvement		There needs to be something that triggers the Planning Department to be engaged in future developments on sites where there is archeological potential, regardless of whether or not there is a planning act application.	

In conclusion, after reviewing the Archeological Master Plan and mapping of archeological significant areas, Caldwell First Nation can conclude that the City of Windsor has not accurately identified all significant areas of archeological interest. Additional time for Caldwell First Nation to necessary to complete a thorough review and revision of the significant areas mapping. It is requested that the City of Windsor revise the policies referred to in the section above and address each comment provided in this matrix.

Respectfully,

Zack Hamm
Environment & Consultation Department Manager
Caldwell First Nation
226-936-2940
ecd.manager@caldwellfirstnation.ca

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #1
RE: WAMP Executive Sumary (Introduction)

CFN: Text Example

The archaeological sites that are the physical remains of the City of Windsor's 13,000-year settlement history represent a fragile and non- renewable cultural heritage resource that must be conserved and protected·

CFN: Comment

As opposed to referring to settlement history, refer to the history of First Nations people who have been stewarding these lands since time immemorial. The history of Windsor is not limited to the last 13,000 years.

Primary Reviewer(s):
ASI

Project Team Response to CFN - May 28 2024

Proposed wording change to address concerns: "Indigenous peoples have been stewarding the lands of North America, which many refer to as Turtle Island, since time immemorial. Archaeological evidence indicates that, for the City of Windsor and environs, Indigenous settlement began at the end of the Pleistocene as the Laurentide Ice Sheet was withdrawing from the Great Lakes area over 13,000 years ago. Growing evidence from areas beyond the continental glacier indicates the presence of Indigenous peoples many millennia prior to that—indeed back into time immemorial. Windsor's archaeological record of this vast Indigenous history represent a fragile and non-renewable cultural heritage resource that must be conserved and protected."

ASI Responses - June 2024

Completed.

City Administration Response - June 2024

CFN have indicated through the May 30, 2024 Meeting that the proposed wording change outlined through May 28, 2024 letter is acceptable·

Administration/Consultant's Recommendation

The 2024 WAMP is proposed to be amended to reflect the revised text accepted by CFN.

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #2
RE: OPA NO. 181 - S.9.2.6

CFN: Text Example

…are of interest to a number of Indigenous communities.

CFN: Comment

The communities should be listed and updated as required so as to remove any ambiguity as to which communities should be contacted. This list should be seen as inclusive rather than exclusive. In other words, no interested community should be excluded from being contacted because they were not yet added to the list.

Primary Reviewer(s):
Legal

Project Team Response to CFN - May 28 2024

The policy is worded in a way to be broadly inclusive; there are no limitations.

ASI Responses - June 2024

There had been concern from other First Nations of use of terminology/distinction between rights holder and stakeholder, so moved away from that. Archaeological Standards uses wording to engage with Indigenous Community that have an interest, thus policy is worded using the terminaology of "interest".

City Administration Response - June 2024

The concern about Ontario Municipalities not knowing who (Indigenous communities) to contact is acknowledged. Through the WAMP review, there is now a list of 7 First Nations expressing interest and there is contact information available for them. There will be even more clarity in the future in the area of communication, through: training for municipal staff (as part of implementation of WAMP), the maintenance of contact list through the future creation of the Equity, Diversity, and Inclusion Division, and through Capacity Funding Agreements developed with the City.

Administration/Consultant's Recommendation

No change to the WAMP or OPA 181 is recommended. There are no limitations to the policy and it is intended to be broadly inclusive of all Indigenous Communities with an "interest" in Windsor (including CFN and 6 other Nations)

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #3
RE: OPA NO. 181 - S.9.3.2.1 (a)

CFN: Text Example

Maintenance will include updating the inventory of registered archaeological sites and lands for which an archaeological assessment has been completed by a provincially licensed archaeological consultant in accordance with provincial standards and guidelines.

CFN: Comment

This standard is completely inadequate for the reality of archaeology as it has been practiced in Essex County and the City of Windsor. The Ontario Heritage Act was passed in 1991, and there has been extensive archaeology that was carried out prior to both the provincial standards and guidelines as well as the provincial licensing system. Sites that were known to have been excavated prior to the OHA should be included as well, and if their precise location is not know, the best estimate of their location should be included in the registry until further information comes to light.

Primary Reviewer(s):
ASI, Planning

Project Team Response to CFN - May 28 2024

This text example refers to the future maintenance of the model. The Ontario Heritage Act was passed in 1974 and received royal assent in 1975. All archaeological sites registered in the Ontario Archaeological Sites Database (OASD) were included in the WAMP GIS mapping and archaeological potential modeling exercise. No information regarding unregistered sites for which approximate locational information was available were identified or included. However, based on discussions with CFN on May 22, 2024, the project team would welcome receiving more information from CFN if other site information can be shared for the modeling exercise. The model is meant to be "living" and data can be added to it, as information becomes available. We note on record that a replacement Schedule C-1 was posted on the City's public website on May 15, 2024 to correct a version control error (apologies for that). Future schedule changes will be dated.

ASI Responses - June 2024

Reiterated that the current 2024 WAMP is an improvement/update to the existing 2004 WAMP. The matter of cultural heritage landscape would fall within the scope of a built heritage exercise but would not be in the scope of the WAMP modelling as an archaeological factor/criteria.

City Administration Response - June 2024

The matter of cultural heritage sites (eg. Birthing sites cited) is a topic relevant to cultural heritage and perhaps intangible heritage. Administration has heard CFN concerns that such identification of such sites requires resourcing that is not currently available or ready for sharing by CFN. These are topics of importance which would take time for proper dialogue. There might be more formal opportunities for dialogue and further collaborative work for identification and mapping of such sites through the new Equity, Diversity, and Inclusion Division. As only tangible sites related to archaeology would be included/in the scope of the WAMP modelling (as opined by technical expertise of ASI), the continuation of these discussion should take place further to the WAMP.

Administration/Consultant's Recommendation

No change to the WAMP or OPA 181 is recommended. Administration remains committed to working with CFN to understanding more about important items (such as cultural heritage sites) that fall outside the intent of WAMP or OPA 181.

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #4
RE: OPA NO. 181 - S.9.3.4.1(a)(i)

CFN: Text Example

…unexpected human remains or cemeteries are identified or encountered during assessment, development, or site alteration…

CFN: Comment

The limitation of Schedule C-1 is that it only shows areas of archaeological potential, without differentiating what they could potentially contain. There are several known areas that are burial or ossuary complexes. Given what is known about the nature of those sites and the various indigenous cultures that used them, it would be reasonable to have both a map of known burial sites as well as potential areas around them where the probability of additional remains and grave sites is high. These areas should be treated with more care a scrutiny than a typical archaeological assessment would have. While we understand the need to not put the precise location of known burials on a map due to the possibility of vandalism or looting, it is important that areas with a high potential for human remains be flagged as a high priority.

Primary Reviewer(s):
ASI, Planning

Project Team Response to CFN - May 28 2024

Detailed information is included in the WAMP GIS that can be reviewed by, or in consultation with, CoW staff in advance of any proposed development. It would be an issue to make such information public as an OP schedule as MCM would also likely discourage that approach. Note no other AMP in Ontario has ever done that. To address some of the issues around heightened sensitivity, Archaeologically Sensitive Areas (ASAs) are a new WAMP feature that will help flag areas of concern, including the possibility of encountering Indigenous burials.

ASI Responses - June 2024

Understands CFN frustration of dump trucks in the 70s and 80s depositing remains illegally and expressed the complexity and impossibility to conduct investigation of identifying locations of these past undocumented activities (based on past experiences). The new ASA is designed to flag areas of higher archaeologically sensitivity of higher risks.

City Administration Response - June 2024

As above.

Administration/Consultant's Recommendation

The Consultants have indicated that the new ASA (Archaeologically Sensitive Area) designation on the OP schedule will help to identify areas with higher sensitivity. No changes to the WAMP or OPA 181 are recommended at this time.

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #5
RE: OPA NO.181 - S.9.3.4.1 (a)(ii)

CFN: Text Example

All artifacts found on property owned by the City of Windsor are to be reported to the City of Windsor for review and possible acceptance and curation by Museum Windsor.

CFN: Comment

There should be some sort of mechanism in place for reporting the discovery of these artifacts to potentially impacted First Nations as well, regardless of their supposed origin (classified as either Euro-Canadian or Indigenous in origin). Given that First Nations families continued to live in their traditional territory (including the city of Windsor) to the present day, and gradually (or suddenly) adopted the artifacts, technology, and lifeways of the colonial peoples there is always the possibility that found artifacts could be associated with a First Nation individual or family.

Primary Reviewer(s):
ASI, Planning, Legal

Project Team Response to CFN - May 28 2024

The mechanism for circulation of archaeological assessment and mitigation reports to interested Indigenous communities is already established through MCM S&Gs, policies, and procedures for consultant archaeologists. Therefore, there is no need to duplicate this process at the municipal level, though please note that City of Windsor's general approach is to provide notification to First Nations through their archaeological consultants for City projects starting even from a Stage 1 and 2 level. It is also understood as well that Caldwell FN received the Ministry's regular PIF list so that notification can provide any check for interested FN.

ASI Responses - June 2024

As above.

City Administration Response - June 2024

City can include in Corporate Procedures that would be developed as implementation to WAMP 2024, to notify Indigenous Communities with interest of all artifacts (pre and post contact) found on City property in all stages of Archaeological Assessments, alongside Museum Windsor.

Administration/Consultant's Recommendation

As per Recommendations in S15/2024 Report, Administration recognizes that corporate procedures/policies will need to be the developed following the adoption of WAMP. Procedures will include notification of Indigenous Communities (including CFN) particularly when artifacts are found on City property. No changes to the WAMP or OPA 181 are recommended at this time.

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #6
RE: OPA NO. 181 - S.9.3.7.1 (a)

CFN: Text Example

…if it is determined using the archaeological management plan potential mapping that any part of a potential development area possesses archaeological potential or known archaeological resources as set out in Schedule C-1 Archaeological Potential.

CFN: Comment

As recent events have indicated, there are serious gaps in the map set out in Schedule C-1. For example, [redacted] an area that has been excavated several times during the 20th century, is a known burial site, and is within 50- 100 meters of other burial sites was left marked as having "low potential". The only areas that are marked as sensitive are along the riverfront, ignoring areas such as the [redacted] This map needs to be revised to bring it in line with current information, and a protocol needs to be put in place that triggers contact and a review with interested First Nations where there is archaeological assessment being done in a sensitive area, regardless of the stage.

Primary Reviewer(s):
ASI, Planning

Project Team Response to CFN - May 28 2024

All archaeological sites registered in the Ontario Archaeological Sites Database (OASD) were included in the WAMP GIS mapping and archaeological potential modeling exercise. No information regarding unregistered sites for which approximate locational information was available were identified or included. However, based on discussions with CFN on May 22, 2024, the project team would welcome receiving more information from CFN if other site information can be shared for the modeling exercise. The only Turkey Creek ossuary ASI is aware of is located in southeastern Michigan. Aboriginal Park and nearby sites are marked as Archaeological Potential Zone on Schedule C-1. The model is meant to be "living" and data can be added to it, as information becomes available. We note on record that a replacement Schedule C-1 was posted on the City's public website on May 15, 2024 to correct a version control error (apologies for that). Future schedule changes will be dated.

ASI Responses - June 2024

To address CFN concerns about the low resolution mapping of the final potential model, ASI can produce a version of the Potential map overlaid with the street fabric, at a high resolution PDF for CFN.

City Administration Response - June 2024

The City can explore the sharing of GIS information with CFN, and or other platforms that may display the WAMP information in a more easily navigable manner if GIS software access and display is an issue in the future.

Administration/Consultant's Recommendation

The Consultants and Administration will work to provide CFN with both a digital and high resolution print version of OP Schedule C-1 that includes the underlying right-of-way fabric. No changes to the WAMP or OPA 181 are recommended at this time

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #7
RE: OPA NO. 181 - S.9.3.7.1 (a)

CFN: Text Example

"Where Stage 3 or Stage 4 archaeological assessments are undertaken on Indigenous archaeological resources, the consultant archaeologist shall engage with appropriate Indigenous communities in accordance with Ministry Standards and Guidelines for Consultant

CFN: Comments

See my previous comments. Last year an archaeological excavation (stage 2) was undertaken in an area marked in Schedule C-1 as "archaeologically sensitive" that was also within 100 meters of an existing burial site. The City did not contact interested First Nations and insisted that they were not required to, despite the clear possibility that any excavation, even test pitting, would disturb human remains. The standards triggering consultation should be higher in areas such as those, and greater care must be taken given the damage that has already been done to burial sites within the city.

Primary Reviewer(s):
Corporate Services

Project Team Response to CFN - May 28 2024

View response information above. Further, please note that the City has noted in the S15/2024 Council WAMP report published online that "One of the major points identified by First Nations communities during the engagement process was the request for a formal and ongoing relationship between the City and First Nations' communities, which is beyond the scope of this WAMP review project. To that end, the City has recently approved the creation of an Equity, Diversity, and Inclusion Division within Corporate Services. Administration is actively recruiting for an Executive Director to lead that area, and this Executive Director will lead the work on formalizing a relationship with First Nations. As this area develops, the intent is to grow the internal expertise and resources toward fostering indigenous relationships." Please note that City of Windsor's general approach is to provide notification to First Nations through their archaeological consultants for City projects starting even from a Stage 1 and 2 level. This will be further clarified through the WAMP implementation staff training, and as the City develops this Equity, Diversity, and Inclusion new Division.

ASI Responses - June 2024

Regarding CFN concern about situations of ground disturbance/city projects not triggering a Planning Act process, the requirements are guided by Section 8.1.4 Role of the City of Windsor and 8.2.11 City of Windsor Departments in the WAMP

City Administration Response - June 2024

The requirements of City of Windsor projects which do not involve a Planning Act process will also be highlighted in the Training for municipal staff as part of the implementation of WAMP 2024. The training will be recorded and corporate procedures will be developed to maintain awareness of WAMP requirements for all corporate staff.

Administration/Consultant's Recommendation

The ASI Consultants are contracted to provide training to Administration following the adoption of WAMP. The training will cover a comprehensive range of scenarios that include Planning Act and non-Planning Act projects that involve the disturbance of land.
No changes to WAMP or OPA 181 are being recommended.

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #8
RE: 2024 WAMP Contingency Planning 8.4.2

CFN: Text Example

The document refers to the role of the property owner, province, city, consultant archaeologist, etc.

CFN: Comments

There is no section that refers to the role of Indigenous communities. The community may have a reference for how the remains are honored. Some may want commemorative signage and some may want them returned and undisturbed.

Primary Reviewer(s):
ASI, Legal

Project Team Response to CFN - May 28 2024

No change needed in as this is a matter that should be handled on a case-by-case basis with the Nation(s) engaged in the project. Also, WAMP Main Report section 8.4.2 references Appendix C. Details are in Appendix C: Contingency Plan, Section 3.5 Funeral, Burial and Cremation Services Act Requirements:
"Once the Registrar of Burials makes a declaration, attempts will be made to locate a representative for the deceased. If the locale is deemed to be an Aboriginal Peoples Burial Ground, the Registrar of Burials will contact the appropriate First Nation(s). There are currently seven Indigenous nations that have an expressed interest in the City of Windsor, as follows: Walpole Island First Nation, Caldwell First Nation, Chippewas of the Thames First Nation, Aamjiwnaang First Nation, Haudenosaunee Confederacy Chiefs Council, Six Nations of the Grand River, and Huron-Wendat Nation. If the burial is non-Indigenous, the Registrar of Burials will attempt to find a representative. Where no descendant is identified, a representative of the same religious denomination as the person buried can act for the deceased. If religious affiliation cannot be determined, the Registrar of Burials will determine the appropriate representative. For Aboriginal Peoples Burial Grounds and Burial Grounds, the property owner and the representative for the deceased shall reach a disposition agreement outlining what is to be done with the burials. Where there is no agreement, binding arbitration is provided for under the Funeral, Burial and Cremation Services Act. Removal of remains or associated artifacts from the site is not permitted without the consent of the representative of the deceased. A site disposition agreement will contain the following elements (O.Reg. 30/11, s. 184):
1. a legal description of the location of the burial site in which the human remains are interred and, if applicable, a statement that the remains will be left where they are interred, and the site established as a cemetery;
2. the style and manner in which the human remains are to be disinterred and reinterred, if applicable;
3. the time within which the disinterment and reinterment are to take place, if applicable;
4. the provisions being made for the future maintenance of the cemetery in which the human remains are to be located;
5. the allocation of the costs of carrying out the agreement;
6. all other matters that the parties to the agreement agree upon; and
7. in the case of an arbitration, all other matters that the arbitration board or arbitrator considers necessary.
If the discovery is declared to be an Irregular Burial Site, the process will not be subject to a site disposition agreement. Instead, the owner of the land is required to carry out either of two options, as follows:
1. leave the remains in place or move them to land in close proximity to the site and establish the site as a cemetery;
2. remove the remains and re-inter them into an existing cemetery in the same local municipality as the site or in an adjoining local municipality.
The property owner is responsible for all costs, although claims of financial hardship will be evaluated by the Registrar in cases where the landowner cannot pay. The option selected with respect to an Aboriginal Peoples Burial Ground will be negotiated between the property own and representative for the deceased. With respect to an Aboriginal Peoples Burial Ground, if a disinterment/reburial option is ordered by the Registrar, the Registrar will direct this process. Costs associated with a disposition agreement will be negotiated by the property owner and representative of the deceased. While the time it takes to complete this work will be subject to the terms laid out in the site disposition agreement, factors such as the number and nature of interments and level of observations prescribed in the site disposition agreement will affect the length of time needed to complete the removal and re-interment. "

ASI Responses - June 2024

Unexpected Burials are represented on a case by case basis and led by the Registrar of Burials though an involved process. If there is concern about a burial site, a request can be made to the Registrar of Burial to issue a Burial Site Investigation Order.

City Administration Response - June 2024

As above.

Administration/Consultant's Recommendation

The matter of burial sites extends beyond municipal jurisdiction. The Consultant has indicated that Ontario Registrar of Burials is responsible Burial Site Investigations.

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #9
RE: 2024 WAMP Contingency Planning 8.4.2

CFN: Text Example

In the case of the discovery of Indigenous archaeological resources, the consultant archaeologist is required to engage with the appropriate First Nations to seek their input into this process in accordance with the Standards and Guidelines for Consultant Archaeologists (MTC, 2011)

CFN: Comments

How does the City define appropriate First Nations? It is not always just the closest First Nation to the site.

Primary Reviewer(s):
ASI, Legal

Project Team Response to CFN - May 28 2024

CFN referenced text example could not be found in Contingency Section 8.4.2. Regardless, the definition of "appropriate Indigenous Nations" has been defined by MCM S&Gs mandated engagement with "relevant, interested Aboriginal communities." CoW is using the same defined.

ASI Responses - June 2024

For human remains, the process is completely within the purview of the Burial Sites Registrar and not the City of Windsor; if it is archaeological resources, S&G 2011 requires licensed archaeologist to engage with interested FN (ie. any of the 7 listed in WAMP that have expressed interest.) The ministry regulates the fulfillment of that through a required Indigenous Engagement supplementary report alongside the Archaeological Assessment in Stage 3 & 4. The mandate and jurisdiction is with the Ministry/Province for Compliance of Indigenous Engagement; municipality's mandate is fulfilling obligations under Planning Act and not through the Ontario Heritage Act.

City Administration Response - June 2024

City of Windsor will reference the 7 First Nations who have expressed interest through the WAMP 2024 within the future development of the Corporate Procedures.

Administration/Consultant's Recommendation

As per Recommendations in S15/2024 Report, Administration recognizes that corporate procedures/policies will need to be the developed following the adoption of WAMP. Procedures will reference the 7 First Nations (including CFN) who have expressed interest through the WAMP engagement process. No changes to the WAMP or OPA 181 are recommended at this time.

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #10
RE: Mapping of Significant Areas

CFN: Text Example

N/A

CFN: Comments

By what criteria was used to determine significant sites? There are known archeological sites not mapped.

Primary Reviewer(s):
ASI

Project Team Response to CFN - May 28 2024

All registered archaeological sites from the Ministry's database were included. No criteria of "significance" were employed in development of WAMP GIS model. To address some of the issues around heightened sensitivity, Archaeologically Sensitive Areas (ASAs) are a new WAMP feature that will help flag areas of concern and of heightened sensitivity.

ASI Responses - June 2024

Mapping question: Greenfield development is not criteria for triggering AA. When a municipality doesn't have an AMP they will use the Ministry's checklist. Any municipality that has a WAMP, uses the model criteria, which prevents inconsistency of application of checklist. Most of greenfield in Windsor is mostly in the archaeological potential zone APZ in Windsor. Archaeological potential is not black or white, it is a contiuum but in terms of probability, there has been a kindof 3 tier system developed for Windsor with the highest probability higlighted through the ASA, medium potential through the APZ and low potential are not included in the APZ.

City Administration Response - June 2024

It is understood through the meetings with CFN that CFN is unable to share any further significant archaeological sites data or information with the project team at this time. The project team would nonetheless welcome receiving more information from CFN if and when any other site information can be shared to update the model in the future. The model is meant to be "living" and data can be added to it, as information becomes available.

Administration/Consultant's Recommendation

Following consultation with CFN, Administration remains committed to continuing to work with and foster a positive relationship with CFN. Subject to the signing of any non-disclosure agreement, CFN may consider sharing with Administration, information regarding archaeological sites (known to CFN) that are not recorded in the provincial database.

2024 WINDSOR ARCHAELOGICAL MANAGEMENT PLAN (WAMP)

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #11
RE: Lack of Planning Involvment

CFN: Text Example

N/A

CFN: Comments

There needs to be something that triggers the Planning Department to be engaged in future developments on sites where there is archeological potential, regardless of whether or not there is a planning act application.

Primary Reviewer(s):
ASI, Planning, Legal

Project Team Response to CFN - May 28 2024

The involvement of Planning Department and ability for requirements is limited by Legislation. For private proponents, Building and Right of Way Departments are agreeable to working on cautionary wording on their permits (non-statutory). For City projects, risks are managed through WAMP and through Departments obligation to statutory legislation (EAA, MCEA, etc.). In addition, ASI will be conducting training for City staff as part of the implementation of WAMP, and these information sessions will be recorded for future reference for the corporation.

ASI Responses - June 2024

As above.

City Administration Response - June 2024

Further to earlier project team response, Planning Department is involved through the submission of archaeological reports and the letters of entry into the Ontario Public Register of Archaeological Reports database, and will continue to maintain the Assessments database in the City

Administration/Consultant's Recommendation

Administration is limited by Provincial legislation, however, it is expected that through the upcoming ASI training, best practices can be developed to ensure that the policies outlined in WAMP are followed to minimize risk. No changes to WAMP or OPA 181 are required at this time.

List of Suggestions, Comments, and Questions Raised by Caldwell First Nation (CFN)

ITEM #12
RE: General Conclusion

CFN: Text Example

N/A

CFN: Comments

In conclusion, after reviewing the Archeological Master Plan and mapping of archeological significant areas, Caldwell First Nation can conclude that the City of Windsor has not accurately identified all significant areas of archeological interest. Additional time for Caldwell First Nation to necessary to complete a thorough review and revision of the significant areas mapping. It is requested that the City of Windsor revise the policies referred to in the section above and address each comment provided in this matrix.

Primary Reviewer(s):
Planning

Project Team Response to CFN - May 28 2024

We trust that we have addressed your comments through our discussion on May 22, 2024 as well as outlined here. We have explained that the DHSC meeting is a public meeting with opportunity for CFN to participate as delegates, and there can be a pause to work through outstanding issues if any remain, in between the scheduled DHSC meeting and the yet-to-be scheduled Council meeting date. We look forward to receiving any further archaeological information that Caldwell FN is willing to share with the project team.

ASI Responses - June 2024

As above.

City Administration Response - June 2024

We trust that the further dialogue has allowed for more progression to addressing some of CFN concerns. Administration has heard some CFN concerns that are also beyond the scope of the WAMP so will convey that information to avenues that could carry on those conversations (ie. the new Equity, Diversity, and Inclusion Division).

Administration/Consultant's Recommendation

Administration has heard some CFN concerns that are also beyond the scope of the WAMP so will convey that information to avenues that could carry on those conversations (ie. the new Equity, Diversity, and Inclusion Division

Appendix 3- 2024 Windsor Archaeological Management Plan Revised Excerpt of Executive Summary

Current version:

"The archaeological sites that are the physical remains of the City of Windsor's 13,000-year settlement history represent a fragile and non- renewable cultural heritage resource that must be conserved and protected…"

To be replaced with

"Indigenous peoples have been stewarding the lands of North America, which many refer to as Turtle Island, since time immemorial. Archaeological evidence indicates that, for the City of Windsor and environs, Indigenous settlement began at the end of the Pleistocene as the Laurentide Ice Sheet was withdrawing from the Great Lakes area over 13,000 years ago. Growing evidence from areas beyond the continental glacier indicates the presence of Indigenous peoples many millennia prior to that—indeed back into time immemorial. Windsor's archaeological record of this vast Indigenous history represent a fragile and non-renewable cultural heritage resource that must be conserved and protected…."

Committee Matters: SCM 165/2024

Subject: Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide

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

Decision Number: **ETPS 1006**
THAT the report of Coordinator, Parking Services dated April 25, 2024 entitled "Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide" **BE RECEIVED** for information; and further,

Whereas on February 2, 2024, the 2024 10-year Capital Plan was approved via Mayoral Directive MD05-2024 and subsequently City Council **SUPPORTS** improvements to parking meters as outlined in Option 1 which requires additional capital funding of $144,745.04, be it further resolved:

THAT the City Treasurer **BE DIRECTED** to transfer funding in the amount of $144,745.04 from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001; and further,

THAT Council **DIRECT** Administration as to which, if any, additional parking revenue sources identified in the report to implement; and further,

THAT if required, the 2024 Fees and Charges By-Law **BE UPDATED** to reflect any changes to parking fees.
Carried.
Councillor Mark McKenzie voting nay.

Report Number: S 46/2024
Clerk's File: ST2024

Clerk's Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.

2. Please refer to Item 8.4 from the Environment, Transportation & Public Safety Standing Committee held on May 29, 2024.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240529/-1/10487

Subject: Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide

Reference:

Date to Council: May 29, 2024
Author: Bill Kralovensky
Coordinator, Parking Services
(519) 255-6247 ext. 6103
bkralovensky@citywindsor.ca

Public Works - Operations
Report Date: April 25, 2024
Clerk's File #: ST2024

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE** report S46/2024, "response to CQ 4-2024 – Options for Modernizing Parking Operations" **FOR INFORMATION**; and further,

Whereas on February 2, 2024, the 2024 10-year Capital Plan was approved via Mayoral Directive MD05-2024 and subsequently City Council **SUPPORTS** improvements to parking meters as outlined in Option 1 which requires additional capital funding of $144,745.04, be it further resolved:

THAT the City Treasurer **BE DIRECTED** to transfer funding in the amount of $144,745.04 from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001; and further,

THAT Council **DIRECT** Administration as to which, if any, additional parking revenue sources identified in the report to implement; and further,

THAT if required, the 2024 Fees and Charges By-Law be updated to reflect any changes to parking fees.

Executive Summary:

N/A

Background:

On Monday, January 15, 2024, Councillor Agostino asked the following Council Question:

CQ 4-2024:

> *Asks that Administration look into removing parking meters across the city and replacing them with modern technology. I would like to know the costs of upgrading our system and the savings we could realize or any additional revenue sources.*

This report is provided in response to CQ 4-2024.

Discussion:

The City of Windsor's current parking meter system primarily relies on traditional coin and card payments. However, these methods have become increasingly outdated in the era of digital transactions. In early 2018, the City entered into an agreement with Passport Canada for a mobile Pay-for-Parking app. After months of making a Windsor based zone system, this app was put for public use at both meters and in lots, in December of 2018. Since then 750,000 transactions have been recorded. The percentage number of app transactions to cash and or payment card continues to grow each month. The 2023 breakdown of the revenue earned through the app versus cash/debit/credit at meters and lots is as follows:

Payment Method	Percentage	Amount
Credit/Debit Cards	15%	$321,977
Cash Deposits	58%	$1,224,593
App Payments	27%	$561,697
Total Revenue	**100%**	**$2,108,267**

The City currently has 1,440 coin, and app payment operated on-street meters. These are in use between Walker Rd to the east to Huron Church to the west, Tecumseh Rd northerly to Riverside Dr. Given the shift towards digital payments, the following changes are proposed to align the City's parking management practices with current trends.

Proposed Changes:

App-Only System on Streets

Implementing an app-only payment system for street parking will encourage users to transition to digital payments, reducing the need for physical cash handling and maintenance. Cash and card users would be directed to use parking lots and garages.

Handheld and Mobile Licence Plate Recognition (LPR) Technology

The current industry standard is what is known as LPR, License Plate Recognition technology. Either a handheld device, or mobile vehicle mounted, reader scans a vehicle's license plate, and processes this plate to see the validity of the current parking area. This technology works for parking payments as well as permit parking locations. This technology will be expanded to include permit areas, residential and pay for parking, to widen in customer service and satisfaction. A trial of handheld LPR devices to enforce parking regulations more effectively and efficiently is currently being undertaken since March, 2024. If successful, this technology will be expanded to vehicle-mounted LPR systems, which will promote further cost reductions and enhanced customer service, and be funded from the Parking equipment replacement capital program, Project OPS-001-13.

Meter Head Retention

Existing meter heads will remain in place as parking space number identifiers. These are currently in use with the app, and located on the street side of each meter head, (Figure A below) and will remain until such time as we are in the position to rezone parking areas.

Figure A.

Vehicle mobile LPR will handle the larger zone areas, allowing the removal of individual space numbers. Each vehicle will be identified by its license plate number. Coin slots will be blocked and the internal electronics will be disabled to prevent coin payments.

Updated Pay and Display Machines

Pay and Display machines, currently used in the City's off street parking lots, will replace individual space meters, and be centrally located within a city block of on street pay for parking areas. One (1) machine will be able to replace up to twenty (20) individual meters. These newer-style and most recent up to date technology, Pay and

Display machines may be installed within restructured streets and new pay-for-parking areas if Council so chooses. However, due to costs for this hardware, it is recommended that for street parking areas, the city remain with app-only purchases. For example, to replace Ouellette Ave. meters with new single location Pay & Display machines, at 1 unit per block, per side of traffic, would require 22 new technology machines. The price per unit is $8,720 excluding HST. Installing the Pay & Display machines on Ouellette Ave would currently cost $191,840 excluding HST plus additional cost for associated infrastructure (i.e. electrical power hookups). Other associated costs are discussed further in the Financial Matters section below. Pay and Display, dashboard presented tickets, would be phased out over time as vehicle-mounted LPR systems are installed, enhancing cost reductions and promoting further customer service enhancements.

Pros and Cons of Parking Modernization

Modernizing the city's parking system to be cashless, app-based, and utilizing smart meters can have several pros and cons including the following:

Pros:

1. Convenience: Using the App offers greater convenience for users, who can easily pay for parking using their smartphones without needing to carry coins.
2. Efficiency: Smart meters cover multiple spots and reduce the number of physical individual meters required, making the system more streamlined and easier to manage as well as requiring less maintenance.
3. Dynamic Pricing: Modern systems can allow for dynamic pricing based on demand, time of day, or special events, which can optimize parking space utilization and potentially increase revenue.
4. Data Collection: Digital systems can collect valuable data on parking patterns.
5. Accessibility: The App offers features such as reminders and notifications thereby enhancing the user experience.
6. Security: A cashless system reduces the temptation of theft and vandalism of cash containing meters and vault intrusions of Pay and Display hardware.
7. Keeping up with changing industry standards: Typical municipal comparator cities throughout the Province are adapting to more modern technologies, such as these mentioned in this report.

Cons:

1. Digital Divide: Not all residents and visitors may have access to smartphones or be comfortable with using the App style payment methods to pay, potentially excluding some demographics. Currently, in the Downtown core area, there are 22 defined privately owned parking lots consisting of approximately 1,037 parking

spaces that may be utilized by customers wishing to continue to pay by traditional means.

2. Privacy Concerns: The collection of data through digital systems raises concerns about privacy and the security of personal information. While the technology is Payment Card Industry (PCI) compliant, hardware can be tampered with.

3. Dependence on Technology: System outages or technical issues can disrupt the parking system and inconvenience users. If a system outage lasts too long in duration, the City will lose revenue.

4. Implementation Costs: The initial investment in modernizing the parking system can be significant, including costs for new meters, software and enforcement technology upgrades.

5. Resistance to Change: There may be resistance from residents and visitors who are accustomed to the traditional parking system, requiring a concentrated effort to educate and persuade them about the benefits of the new system.

Options for Moving Forward

Option #1: Immediate cessation of cash payments at all metered street parking

This is the swiftest and most cost-efficient of the three options presented in this report. Parking Maintenance staff can convert the meters by placing stickers over the coin acceptance slots, over one weekend. These parking spots are already listed in the Passport app and can be utilized immediately as the meter poles would remain for space number indicators. As the right of ways are upgraded where these meters exist, poles will be removed and replaced with larger zone sizes and indicated with signage throughout these areas where individual space numbers will no longer be required. This will enable Parking Services and Signs and Markings to efficiently incorporate new zones. While current handheld LPR devices can be utilized immediately, these devices are less efficient and require more labour-intensive efforts as the enforcement officers are required to snap a photo of each licence plate with the device. Mobile LPR units would be acquired, installed, and put into operation as soon as possible to improve enforcement efficiency. The City's collaboration with Windsor Police Services on outstanding fines and stolen vehicle detection programs will be significantly improved through the use of mobile-mounted LPR technology, enabling the scanning of a greater number of legally parked vehicles. Delivery and installation are the unknown inhibitors to a quick start of mobile LPR. Through the communications department, social media tutorials can be taped and posted to guide customers on the new processes for parking payments. These tutorials would also address the locations where cash payments will still be accepted for those wishing to do so.

Option #1 would also allow for different pay-for-parking time models as fees can be structured for different reasons i.e.: time of day, day of week, sponsored parking, discounted parking, etc.

Option 1 – estimated time to implement: <u>1 month from approval.</u>

Table 1 - Option 1 – Estimated Costs and Funding:

Purchase	Price / Unit (Excluding HST)	Quantity	Cost (Excluding HST)	Funding Source
Stickers to close meters	$1.99	1,500	$2,985.00	Transfer from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001
Mobile LPR Cameras and software including hardware, installation, and extended warranty	$44,955.47	3	$134, 866 .41	
Annual Licencing and Support for LPR cameras			$6,893.63	
TOTAL ESTIMATED 1ST YEAR UP FRONT COST			**$144,745.04**	

Administration's preferred option is Option #1. Option #1, the immediate cessation of cash payments at all metered street parking is the fastest and most economical solution among the available options. The simple installation of stickers over coin slots during a single weekend allows for an instant transition without substantial downtime or disruption.

This option, with the aid of educational tutorials uploaded to social media and local news outlets will aid customers in the switch from coin-operated street meters.

Option #2: Phased-in approach to new technology Pay-and-Display machines

This option would entail remapping the current parking zone structure and installing new signage in the affected areas appropriately for customer notification. The app provider would also be required to assist in the zone renumbering to ensure that these new zone numbers are available for use. Option 2 would require mobile LPR set up prior to engaging, as this option would result in an increase in the size of the zones that existing officers would be required to patrol without the current individual meter indicating a "No Payment" flash for the officer to see. Officers would have to check each license plate in a zone by hand to see if the vehicle was in fact in contravention. All efforts will be made to strategically place hardware near current power sources to reduce costs, but this option may not always be available. All improvements listed in Option 1 above also apply to Option 2, just over a longer implementation time frame. If current budget funding models are insufficient, Administration will bring a recommendation back to Council detailing a proposed funding plan.

Option 2 – estimated time to implement: 1-year from approval.

Table 2 - Option 2 – Estimated Costs and Funding:

Purchase	Price Per Unit (Excluding HST)	Quantity	Cost (Excluding HST)	Funding Source
APP zone signage plus installation labour and materials	$462.33	**3** per city block **144** blocks = 432 signs	$199,726.56	On-Off Street Parking Reserve Fund 138
New Technology Pay and Display Machines	$8,720.00	**1** per city block **144** blocks = 144 machines	$1,255,680.00	On-Off Street Parking Reserve Fund 138
Mobile LPR Cameras and software including hardware, installation, and extended warranty	$44,955.47	3	$134, 866 .41	On-Off Street Parking Reserve Fund 138
Annual Licencing and Support for LPR cameras			$6,893.63	On-Off Street Parking Reserve Fund 138, 1st year Annual operating budget increase required
Infrastructure Connection – Power Source Prep	$105	Per 400 meters 144 – 400 meter sections *ESTIMATED*	$42,000 / section $6,048,000 total	On-Off Street Parking Reserve Fund 138
Infrastructure Connection – Machine Hook Up	$5,000	144 machines	$720,000	On-Off Street Parking Reserve Fund 138

Option #3: Status quo with gradual hardware upgrades

In this option, the status quo would be maintained and upgrades of current hardware would occur as areas are renewed by either street or sidewalk upgrades. The costs would be the same as Option #2 above but would occur gradually over time. This option allows for necessary parking infrastructure upgrades to be completed simultaneously as street repairs are undertaken, thus lowering infrastructure costs.

Option 3 – estimated time to implement: As resources permit and projects occur.

Implementation Plan

If approved, the modernization project implementation can begin immediately following the news release, with exact timelines to be determined based on the Option chosen and the LPR trial phase results. Administration recommends implementation of all changes simultaneously to minimize disruption and consolidate the period of public adjustment.

A news release along with social media tutorials would be issued to inform the public about the upcoming changes, emphasizing the benefits of the modernized system.

The accompanying confidential memo to Council details the impact that modernizing parking operations will have on current staff.

Additional Parking Revenue Sources

CQ 4-2024 also requested any additional parking revenue sources be identified. Listed below are additional parking revenue sources that, if Council so chooses, can be implemented. Council may select any, all or none of the following:

1. Increased time of enforcement at meters by the hour. Each hour of extra enforcement time will add approximately $118,000 in revenue. Council may choose the amount, if any, of extra enforcement time.

2. Parking lot Flat Fee can be raised from the current $3.00 to $5.00 per hour. This change is expected to add approximately $92,000 in revenue.

3. Parking lot flat fee for lots that do not currently have an after six p.m. flat fee. Currently, six off-street lots in various BIA areas do not have this fee added and will bring an estimated $8,850 of additional revenue.

4. Lot 22, Aquatic Centre area, all-day fee. The current fee is $5.00 per day and falls below the per-hour rate. This rate is requested to be increased to $10.00 per day with a total increase of approximately $52,000.

5. Over Stay Fee. Several complaints consistently received are that the meter times are sometimes not long enough for business and or pleasure outings. A $5.00 overstay fee is suggested. Once a maximum stay period has been passed, an option to extend will be offered. The $5.00 fee, plus the hourly rate for the amount of time needed will be added. This increase is unquantifiable at this time.

6. Sunday enforcement. Currently, there are no parking fees or any parking enforcement on Sundays. All current fees and regulations could be added on Sundays. If all 52 Sundays throughout the year were added this would bring in an estimated $267,000 in revenue.

7. Riverfront Parking Lots. Currently, there are several parking lots along Riverside Drive, stretching from the Ambassador Bridge easterly to Sandpoint Beach, which have no fees for use. Pay and Display machines can be added to these lots and the revenues could be used for the maintenance and upgrading of these locations. Estimated revenue increases resulting from this change are not quantifiable at this time.

8. Extension of Pay-for-Parking areas. Currently, the Pay-for-Parking areas border Walker Rd. westerly to Huron Church and Tecumseh Rd. northerly to Riverside Drive. These boundaries could be extended to other parking locations in both the east and west ends of the city. Estimated revenue increases resulting from this change are not quantifiable at this time.

Risk Analysis:

One of the primary concerns is public resistance to the shift to an app-only system. This resistance may be particularly pronounced among individuals who are less tech-savvy or prefer traditional payment methods. To mitigate this risk, it is essential to provide clear communication about the benefits of the new system and offer support to help users adapt to the changes.

Technical issues also pose a significant risk, as the implementation of new technologies such as handheld and mobile LPR devices and app-based payment systems can be prone to glitches, connectivity problems, and software bugs.

Data security is another concern, given the increased reliance on digital payments. Protecting user information and payment details from potential data breaches or cyber-attacks requires stringent security measures and regular monitoring. These security measures are dictated to the City through the Payment Card Industry, and all vendors must provide their proof of PCI compliance. With on the street payment transaction hardware, corporate staff must ensure and document regular checks that no visible tampering or signs of security breaches have infiltrated revenue processing devices. Compliance and regulatory issues related to digital payments and data privacy must be carefully managed to avoid legal complications and ensure user trust in the system.

A heavy dependence on technology for parking management increases the vulnerability to system failures, which can disrupt operations and enforcement. Developing rapid response protocols in place will help mitigate this risk.

Equity concerns may arise due to the app-only system, particularly for individuals without access to smartphones or digital payment methods.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Option 1 for the immediate cessation of cash payments at all metered street parking is the quickest more cost effective option for modernizing parking operations. As outlined above in Table 1, the estimated first year up-front cost of implementation is $144,745.04. The estimated funding required for option 1 would be transferred from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001 as there are currently no capital funding allocations approved for this implementation. Operating funding for the annual licencing and support costs for the LPR cameras will be referred to the 2025 operating budget. An increase in operating expenses for On-Off Street Parking results in a decreased transfer of net revenues to the On-Off Street Parking Reserve Fund 138.

Option 2 for the full modernization plan will incur additional costs for new zone signage, LPR equipment and licensing fees, and the purchase and installation of updated Pay and Display machines. The cost of implementing a full modernization plan is estimated above, Option 2, in Table 2. More detailed cost estimates can be provided upon the completion of a LPR trial phase. Funding for all modernization costs would be provided from the Parking Equipment Replacement Project OPS-001-13, which is funded from the On-Off Street Parking Reserve Fund 138. The current 10-year capital plan for Project OPS-001-13 includes annual funding allotments for equipment replacement of $110,000 in 2024 (approved) with annual capital budget allotments increasing each year, up to $129,010 in 2033.

Any additional funding required to implement a modernization plan would need to be funded from additional transfers from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project OPS-001-13. Ongoing annual operating costs associated with the LPR equipment would require an increase in the On-Off Street Parking operating budget. Administration will submit future operating budget requests for approval. Administration will also include funding for modernization as required in the 2025 capital budget submission for On-Off Street Parking as well as the 10-year reserve projections. The balance in the On-Off Street Parking Reserve Fund as at December 31, 2023 is $2,212,820.

Additional revenues generated provide additional funding which would be deposited to the On-Off Street Parking Reserve annually, net operating revenue. This additional revenue could provide additional funding required to implement modernization of the equipment as outlined in this report.

The Parking Operations division is deemed commercial for the purposes of HST collection and payment, and therefore, non-refundable HST costs are not applicable. The City receives a 100% credit of any HST paid.

Consultations:

Rob Slater, Executive Initiatives Coordinator

Conclusion:

The modernization of the City's parking operation will result in improved efficiency in parking enforcement and revenue collection, increased convenience for users through app-based payments, and the adoption of modern technology in parking management. Total app-only payment systems will further streamline enhancements to software such as curbside, off-street lot, and garage parking space availability and reservations. Additionally, current scofflaw and stolen vehicle detection programs, in conjunction with Windsor Police Services, will be further enhanced with mobile-mounted LPR as more legally parked vehicles can be scanned.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works
Ian Day	(A) Senior Manager Traffic Operations and Parking Services
Shawna Boakes	Executive Director of Operations
Mark Winterton	(A) Commissioner, Infrastructure Services and City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Subject: Additional Information to the report Response to CQ 4-2024 – Options for Modernizing Parking Operations

Reference:

Date to Council: July 22, 2024
Author: Bill Kralovensky
Coordinator, Parking Services
(519) 255-6247 ext. 6103
bkralovensky@citywindsor.ca

Public Works - Operations
Report Date: July 4, 2024
Clerk's File #: AF/14508 and AF2024

To: Mayor and Members of City Council

Additional Information:

Recommendation:

THAT City Council **RECEIVE** report S 46/2024, "response to CQ 4-2024 – Options for Modernizing Parking Operations" for information; and further,

Whereas on February 2, 2024, the 2024 10-year Capital Plan was approved via Mayoral Directive MD05-2024 and subsequently City Council **SUPPORTS** improvements to parking meters as outlined in Option 1 which requires additional capital funding of $144,745.04, be it further resolved:

THAT the City Treasurer **BE DIRECTED** to transfer funding in the amount of $144,745.04 from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001; and further,

THAT Council **DIRECT** Administration as to which, if any, additional parking revenue sources identified in the report to implement; and further,

THAT if required the 2024 Fees and Charges By-Law **BE UPDATED** to reflect any changes to parking fee.

Background:

On Monday, January 15, 2024, Councillor Agostino asked the following Council Question:

CQ 4-2024:

> *Asks that Administration look into removing parking metres across the city and replacing them with modern technology. I would like to know the costs of upgrading our system and the savings we could realize or any additional revenue sources.*

On the regular scheduled Council meeting of Monday June 10, 2024, report number SCM 165/2024 & S 46/2024 was presented to Council. The decision of this presentation is listed below as:

Decision Number: CR258/2024
That the report of the Environment, Transportation & Public Safety Standing Committee of its meeting held May 29, 2024 regarding "Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide" ***BE REFERRED*** *back to administration to allow for administration to respond to issues brought forward and provide payment options and details related to implementation location; to allow for consultation with the BIAs and that the information* ***BE BROUGHT*** *forward to a future Council Meeting (within 4 months) for Council's consideration.*

Discussion:

Since this decision, administration has been working diligently to meet Council's directive in a timely fashion. To date, three BIA boards and executives of the majority of metered On Street parking areas, have been met with and their questions and concerns have been addressed. After meeting with the Via Italia, Ottawa, and Olde Walkerville BIA boards, administration feels these organizations have been educated on the origin of this report as well as any and all resident educational tutorials, and business promotions and aids, that can and will be offered to effected cash paying parking customers.

Resident Education

A number of initiatives have been started by Parking Operations. APP education and "How To" placards have been placed throughout a number of the City's high user community centres, Arenas and the Aquatic Centre. These placards, pictured below, are also equipped with take home post card info sheets on the proper fashion to start an account with Passport Canada, our current APP software provider. How to pamphlets were inserted into parking infraction notice envelopes and fine notices that are sent from Parking Enforcement. A link to the City's website/APP page will also be added to all ticket screening reply letters. In working with the Communications department, a number of social media tutorials have been created and filmed to begin placement on these immediately. On the City's web page under the tab "How Do I" an extensive video has been placed for those using the ***citywindsor.ca*** platform.

A number of concerns were heard that Windsor's more senior population may be affected by this cashless proposal. Information sessions are being scheduled at both Life After 50 locations in the City to aid and advise these members on where and how

they may be able to park in any pay-for-parking areas. Parking Enforcement office staff will be utilized to aid any customers, either walk-in or by phone, who wish to seek assistance as well.

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The linked image cannot be displayed. The file may have been moved, renamed, or deleted. Verify that the link points to the correct file and location.

Payment Assistance

For those who do not wish to have their credit card numbers left permanently on an e-commerce site, a user wallet can be made on the APP and advance funds can be paid for either online, or at the Parking Enforcement office located at 1266 McDougall St. This allows users to apply funds without having their card info left on the provider's site.

Businesses within on-street parking areas may also choose to help APP reluctant parkers by submitting payment for these through their own set-up APP accounts. Once the payment is made, the business has the option to take remuneration for this transaction or use it as a business incentive for visiting their establishment. Those establishments wishing to partake in this incentive may be provided a window decal, such as the one pictured below, indicating that they are an APP-friendly business and they are there for assistance. Administration is working with APP provider to supply or fund these stickers, as this initiative will directly benefit them.

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Implementation Plan

If approved, Administration is recommending a start date of October 15, 2024, the first date after Thanksgiving, as an implementation date. This allows current On-street parking procedures to continue through the 2024 tourist season and gives Parking Operations time for further educational tutorials as well as enforcement tools to be purchased and installed.

Appropriate news releases along with social media tutorials will be issued and the extended time will be used to aid in the informing of the public about the upcoming changes, emphasizing the benefits of the modernized system.

The accompanying confidential memo to Council details the impact that modernizing parking operations will have on current staff

Financial Matters:

There are no additional financial matters to note as part of this Additional Information Memo. The financial comments from report SCM 165/2024 & S 46/2024 attached are still applicable.

Consultations:

Rob Slater, Executive Initiatives Coordinator

Conclusion:

Modernizing the City's parking operation will result in improved efficiency in parking enforcement and revenue collection, increased convenience for users through app-based payments, and modern technology in parking management. Total app-only payment systems will further streamline enhancements to software such as curbside, off-street lot, and garage parking space availability and reservations. Additionally, current scofflaw and stolen vehicle detection programs, in conjunction with Windsor Police Services, will be further enhanced with mobile-mounted LPR as more legally parked vehicles can be scanned

Approvals:

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

Name	Title
Mark Winterton	(A) Commissioner, Infrastructure Services and City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Appendices:

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: S 82/2024

Subject: 2024 Evaluation of the Homelessness & Housing Help Hub (H4)

Reference:

Date to Council: July 3, 2024
Author: Kelly Goz
Manager (A), Homelessness & Housing Support
Housing & Children's Services
Kgoz@citywindsor.ca
519-255-5200 ext 5362
Housing and Children's Services
Report Date: June 14, 2024
Clerk's File #: MD/14771

To: Mayor and Members of City Council

Recommendation:

THAT this report on the Evaluation of the Homelessness & Housing Help Hub (H4) **BE ENDORSED**; and further,

THAT Administration **PREPARE** an official letter on behalf of City Council to advocate to upper levels of government for operating and capital dollars to expand supportive housing in Windsor Essex; and further,

THAT the Commissioner, Human & Health Services and Executive Director, Housing & Children's Services **BE DIRECTED** to seek endorsement from the Windsor Essex Ontario Health Team to **PURSUE** the additional resources necessary to expand mental health and addiction support at the Homelessness & Housing Help Hub (H4).

Executive Summary:

N/A

Background:

In April 2021, an evaluation of the Homelessness & Housing Help Hub (H4) was completed to gauge the initial success of the program and provide recommendations to establish a path forward post pandemic to continue providing supports and services to people experiencing homelessness. The initial report identified thirteen (13) recommendations that have, for the most part, been implemented since that time.

In early 2024, OrgCode Consulting Inc. was again engaged to complete an updated evaluation of the H4 with the primary goal to examine service improvements made since 2021, understand the outputs and outcomes being actualized through the program, recommend additional service improvements, and help to inform future supportive

housing for some of the more complex presentations of needs by H4 service users. The evaluation included engagement in January and February 2024 amongst three main groups including people who use H4, community partner organizations and City staff.

Subsequently, in May 2024 City Council approved the Strengthen the Core – Downtown Windsor Revitalization Plan which identified an opportunity area to better support people experiencing mental health and/or addiction crises and those experiencing homelessness. More specifically, Healthy Spaces can be achieved by connecting individuals with the right supports, at the right place and at the right time.

This report serves to highlight the work completed at the H4 over the past 3 years as well as highlight the new recommendations to allow the program to iterate to meet the evolving needs of people experiencing homelessness in our community. Additionally, the 2024 H4 Evaluation serves to inform strategy 3.6 in the Strengthen the Core: Downtown Windsor Revitalization Plan which is to "*evaluate whether barriers exist for people experiencing homelessness to accessing H4 in its interim state, and to work to minimize any identified barriers where possible*."

Discussion:

Since 2020, the H4 has been successful in connecting unhoused persons with accessible and integrated supports that reflect their unique needs and preferences. The H4 program can assist to achieve the outcomes of the strategies identified in the Strengthen the Core plan by providing a multi service drop-in program within the downtown for people experiencing homelessness, and as a result in May 2024 City Council unanimously endorsed and supported an expansion of hours at the H4 from 8am until midnight, 7 days per week.

As of June 2024, in addition to Housing Information Services as the primary service provider, there are an additional 11 community partners on site providing a combined 100 hours of service per month to program participants. The evaluation notes that "anyone who is seeking assistance with housing or income support has the opportunity to engage in these supports either daily or almost daily". It is important to note that 98% of persons surveyed identified that they wanted to be housed.

Based on the updated report from OrgCode Consulting Inc., the following recommendations were made to address the current needs of the community. Refer to Appendix A for the detailed report and findings.

1. Supportive Housing Considerations for Many of the People Who Use H4

a. It is recommended that the community initiate the development and operation of at least 120 permanent housing units as rapidly as possible (inclusive of the number in the proposed Housing Hub), with another 230 units over the next 5 years (by 2029).

Administration is currently exploring models of supportive housing that include multi sector responses, including the proposed 64 units at the Housing Hub (CR# 390/2022). Administration also continues to have discussions with community stakeholders, while advocating for upper-level government funding. Additionally, in February 2024

Addictions and Mental Health Ontario released its Policy Recommendations for Mental Health & Addictions Supportive Housing in Ontario[1] which aligns with many of the findings in the 2024 Evaluation of the H4. As more information, details and plans are developed, they will be shared with City Council.

2. Develop a Persons with Lived Experience Advisory Group Amongst H4 Users

a. ***It is recommended that the Manager, Homelessness & Housing Support specific to the H4 and Housing Hub convene with a PWLE advisory group that meets quarterly to discuss programs, policy and operations at the H4 to gather feedback on services and opportunities for continuous improvement.***

Administration has added this to their 2024-2025 workplan.

3. Improving Services and Supports for Indigenous People Experiencing Homelessness that use H4.

a. ***It is recommended that all staff that service people at H4, regardless of organization worked for, undertake training on homelessness amongst Indigenous People, Truth and Reconciliation and culturally appropriate services and cultural humility***
b. ***It is recommended that Indigenous specific programming by an Indigenous organization be provided at H4 at least two half days per week.***
c. ***It is recommended that the Indigenous community be consulted on the future location and operations of the H4 to incorporate culturally specific elements into the design and / or program.***

Administration has continued to have discussions with Can Am Indian Friendship Centre regarding program offering at H4 specific for Indigenous Persons. Although the location has already been approved by City Council, the Indigenous community has and continues to be prioritized as a group to engage in the planning and implementation of the permanent H4. This includes training options to increase the understanding of all staff on site.

4. Enhancing Mental Health Services at H4

a. ***It is recommended that executive leaders within the homelessness and housing support system of care and the City of Windsor meet with executive leaders within mental health services to negotiate an agreement to have enhanced mental health services at H4.***
b. ***It is recommended that future supports planning for Permanent Supportive Housing ensure, through contract or Memorandum of understanding that mental health services will be provided at future Supportive Housing buildings.***

As part of the Shelter Health initiative, Strengthening the Core executive and working groups, and Windsor Essex Ontario Health Team Steering Committee and working

[1] AMHO_Supportive_Housing-Final.pdf

groups, the Human & Health Services administration continues to work to improve health, mental health, and addiction services at the H4 along with continuing to look at opportunities for future Permanent Supportive Housing. In addition, Canadian Mental Health Association – Windsor Branch (CMHA) have recently been named the Health lead at the H4 and the City will be working with CMHA and other health partners to improve Mental Health and Health supports at the facility.

5. Trauma Counselling for People That Use H4

a. ***It is recommended that all staff that serve people at H4, regardless of organization worked for, undertake training on trauma-informed care, with refresher training completed on an annual basis.***
b. ***It is recommended that, if possible, a new partner be recruited to provide trauma-counselling at H4 or with H4 service users for at least a half day per week, to engage in more moderate and longer-term supports to assist with coping and healing from past trauma.***

Administration is in discussion with Canadian Mental Health Association Windsor Essex County Branch to provide mental health and trauma support at the H4. In addition, available training opportunities for staff at H4 have been presented to community agency leadership for their review.

6. Better Meeting the Needs of Women That Use H4

a. ***It is recommended that women's specific programming be offered by women and for women that use H4, and that women-identifying H4 patrons have an active voice in determining what type(s) of programming are offered and the frequency of the programming being offered.***
b. ***It is recommended that should H4 relocate to a larger building or purpose built space, that has a women's only area or space integrated in the design and operations.***

This recommendation has been carried forward from the initial evaluation of the H4. Administration has added this to their 2024-2025 workplan and is committed to engage with women centric service providers on best practices and possible alignment with other current community supports. It will also be taken into consideration when working on the design build of the new housing hub at 700 Wellington.

7. Activities at H4

a. ***It is recommended that H4 test the interest and participation in activities by starting with two planned activity sessions per week, later in the afternoon or early evening, and that H4 patrons have a direct voice in determining what types of activities will be offered to start.***

H4 staff have begun offering some recreational programming monthly based on participant feedback. This has ranged from basketball games, barbecues and more passive activities such as puzzles, bingo and colouring. Staff will continue to build out regular recreational programming based on participant feedback at varied times and will leverage support from other community partners, where appropriate.

8. Document Replacement and Document Storage Assistance at H4

a. It is recommended that the City, in cooperation with community partners, identify a not for profit organization that can develop and implement a program at H4 that will assist H4 patrons with replacing identification and other vital documents, as well as offer safe and secure legal storage of the documents, if requested by the patron, to assist with the likes of securing housing in the future.

This service was previously provided in collaboration with a not for profit. Administration will reconvene discussions to determine if there is capacity within the system to re-implement this service. Administration has added this to their 2024-2025 workplan.

9. Renaming H4

a. It is recommended that the City, with input from people with living / lived experience and partners that work out of H4, renames the facility and program operations.

Administration will explore this recommendation as part of the new reimagined Housing Hub project.

In summary, H4 excels and meets many basic needs of people experiencing homelessness, however continuous improvement ensures the evolving needs of program participants and the broader community continues to be met. Increasing community awareness of the program and expanding discussions with specific sectors will be paramount to achieve the most recent recommendations made in the report. Additionally, the permanent expansion of hours will also allow other sectors an opportunity to engage with the population outside of regular business hours which will lead to an increased understanding of what gaps continue to exist in the homelessness, health and justice systems while providing a space that may be more conducive to provide these supports under an alternate service orientation.

Risk Analysis:

As communicated to Council in February 2024, (Council Report S 13/2024), the City of Windsor received communication from Infrastructure Canada that it's Reaching Home: Canada's Homelessness Strategy funding allocation from April 1, 2024 – March 31,2028 will be decreasing by $234,814 (6.7%) in each fiscal year of the 2024-2026 period and an additional $2,432,546 (74%) in each fiscal year of the 2026-2028 period. These funding reductions return the Reaching Home program to its pre-pandemic base funding allocation of $853,851.

There is a significant financial risk that if additional federal or provincial government funding is not secured, particularly in 2026, that Housing Services will need to review its entire homelessness portfolio and may need to reduce and/or eliminate homelessness programs in response to the anticipated net funding loss. This concern has been raised by a number of Ontario communities who receive Reaching Home dollars and are directly impacted, and advocacy efforts are underway by OMSSA, AMO, FCM and the

Canadian Alliance to End Homelessness. Administration will continue to monitor the annual allocations and report back to Council on impacts to services and/or put forward requests for additional municipal funding during the annual budget development process, if required.

Additionally, should the recommendations outlined in the 2024 Evaluation of the H4 not be included in future strategic planning, advocacy to health, justice, housing and homelessness ministries and other sector related and municipal budget planning processes, that there is a significant risk that visible homelessness will increase as a result of maintaining the status quo and not continuing to expand supports and services to meet the needs of the population.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

At this time, there are no additional budget requests stemming from the consultant's recommendations. Many of the recommendations are being addressed within existing budgets and/or resources. Although some of the recommendations may require future funding, those requests will be brought forward to Council as part of the annual budget process as required.

To date, approximately $20.5 million in capital funding has been secured for the Housing Hub project, as approved by Windsor City Council (HCS-001-23). Of this amount $10 million has already been pre-committed (CR189/2023) and is available for immediate use. The remaining $10.5 million is approved only in principle starting in 2027 through to 2033 and if needed now, $9,490,938 could be pre-committed as needed subject to obtaining the necessary approvals. The remaining $1,009,062 is outside the current five-year window and cannot be pre-committed at this time. This capital funding is also in addition to previously approved capital funding of $200,000 in Project 7221048. No Federal or Provincial capital funding has currently been secured for the Housing Hub capital project. Business cases are being finalized that will be sent and presented to upper levels of government.

As it relates to the operating costs, in 2023-24, approximately $2.1 million was allocated to the operation of the current Homelessness & Housing Help Hub, primarily funded through the Federal Government's Reaching Home program. In 2024, Council approved an additional $1,470,340 in City funding to support the expansion of H4 operating hours, with a further $735,171 pre-committed for 2025. This was part of the Strengthen the Core – Downtown Windsor Revitalization Plan.

Without additional funding from senior levels of government to offset any additional cost associated with some of the recommendations, requests for municipal capital and/or

operating funding would need to be brought forward to Council during the annual budget development process.

Opportunities to leverage capital and operating funding from upper levels of government and private donors will be critical to the success of the current H4 and future Housing Hub project.

Consultations:

Whitney Kitchen, Coordinator, Housing Administration & Development

Jennifer Tanner, Manager, Homelessness and Housing Support

Nancy Jaekel, Financial Planning Administrator

Conclusion:

H4 has become a critical component of the homelessness serving system and has allowed City Administration and community partners to understand what needs are being met and unmet through traditional program offerings. One of the most important lessons learned throughout the recent evaluation of H4 has been understanding the depth of need of some of the people supported at the site, and the need to expand Permanent Supportive Housing with onsite 24/7 supports, like the model proposed for the future Housing Hub in order for many H4 participants to successfully exit homelessness permanently.

Planning Act Matters:

N/A

Approvals:

Name	Title
Linda Higgins	Manager, Intergovernmental Funding
Kelly Goz	Manager (A), Homelessness & Housing Support
Kirk Whittal	Executive Director, Housing & Children's Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Andrew Daher	Commissioner, Human & Health Services
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Email
List provided to Clerk's office	

Appendices:

1 Appendix A - Windsor H4 Follow Up Evaluation.FINAL

JUNE 10, 2024

ORGCODE CONSULTING INC.

AN EVALUATION OF THE HOMELESSNESS & HOUSING HELP HUB (H4) IN WINDSOR, ON

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Conclusion **40**

In April 2021, the first evaluation of the Homelessness and Housing Help Hub (H4) was completed after operating for almost one year during the pandemic. Almost three years later, the H4 is being evaluated again. The purpose is to examine service improvements and changes made since that time, identify any barriers, understand the outputs and outcomes being realized through H4, recommend additional service improvements, and help inform future supportive housing for some of the more complex presentations of needs in some individuals that use H4.

OVERVIEW OF H4 SINCE OPENING APRIL 2020

According to data provided by the City of Windsor, since April 2020 H4 has served more than 4,000 unique individuals.

There are 11 community partners providing service at H4 weekly and 2 additional community partners that provide service once monthly. Just shy of 100 hours of service from community partners are provided monthly.

Together, community partners that have engaged at H4 have helped hundreds of people experiencing homelessness connect to housing, access income supports, improve their health care, navigate probation and parole, access legal assistance, and access supports for addiction. This is on top of the hundreds of people that use the H4 for less formal support needs, examples include having a safe place to rest, accessing clothing, using the bathroom, and accessing snacks.

H4 has become a critical part of the homelessness response in the community. For people that are unsheltered, H4 represents an anchor point to meet some basic human needs on a daily basis and access other resources. For people that use shelters, H4 represents an alternative to the shelter environment and a safe place to rest and access other resources as well.

H4 has also become an important location and service to learn more about the experience of homelessness in the community, and which needs are met and unmet for the population. One of the most important lessons learned has been about the depth of needs of some of the people served, which has shed light on why some of the housing and support models attempted with the population to date have not always been successful. While many of the people that use H4 are resilient survivors, to reach their fullest potential and to reduce the costs of serving people through other more costly interventions in the community, Permanent Supportive Housing with on-site 24/7 supports is needed for many of the people that use H4 if they are to successfully exit homelessness permanently.

THE APPROACH TO THE EVALUATION

To complete the evaluation three main groups were engaged: those that use H4; community partner organizations; and, City staff. Overall, those engagements yielded inputs into the evaluation in various ways:

- 46 surveys were completed in person with people using H4 on January 9, 10 and 11, 2024;
- 13 in-depth interviews were completed in person with people using H4 on January 9, 10 and 11, 2024;
- 9 key informant interviews were completed with City staff and a few community partners;
- 6 detailed conversations were held with staff and three community partners working at H4 on January 10 and 11, 2024;
- 51 surveys were completed electronically with all organizations that provide services at H4;
- Homeless Individuals and Families Information System (HIFIS) data was analyzed regarding service use and demographics.

Inputs into the evaluation represented a range of diverse perspectives and included a range of experiences of H4, from daily service use from some people that use H4 services, to occasional location of services at H4; from people that

had nothing but glowing things to share about their H4 experience to people that did not have a positive assessment of H4.

COMMUNITY PARTNER CONTRIBUTIONS

Using June 2024 as a fairly typical month, the calendar image below demonstrates the broad range of community partners that operate out of H4:

Homelessness and Housing Help Hub

H4 June 2024 Service Schedule

Monday	Tuesday	Wednesday	Thursday	Friday
SCHEDULE NOTES **Housing Workers from HIS** on-site Monday to Sunday, **8:00 am – 11:30pm.** **Ontario Works** on site Monday to Friday, **10:00 am – 5:30 pm.**			***EVENTS THIS MONTH*** **H4 Housing Fair** will take place on **June 18th** from**1:00 PM – 6:00 PM.** There will be refreshments from Tim Hortons and a patio BBQ.	
3 **RPN** 8:30am – 12pm	4 **Dr. Bondy** 10:30am – 2pm **P&P** 1pm – 4:30 pm **PZP** 1:30pm – 3:30pm	5 **ASW** 9am – 4:30pm **CAN-AM** 11am – 3pm	6 **RPN** 8:30am – 12pm **P&P** 9am – 12:00 pm **JHS** 9am – 11am **LLWC** 1pm – 4pm	7 **ASW** 8:30am – 4pm **BW** 12:30pm – 1:30pm **NP** 10am – 4pm
10 **RPN** 8:30am – 12pm	11 **Dr. Bondy** 10:30am – 2pm **P&P** 1pm – 4:30 pm **PZP** 1:30pm – 3:30pm	12 **ASW** 9am – 4:30pm **LAW** 9:30am – 11:30 am **CAN-AM** 11am – 3pm	13 **RPN** 8:30am – 12pm **JHS** 9am – 11am **LLWC** 1pm – 4pm	14 **ASW** 8:30am – 4pm **BW** 12:30pm – 1:30pm **NP** 10am – 4pm
17 **RPN** 8:30am – 12pm	18 **Dr. Bondy** 10:30am – 2pm **P&P** 1pm – 4:30 pm **PZP** 1:30pm – 3:30pm	19 **ASW** 9am – 4:30pm **LAW** 9:30am – 11:30 am **CAN-AM** 11am – 3pm	20 **RPN** 8:30am – 12pm **P&P** 9am – 12:00 pm **JHS** 9am – 11am **LLWC** 1pm – 4pm	21 **ASW** 8:30am – 4pm **BW** 12:30pm – 1:30pm **NP** 10am – 4pm
24 **RPN** 8:30am – 12pm	25 **Dr. Bondy** 10:30am – 2pm **P&P** 1pm – 4:30 pm **PZP** 1:30pm – 3:30pm	26 **ASW** 9am – 4:30pm **LAW** 9:30am – 11:30 am **CAN-AM** 11am – 3pm	27 **RPN** 8:30am – 12pm **JHS** 9am – 11am **LLWC** 1pm – 4pm	28 **ASW** 8:30am – 4pm **BW** 12:30pm – 1:30pm **NP** 10am – 4pm

ACRONYMS

ASW – Addiction Support Worker from weCHC
BW – Brentwood (Intake Assistance)
CAN-AM – CAN-AM Indian Friendship Centre (Indigenous Housing Outreach Worker)
JHS – John Howard Society
LAW – Legal Assistance of Windsor
LLWC – Lower Limb Wound Clinic by Windsor Family Health Team
NB – New Beginnings Art Workshop
NP – Nurse Practitioner from weCHC
PZP – Positive Pathways Outreach
P&P – Ontario Probation and Parole
RPN – Registered Nurse Practitioner from CMHA

The partners involved at H4 are there through a combination of fees for service and locating existing staff at H4 for certain hours on a regular basis. Housing Information Services is available daily during operating hours and Ontario Works is on location Monday through Friday. Anyone that wants assistance with

housing or income supports has the opportunity to engage in those services daily or almost daily.

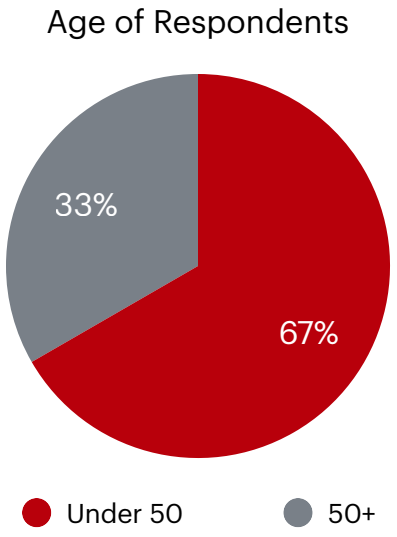
H4 SERVICE USERS

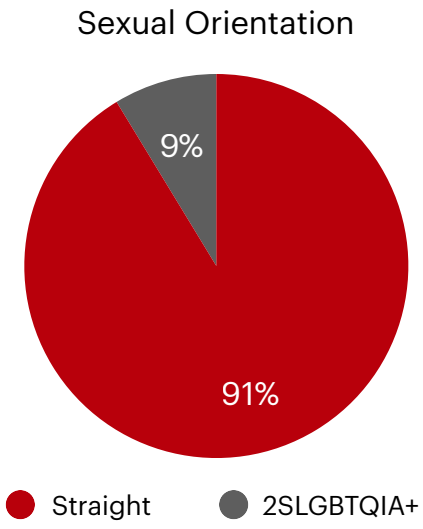
Data from the program and the Homeless Individuals and Families Information System[1] (HIFIS) paint a picture of an H4 service user:

- 42 years old, on average
- 61% of service users are cisgender men, 37% are cisgender women, and 2% are all other gender identities
- 11% identify as Indigenous
- Approximately half of all service users can be classified as higher needs/higher acuity[2]

H4 SERVICE USERS: SURVEY AND INTERVIEW RESULTS

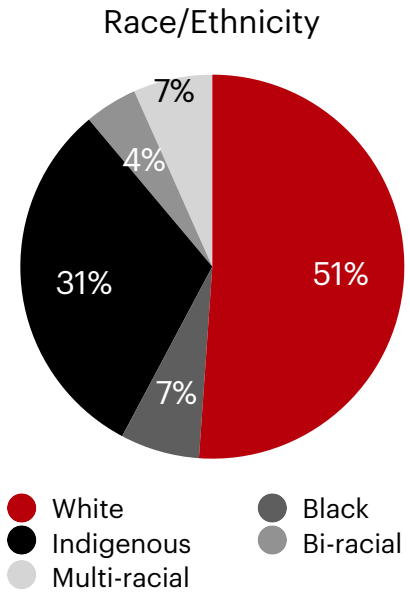
The characteristics of those engaged in January 2024 are quite similar to what the aggregate data of all H4 service users demonstrates.

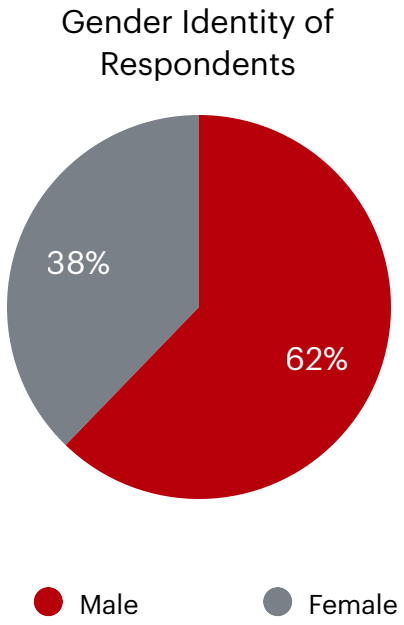




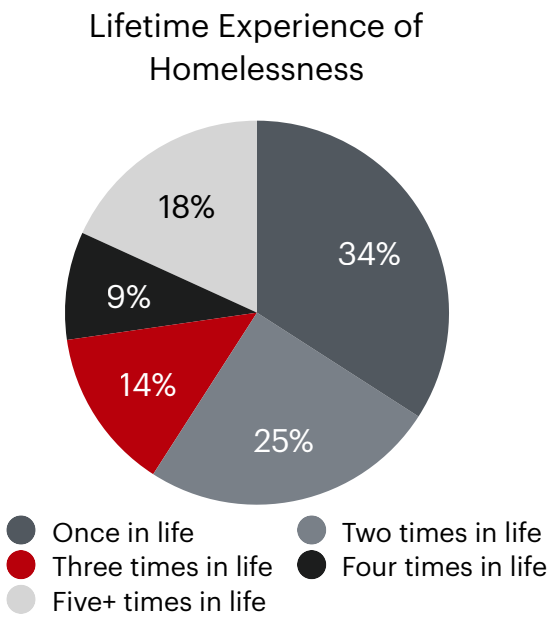
[1] HIFIS was implemented after the operation was already operational. Data, therefore, on the program comes from multiple data sets that have been spliced together.

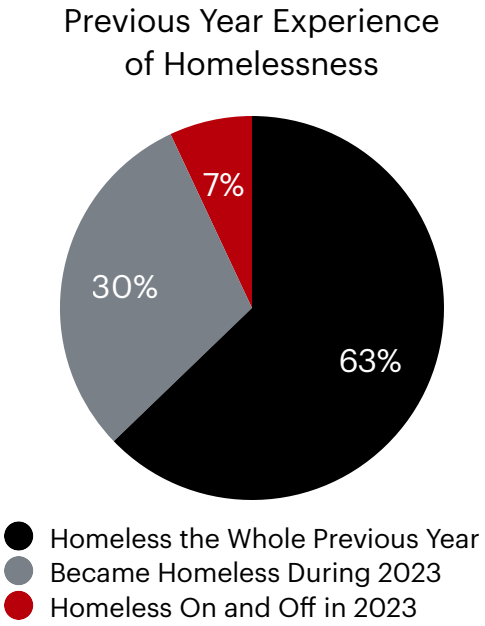
[2] As measured by the VI-SPDAT using self-reported data.

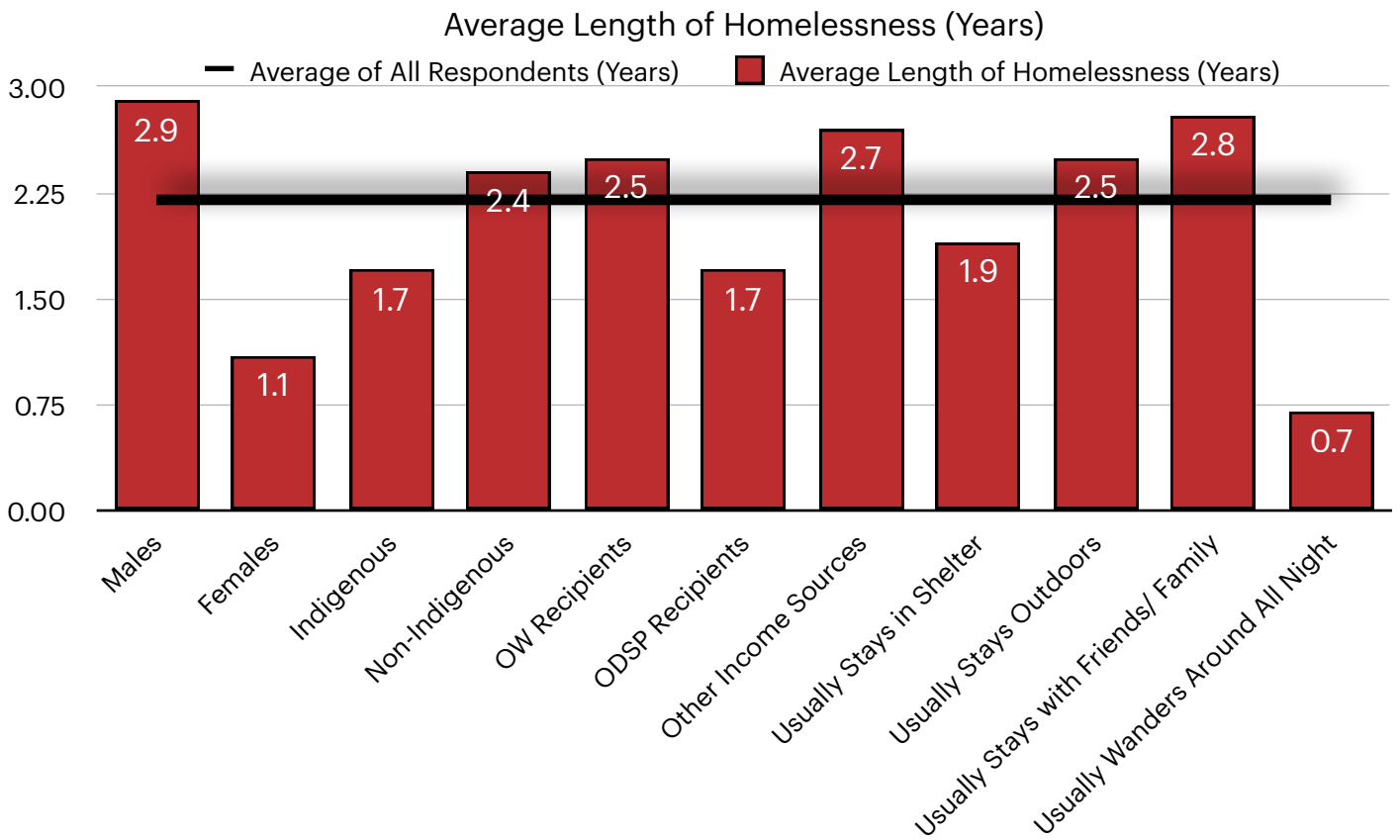




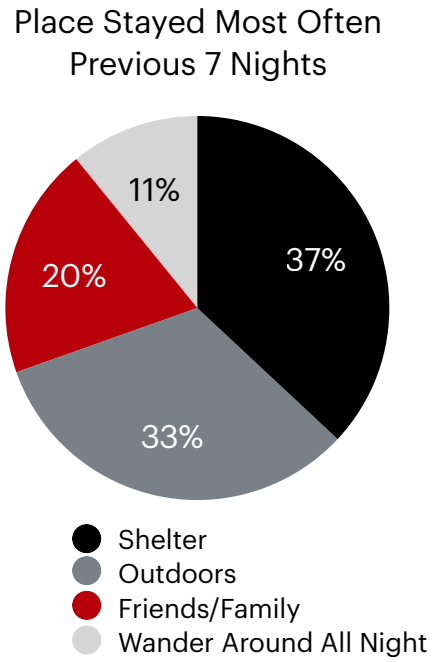
Three out of five people that use H4 became homeless more than one year ago. The majority of people interviewed are experiencing chronic homelessness. Males were homeless almost three years on average. People that usually stay with family/friends were also homeless for almost three years. And people spending longer periods of time homeless were also more likely to have other sources of income (usually panhandling, sex work, etc.) as a source of income.

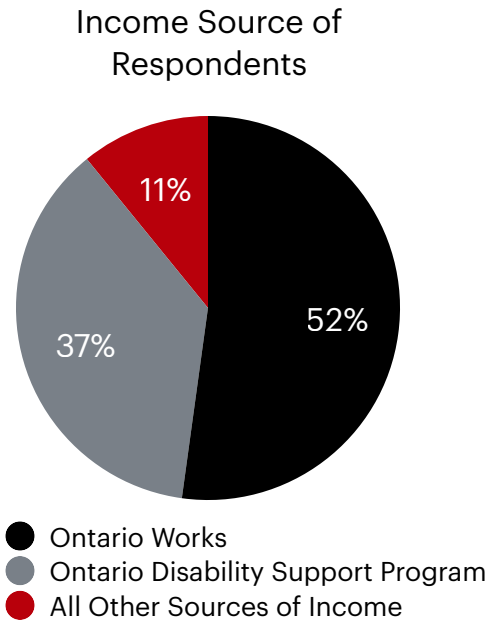


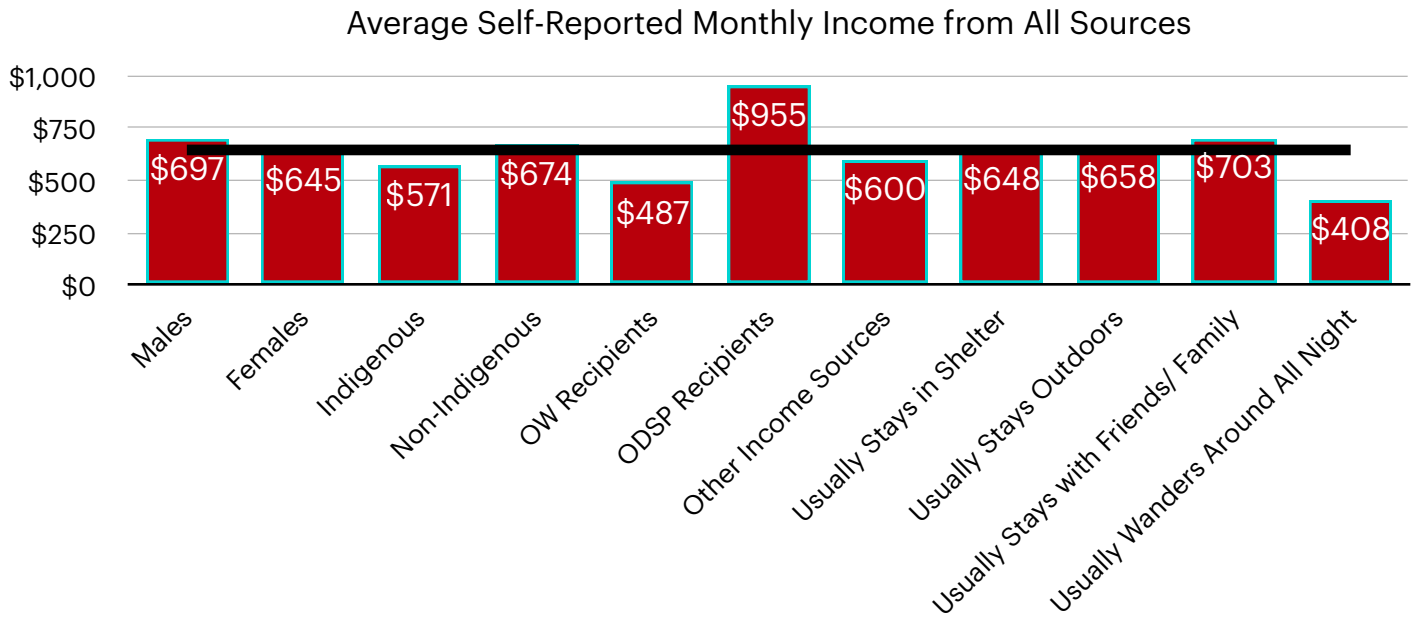




NOTE: "Usually wanders around all night" is differentiated from staying outdoors or in shelter, as the individual indicated they are on the move from one location to another. For example, going to a coffee shop, then a park, then an ATM vestibule, etc. all in the same night while they stay awake.

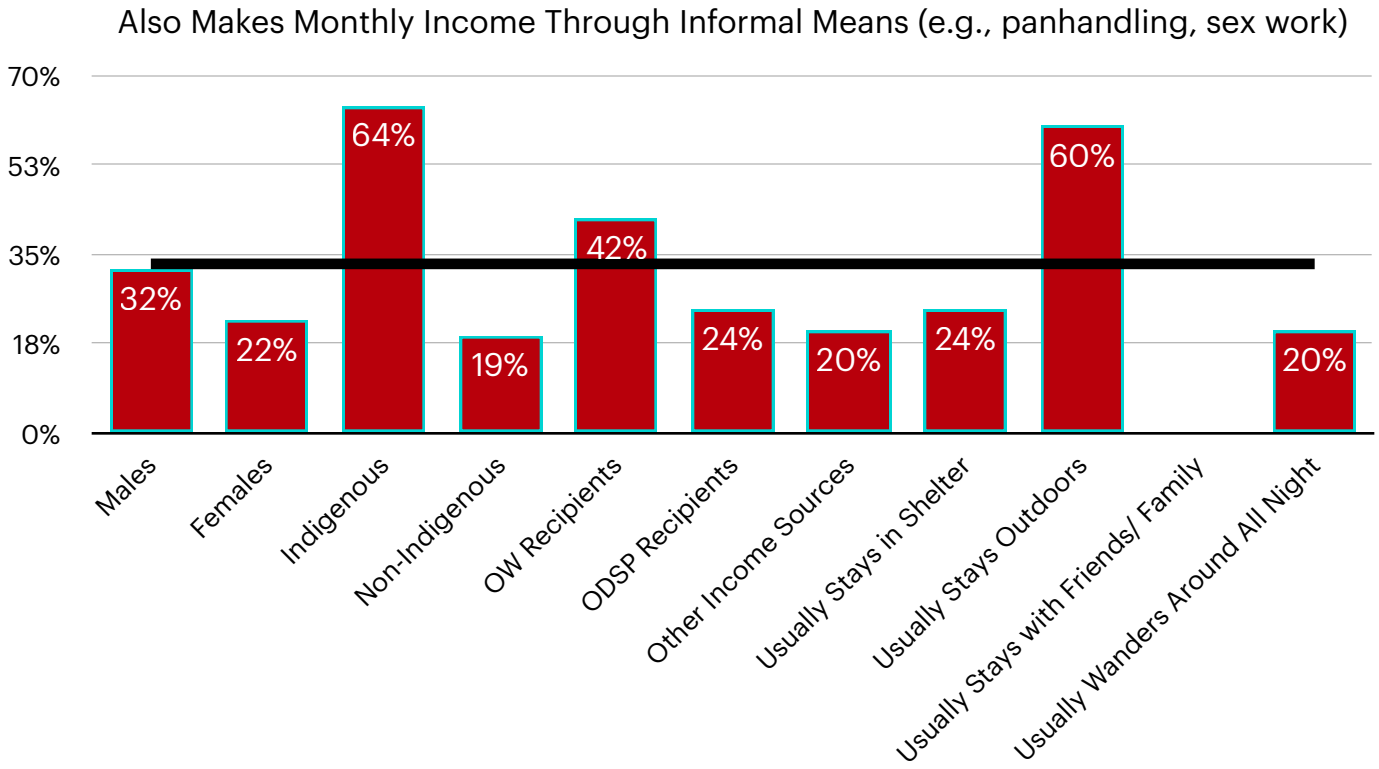






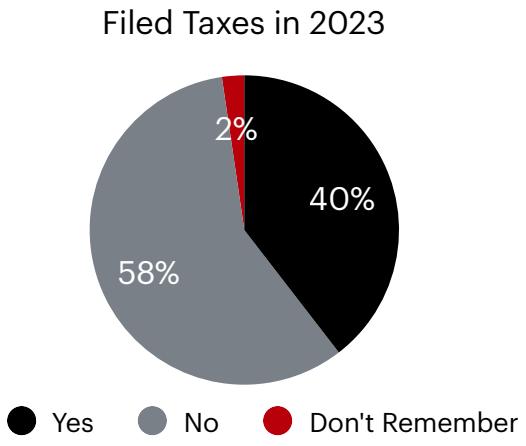
(NOTE: Income source and amount was self-reported. As such, amount of income for OW and ODSP may not align to the amount a person would be eligible to receive for basic needs and shelter costs. Not all people that use H4 are receiving complete OW or ODSP benefits, while others have additional discretionary benefits.)

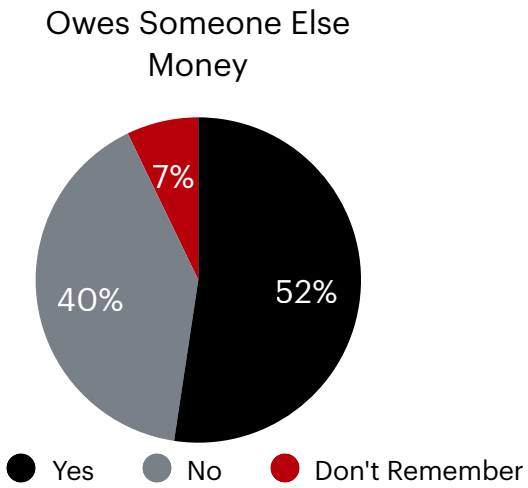
People that use H4 are most likely to be an Ontario Works recipient who stays in a shelter.



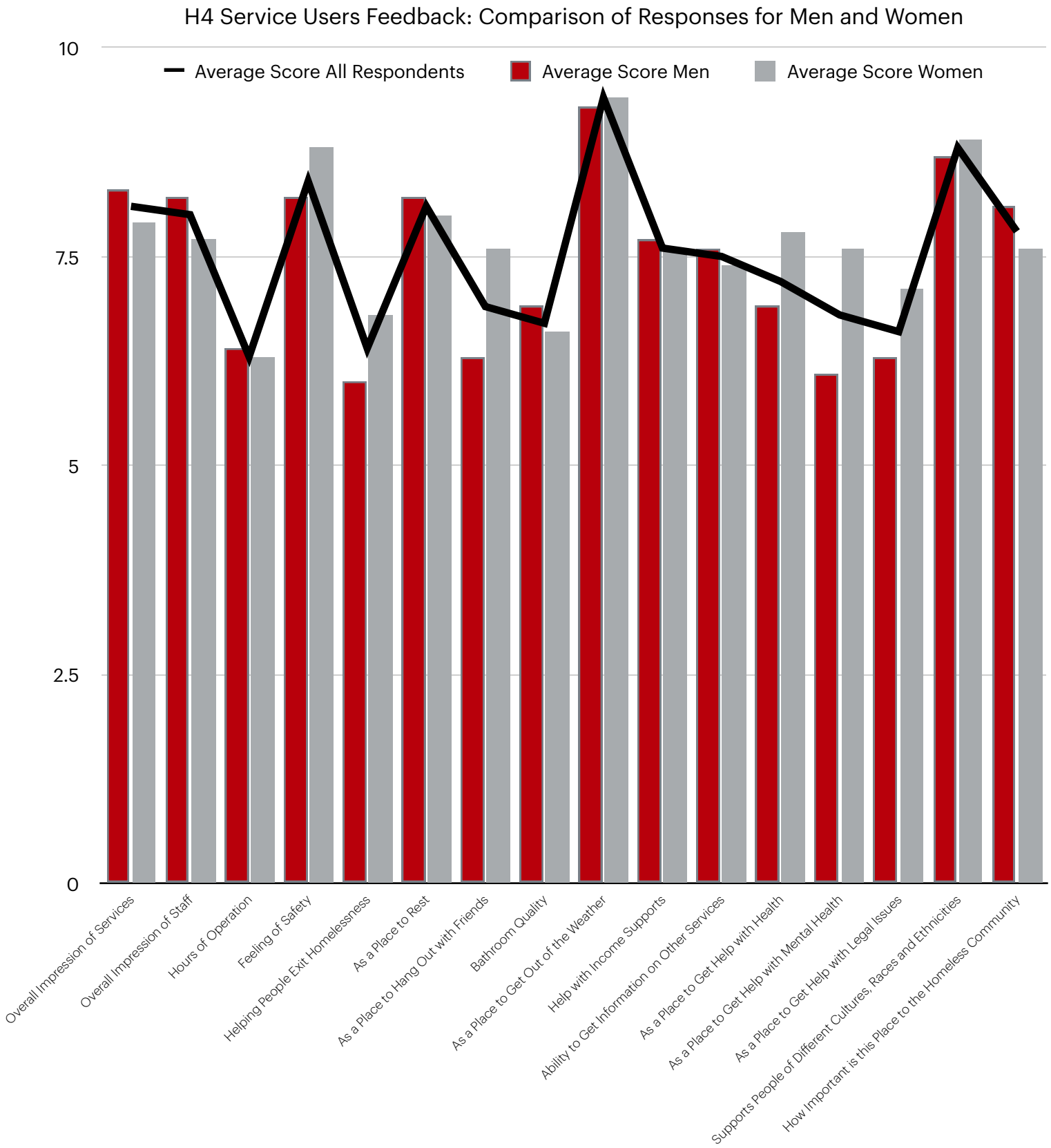
People that were in receipt of Ontario Disability Support Program had the highest self-reported average monthly income. People that reported they wandered around all night had the lowest monthly self reported income. Indigenous-identifying people and people that stayed outdoors were most likely to report that in addition to income support from government, they also made money in other ways.

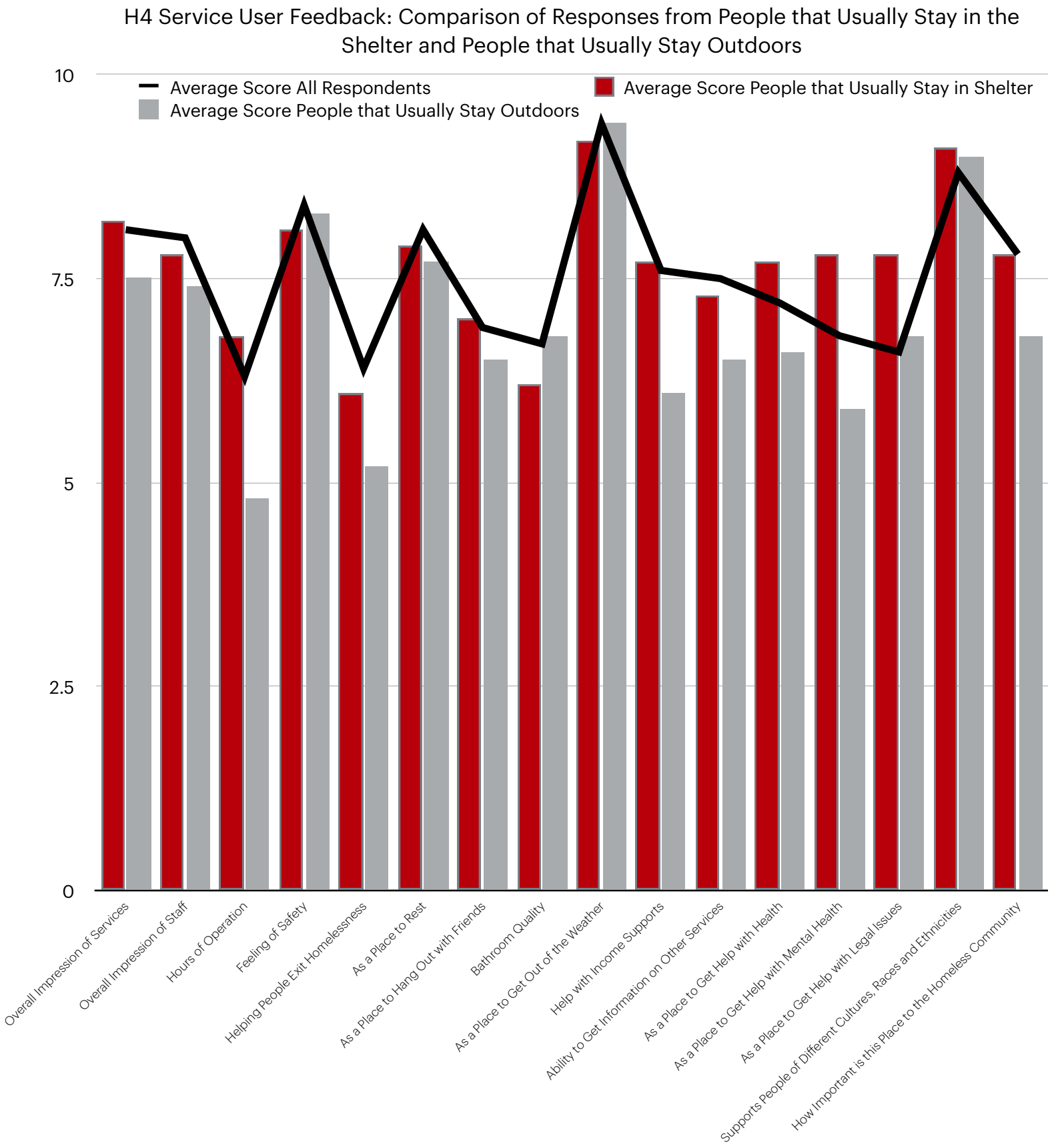
The majority of people engaged at H4 had not filed their taxes in the previous year. This means they are likely missing out on additional economic benefits like GST rebates. The majority of respondents also reported that they owed someone else money. Not only were H4 service users very low income, they were also very likely to be in debt.





Impressions of the services at H4 varied based upon gender identity, whether the person normally stays in shelter or outdoors, and by Indigenous identity. As noted in the following three charts, the greatest variations in impressions of services and amenities are found with people who are unsheltered (generally speaking less favourable than people who use shelter), and, Indigenous identifying people (generally speaking less favourable than non-Indigenous identifying people).


H4 Service Users Feedback: Comparison of Responses for Men and Women
10
7.5
5
2.5
0
Average Score All Respondents
Average Score Men
Average Score Women
Overall Impression of Services
Overall Impression of Staff
Hours of Operation
Feeling of Safety
Helping People Exit Homelessness
As a Place to Rest
As a Place to Hang Out with Friends
Bathroom Quality
As a Place to Get Out of the Weather
Help with Income Supports
Ability to Get Information on Other Services
As a Place to Get Help with Health
As a Place to Get Help with Mental Health
As a Place to Get Help with Legal Issues
Supports People of Different Cultures, Races and Ethnicities
How Important is this Place to the Homeless Community


H4 Service User Feedback: Comparison of Responses from People that Usually Stay in the Shelter and People that Usually Stay Outdoors
Average Score All Respondents
Average Score People that Usually Stay in Shelter
Average Score People that Usually Stay Outdoors
10
7.5
5
2.5
0
Overall Impression of Services
Overall Impression of Staff
Hours of Operation
Feeling of Safety
Helping People Exit Homelessness
As a Place to Rest
As a Place to Hang Out with Friends
Bathroom Quality
As a Place to Get Out of the Weather
Help with Income Supports
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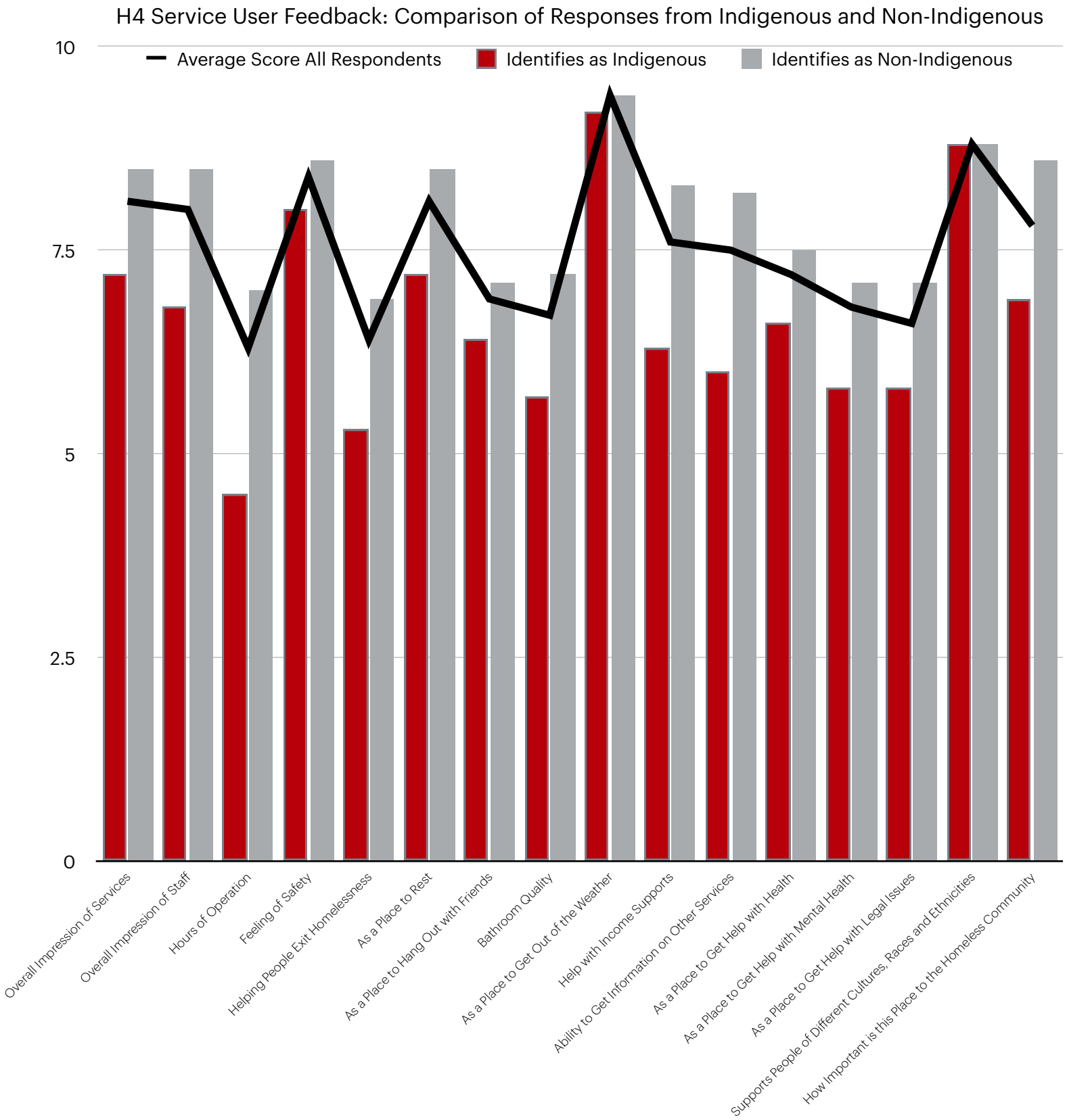
How Important is this Place to the Homeless Community


H4 Service User Feedback: Comparison of Responses from Indigenous and Non-Indigenous
Average Score All Respondents
Identifies as Indigenous
Identifies as Non-Indigenous
10
7.5
5
2.5
0
Overall Impression of Services
Overall Impression of Staff
Hours of Operation
Feeling of Safety
Helping People Exit Homelessness
As a Place to Rest
As a Place to Hang Out with Friends
Bathroom Quality
As a Place to Get Out of the Weather
Help with Income Supports
Ability to Get Information on Other Services
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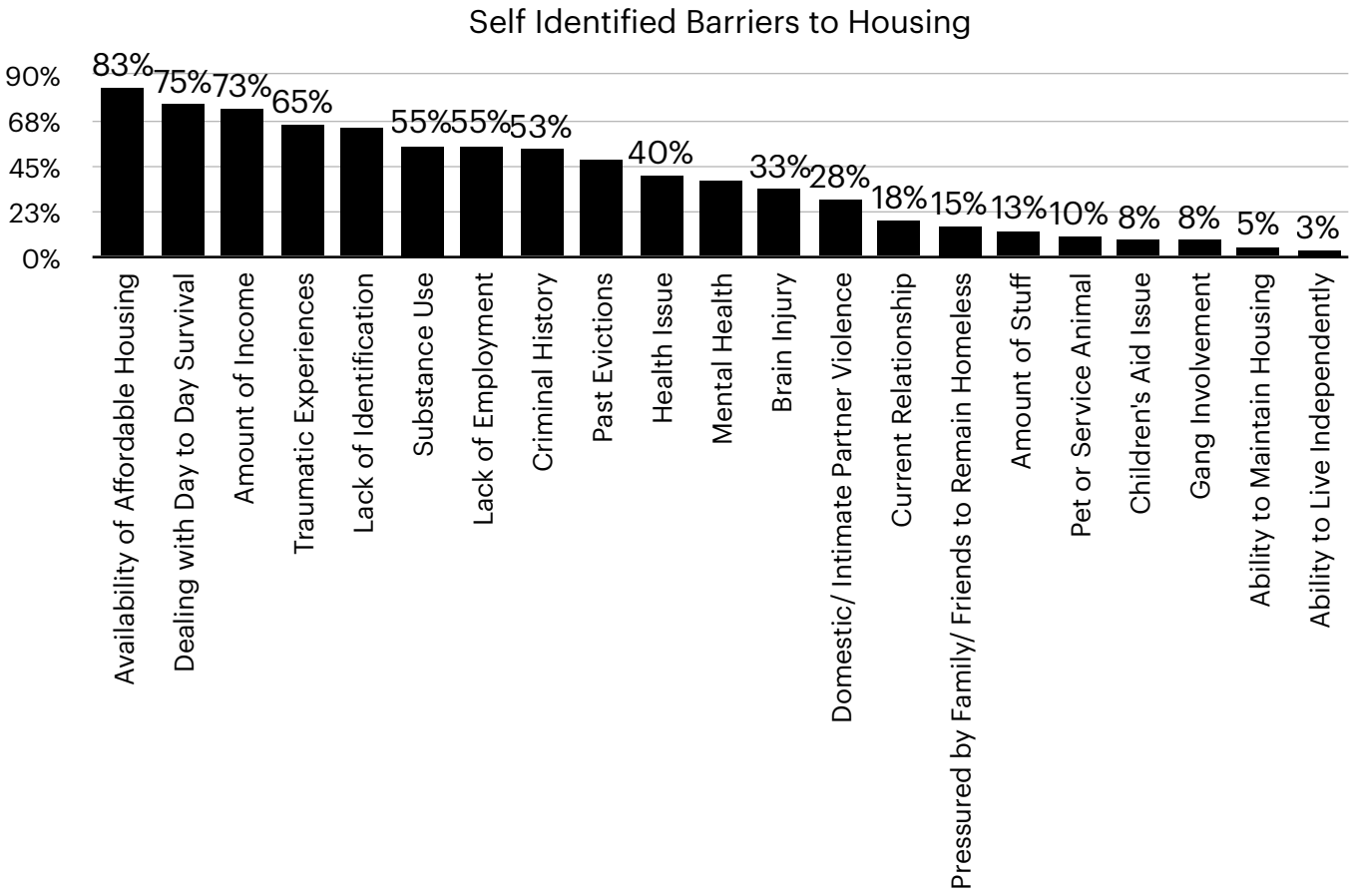
Supports People of Different Cultures, Races and Ethnicities
How Important is this Place to the Homeless Community

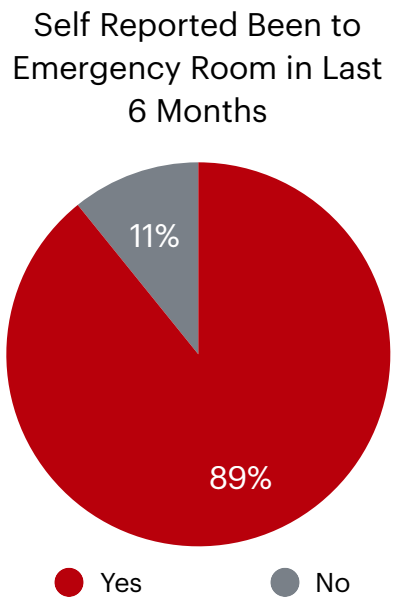


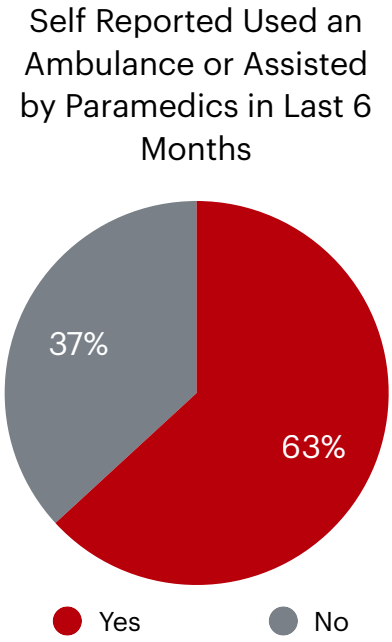
Therefore it is not surprising that two of the three top reported barriers to housing were related to money. The lack of affordable housing (relative to income) was the top reported barrier, and the amount of monthly income people were in receipt of was noted as the third most popular barrier to housing.

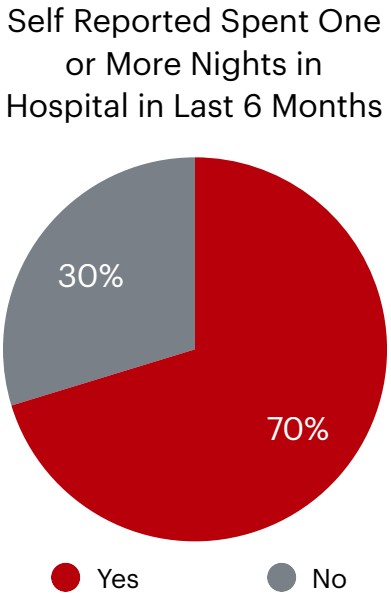
Even with these barriers, almost all (98%) of people engaged indicated that they wanted to be housed, and, almost everyone engaged had been housed at some point in Windsor-Essex.

People that use H4 have a number of health, mental health and addiction support needs, and interface with other parts of the health system on a fairly regular basis. For example, on average a survey respondent had reported being to the emergency room of the hospital 4 times in the previous six months, self-reported 6 ambulance trips per person on average in the previous six

months, and reported 9 nights of in-patient hospital stays per person in the previous six months.

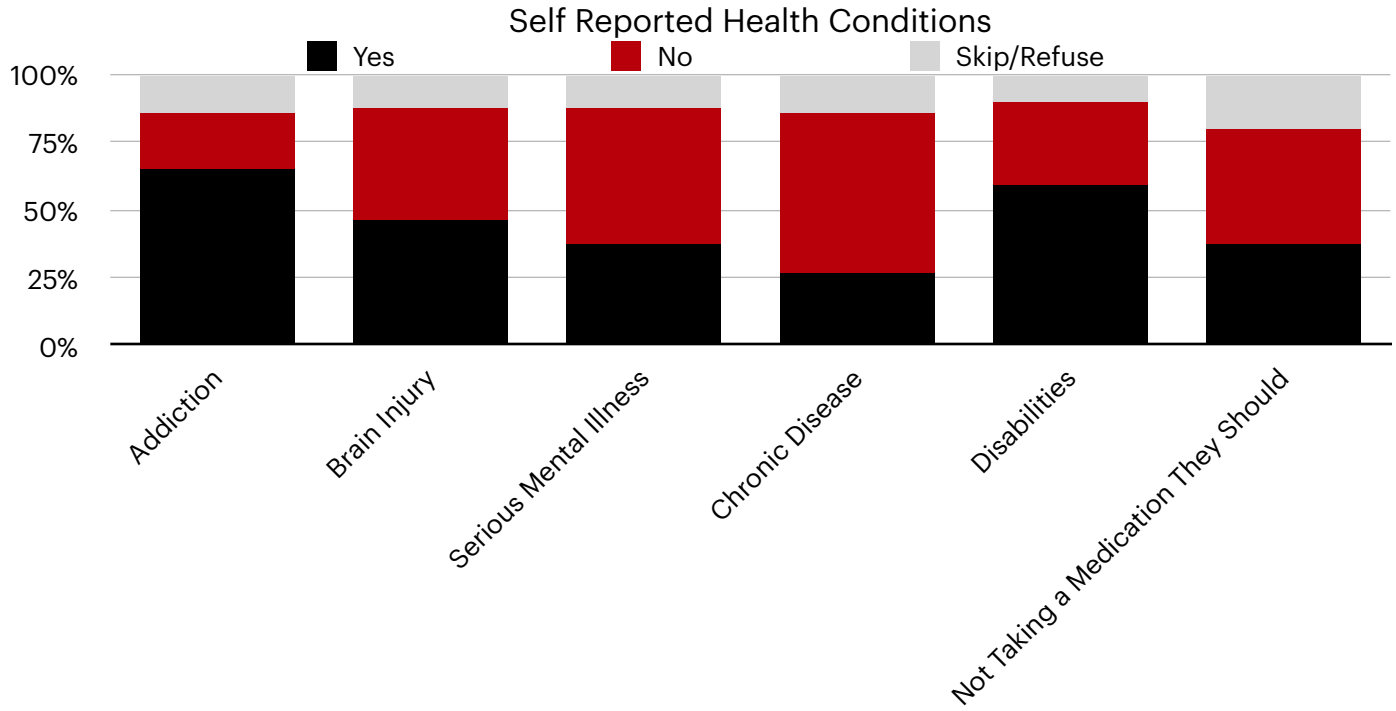




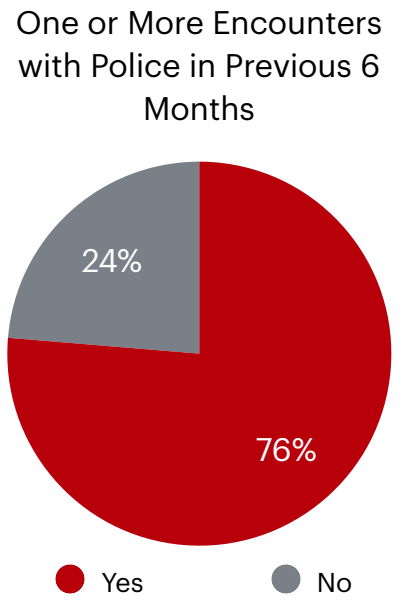


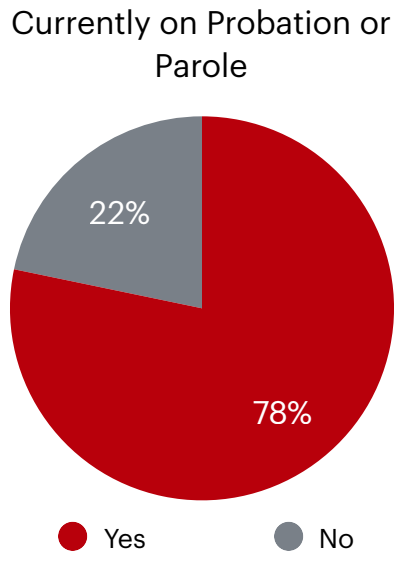
Three out of five people that use H4 that were engaged indicated that they live with an addiction. Almost half reported a brain injury. Slightly less than 40% indicated they live with a serious mental illness. Rarely did a respondent have a single health issue: they more likely had two or more health conditions co-occurring. In addition, 7 out of 10 people engaged that use H4 self reported

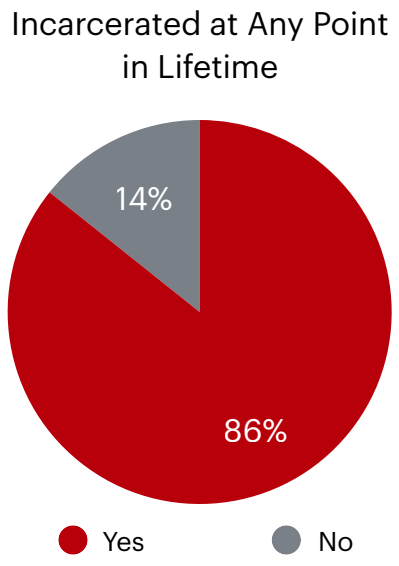
that they are involved in higher-risk behaviour such as injecting drugs, or, engaging in sex work.

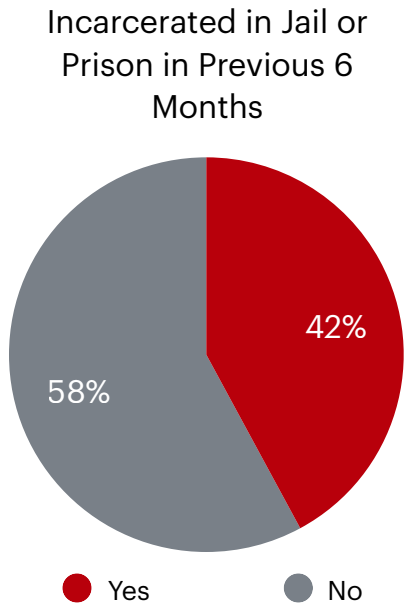


H4 service users were also likely to report considerable involvement with police, probation/parole conditions, and previous incarceration. For example, respondents averaged 11 self-reported police encounters per person over the previous 6 month period. (A police encounter should not necessarily be interpreted as having conflict with the law.) Furthermore, respondents averaged 6.3 self-reported nights incarcerated over the previous 6 month period; and, people staying outdoors self-reported the highest rates of incarceration with over 90% experiencing incarceration in their lifetime, and almost two-thirds experiencing one or more nights incarcerated in the previous 6 months.



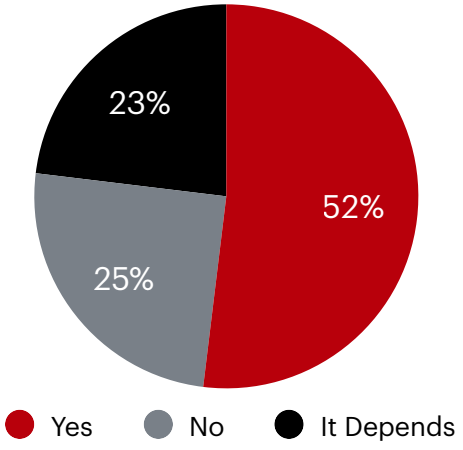




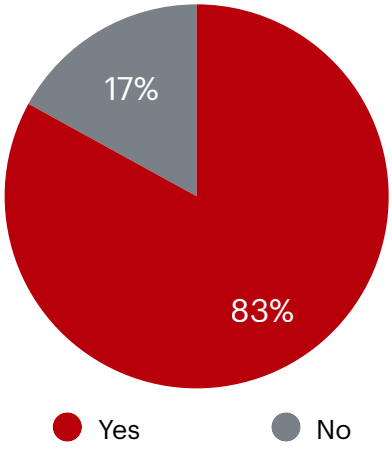


When it comes to future housing aspirations, more than half of people engaged at H4 indicated they would live with a roommate if it meant they could be housed faster. With apparent insight into service needs, more than 80% of people engaged indicated they would like supports such as case management once housed to help them stay housed.

Would Live with a Roommate if It Meant Being Housed Faster



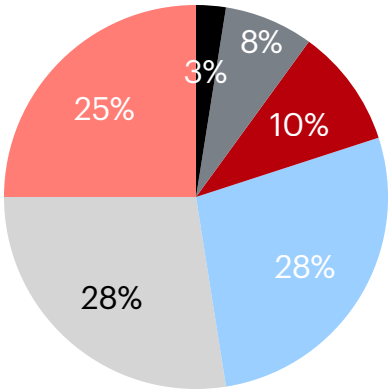
Would Like Supports (e.g., Case Management) Once Housed



Day to day existence also brings about its challenges for people that use H4. Consider the following: 80% report they are bored most days without anything meaningful to do; the overwhelming majority have been in a physical fight one or more times in the previous six months; and, 95% of people engaged at H4 had something of value to them stolen in the previous six months.

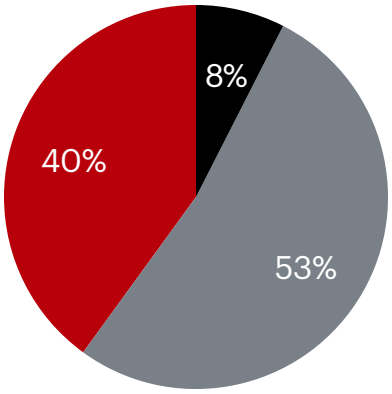
Even though Ontario Works is the primary source of income for people that use H4 services, this is a population that has been disconnected from the labour force, more or less, for a prolonged period of time. Consider that 3 out of 5 respondents have either never had a full time job or it has been 4 or more years since they had full time employment.

Job History



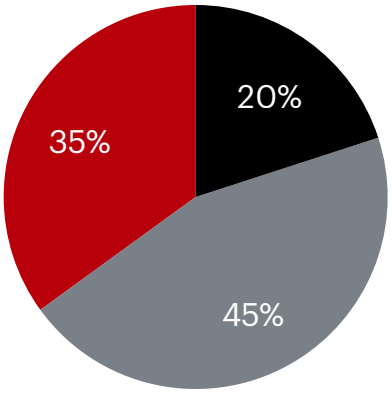
People at H4 were asked about how hopeful they are for the future, whether they feel safe, and their stress level. Clear from the responses is that people who use H4 generally have a bleak perspective.

Stress Level



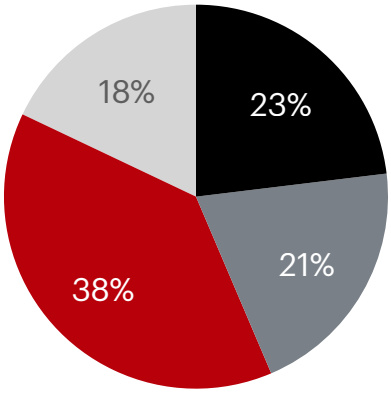
Stress Level is Low
Stress Level is Medium
Stress Level is High

Feeling of Safety



Most Days or Every Day Feel Safe
Every Now and Then Feel Concerned for Safety
Frequently Feel Concerned for Safety

Hopefulness About the Future

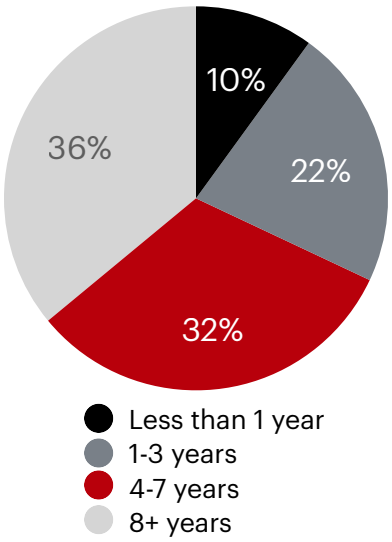


Extremely Hopeful Life will Get Better in the Future
Somewhat Hopeful Life will Get Better in the Future
Lacking Some Hope that Life will Get Better in the Future
No Hope Life will Get Better in the Future

H4 SERVICE PROVIDERS: SURVEY AND INTERVIEW RESULTS

City staff and community partners involved at H4 were invited to participate in a survey to gather insights on H4. In total, 51 people responded to the survey. In addition, 10 key informant interviews were conducted with various community and city entities involved in H4.

How long respondents have been working in the field



SURVEY RESULTS

About two-thirds of survey respondents have been working in the field for four or more years. As such, the majority of respondents have considerable experience responding to homelessness in Windsor-Essex to compare the work and results of H4 against. Also, two-thirds of respondents to the survey indicated that they are a frontline worker, directly engaging with people who use services at H4. As such, these are professionals who see the work of H4 with their own eyes and directly interact with program participants at H4.

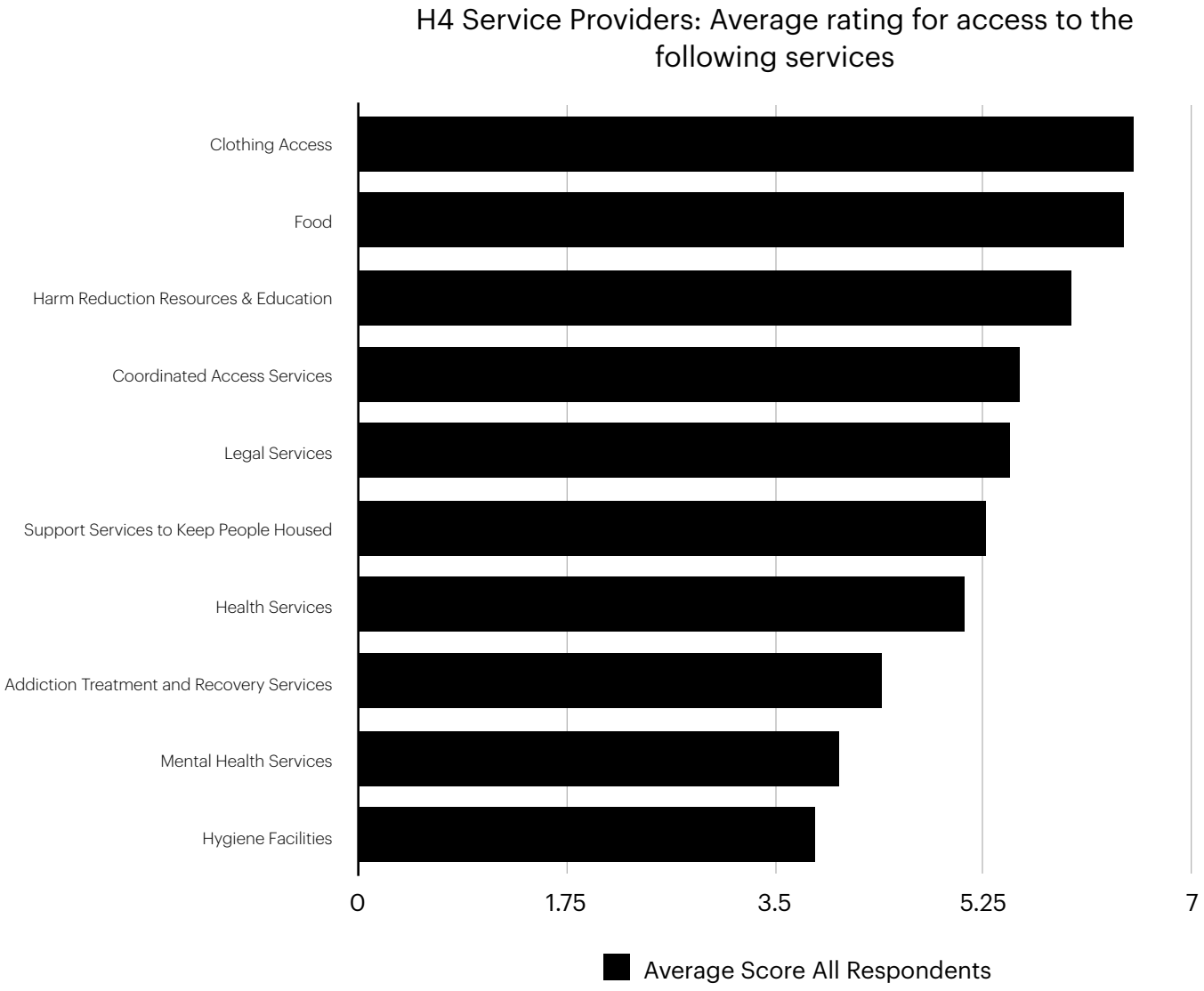
It is the perception of more than 80% of people surveyed that homelessness has become worse the past few years, and about the same percentage of people surveyed believe the service needs of people experiencing homelessness are higher.

About three out of five survey respondents have the opinion that the shelter system in the community is inadequate in size to consistently accommodate people experiencing homelessness in the community. No respondents were of the opinion that the shelter system has the capacity to accommodate all people on all nights. As for the quality of shelter services, about half of respondents felt the quality has stayed the same the past few years, while the

remaining respondents were more or less evenly split on shelter services getting worse or better.

Two-thirds of survey respondents felt the quality of street outreach services has gotten better the past few years. Only one respondent felt street outreach services had gotten worse. The remainder felt it had stayed about the same.

Survey respondents were asked to measure a number of other services and access to those services for people experiencing homelessness in the community (H4 as well as other services) on a scale of 1 to 10 with 1 being terrible and 10 being excellent.



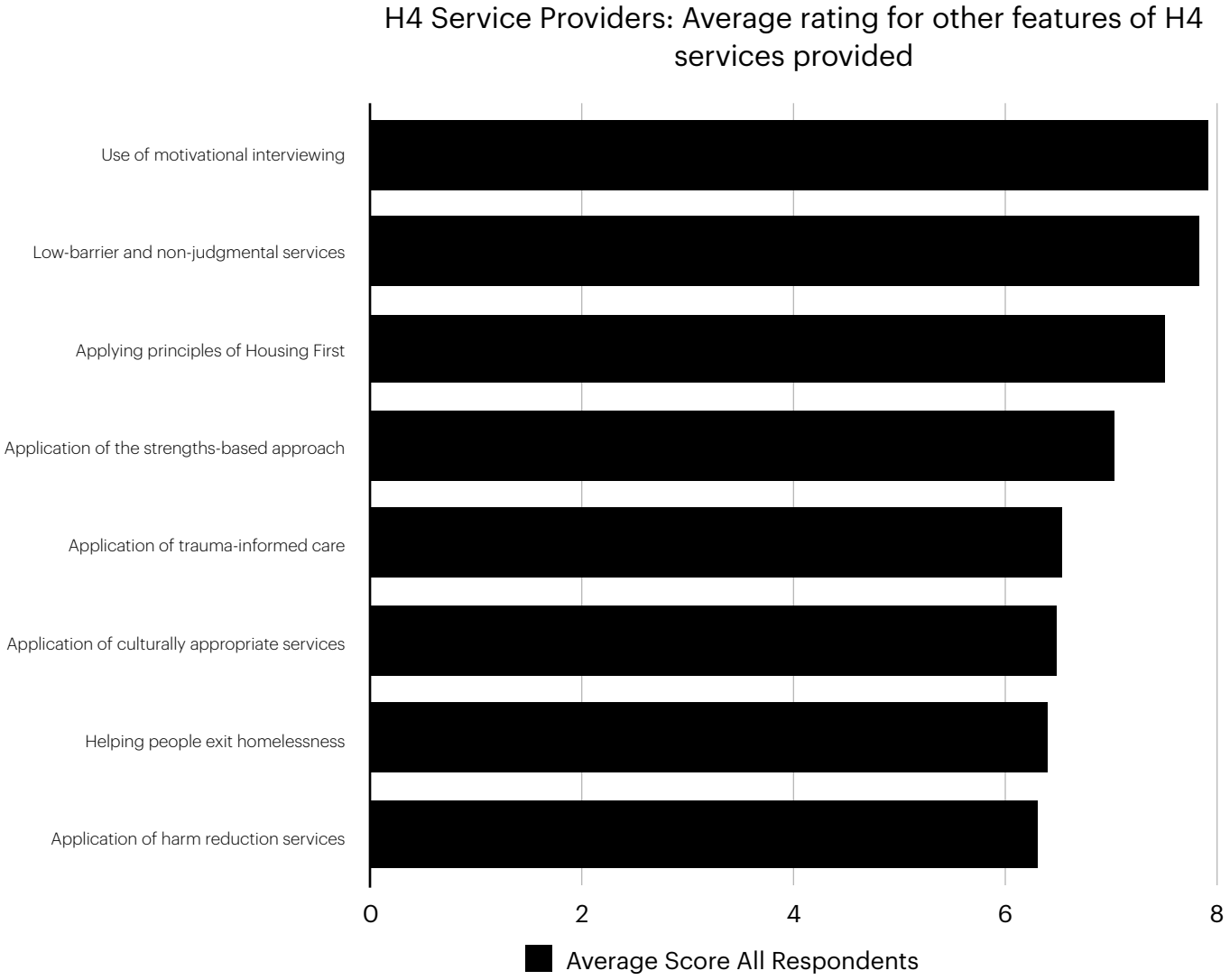
The biggest concerns of homelessness services professionals in the community in terms of services and access to services are hygiene facilities, mental health services, addiction treatment and recovery services.

Survey respondents were also asked to rank what the top five barriers that they see amongst the people served when trying to exit homelessness. In order, across all respondents, the top five barriers identified were:

1. Lack of housing that is available and affordable
2. Income is insufficient to afford housing
3. Substance use
4. Mental health
5. Lack of housing with 24/7 supports for people with more intense needs

When asked about collaboration between organizations that operate a service at H4, respondents overwhelmingly found that collaboration to be positive. Collaboration between organizations at H4 and organizations elsewhere in the community that do not operate at H4 was slightly less strong, but still positive. Communication between organizations when consent is in place, for people that use H4, was also generally seen as positive.

Respondents were asked to rate a number of other features of the services provided and alignment to best and promising practices in service provision. This includes everything from helping people exit homelessness for housing to taking a strengths-based approach to assisting people experiencing homelessness. As the chart below shows, the application of best and promising practices in the service orientation is generally seen favourably at H4.



Survey respondents were asked what they felt, based upon their experience, are the three most important services offered at H4. Analysis of open-ended responses reveal having a safe place for people to be during the day, assistance with housing, and access to healthcare to be the top three important services at H4.

Survey respondents were also asked what they felt, based upon their experience, are the three biggest gaps in services offered at H4. Overwhelmingly, adequate mental health services were seen as the biggest gap to be filled. Sufficient addiction supports services were also seen as a gap. Access to laundry and showers came in third place.

The respondents see H4 as integral to the community and the ability of the community to respond effectively to homelessness; however, it was noted by respondents that the complexity of co-occurring needs within the population served makes it difficult to meet each person's needs. The volume of people seeking assistance at H4 is felt to be increasing (and confirmed by available data). Increase substance use and the nature of the substances used was seen as particularly challenging without adequate on-site addiction expertise on a daily basis. The compromised mental health presentations of people at H4 is seen as increasingly complex, and staff at H4 overwhelmingly feel that additional professional mental health supports are needed on-site on a daily basis. It was also noted by several professionals who work at H4 that the overall health of people is compromised; that many people that use H4 services need wound care, medication management assistance, and help navigating health care for ongoing chronic disease management.

KEY INFORMANT INTERVIEWS

Throughout the key informant interviews, each conversation focused on five specific themes from the perspective of the key informant:

1. Whether H4 has added value to the community's homelessness response;
2. The unintended consequences of H4 - positive or negative - as a result of the facility and operations;
3. The high volume of people that have been to H4, with a specific emphasis on the large volume of people that have not continued to use H4 for years (and there is no knowledge of their current whereabouts);
4. How to better meet the needs of Indigenous Peoples that use H4; and,
5. What they would improve regarding H4.

1. WHETHER H4 HAS ADDED VALUE TO THE COMMUNITY'S HOMELESSNESS RESPONSE

Generally, the key informants pointed to the way in which H4 was originally conceptualized as a response during the early days of the pandemic to meet

an unmet need, but that H4 has evolved to become an important — but perhaps in some aspects duplicative — component of the homelessness response system in the community. Some key informants questioned whether it would have been better to increase capacity in shelter services rather than create or sustain H4, and others questioned whether a health care setting would have been a better fit for meeting the needs of the population that uses H4 given the higher health needs. Despite those opinions and perceptions, this was not shared by all key informants, the majority (5) of whom felt that H4 was unique, meeting an unmet need to this day, that the greatest value H4 offers the community response to homelessness is bringing different entities together under one roof.

2. UNINTENDED CONSEQUENCES OF H4 - POSITIVE OR NEGATIVE

Regarding unintended consequences, the negatives most often shared were: a higher concentration of high needs individuals in the neighbourhood; people hanging around the building not only during operating hours, but before and after as well; public urination near the building; stigma associated with the program; and, the popularity of the H4 putting pressure on other parts of the homelessness responses system operationally and financially to perform similarly or better than H4. The positive unintended consequences most often shared were: synergy between service providers sharing the space; putting homelessness on the radar in a new way in the community; service providers working together to get people housed; providing a location to connect with people who are otherwise transient and street involved; and, being able to continue to meet people's needs even after the worst impacts of the pandemic have passed.

3. THE VOLUME OF PEOPLE THAT HAVE USED H4

As for the large number of unique individuals that have used H4, the majority of whom do not continue to use H4, it was speculated that many of the people not using H4 anymore are likely housed, incarcerated, moved to another community or passed away. However, almost all key informants saw the higher volume of people using H4 as a positive. It was suggested that if H4 did not add

value it would not be used at all, and the fact that people continue to find their way to H4 demonstrates the need it fulfils in community.

4. HOW TO BETTER MEET THE NEEDS OF PEOPLE WHO IDENTIFY AS INDIGENOUS AND USE H4 SERVICES

As noted earlier in the report, people that identified as Indigenous had the least positive assessment - and sometimes outright negative assessment - of H4. Key informants were asked the ways in which H4 could be improved for people who are Indigenous. While several spoke to the importance of culturally appropriate and culturally safe space, others noted that efforts to fully engage the Indigenous community on matters of homelessness would benefit from renewal. It was noted that engagement and improvement in Indigenous services should be seen as an effort requiring ongoing tweaking and improvements and that progress is iterative given the legacy of how poorly Indigenous people have been treated. Other key informants noted that given 11% of H4 service users identify as Indigenous that even without a favourable assessment of H4, it was not a deterrent to people who are Indigenous using the space and that there was an opportunity to continue to get better at serving the Indigenous community.

5. POTENTIAL IMPROVEMENTS TO H4

There were a few themes that emerged in response to what to improve. First and foremost was the building itself. H4's building was described as insufficient, unacceptable or ill-designed for the purpose it was being used for, and people were hopeful that a potential future building would be designed specifically as a multi-service space. Another theme that emerged in the key informant interviews was how to better get enhanced mental health services into the location for ongoing engagement with people that are struggling, as well as to respond more timely (though not quite urgent or crisis) situations with people's wellness. Specific programming and activities was mentioned by several other key informants. Most were quick to point out that they would not get rid of the passive space in the gymnasium where people can sleep on a mat, but several key informants noted potential benefits if there was an additional physical

location in the building to offer everything from group sessions on substance use to the likes of a women's health support group with at least one activity planned every day of the week. The final theme noted by several of the key informants was to improve food services. Many key informants described the food in less than favourable terms (e.g., "inadequate", "abysmal", "insulting") and were critical of the reliance on charitable donations, lack of appropriate food handling, and the inability to meet the nutrition needs of very vulnerable people.

BY-NAME PRIORITY LIST (BNPL) DATA AND HOMELESS INDIVIDUAL AND FAMILY INFORMATION SYSTEM (HIFIS) DATA

BNPL data is generated when an individual experiencing homelessness expresses interest in assistance with getting housed and receiving supports to stay housed. All communities across the country that receive *Reaching Home* funding from the federal government are required to have a BNPL. Windsor, as a recipient of federal homelessness funding, has had a BNPL for several years.

Cross-referenced BNPL data with logs of service users at H4 demonstrated that 1,749 individuals were found to be common between the BNPL and H4 lists. Since April 2020, this means that a large number of people that have used H4 services have been engaged in the process of exiting homelessness for housing.

HIFIS (a database of all transactions of people experiencing homelessness with service providers and not just those interested in housing like the BNPL) data illustrates that more than 600 households that have used H4 have realized housing since April 2020. HIFIS data reveals that more than 100 H4 service users that were housed have returned to homelessness. BNPL data analyzed demonstrates a further 184 H4 service users have been housed multiple times during that period. What is clear is that the service and support needs of many H4 service users are remarkably high. Sustaining housing, even with supports provided in community, has proven to be difficult for many H4 service users. It is

quite likely that the level of support required to sustain housing surpasses the intensity of supports that are provided in scattered site housing. A reasonable inference is that H4 users that have lost housing — especially those that have lost housing multiple times — would benefit from a more intensive supportive housing model where there are staff on-site and available to provide assistance 24 hours per day, 7 days per week.

DISCUSSION & RECOMMENDATIONS

RECOMMENDATION # 1: SUPPORTIVE HOUSING CONSIDERATIONS FOR MANY OF THE PEOPLE THAT USE H4

Within the local context, the need for supportive housing is abundantly clear. Many of the service users of H4 have complex and co-occurring support needs, and quite a number of H4 service users have had previous attempts at *Housing with Supports* that were not successful. Furthermore, H4 service users are primarily living in extreme economic poverty and need a permanent place to call home that they can afford on an ongoing basis. In addition, as indicated in the survey and interviews completed with people who use H4, 98% of service users want housing and over 80% of H4 service users would like to have ongoing case management supports once they move into housing. There is an acknowledgment amongst people served that supports are necessary in order to sustain housing going forward.

There are two key features to supportive housing: it is affordable; and, there are customized support services to help the household remain housed and improve their overall wellness. People living in supportive housing tend to achieve overall life stability, are more resilient to respond to adverse life events, can focus on recovery, see their health, mental health and substance use improve, and realize personal goals. Supportive housing is sometimes focused on the needs of a specific population group experiencing homelessness such as women, youth, older adults, people living with compromised mental health, people who use

substances, people with considerable and repeated criminal justice involvement, or Indigenous Peoples.

There are primarily two types of supportive housing:

1. **Permanent Supportive Housing:** Housing where both the apartment unit and the supports are available to the person permanently. This is normally reserved for people with the highest needs. Everyone who lives in this type of apartment building is a recipient of support services.

2. **Housing with Supports:** Housing where the apartment is scattered in the community, integrated with other apartments where people are not in receipt of financial or support assistance because of previous homelessness. This type of supportive housing can include a combination of transitional dwellings and apartments that may be permanent but the supports are time-limited.

While the personally anticipated outcome of each tenant in supportive housing can be unique to the person being supported, as a concept supportive housing focuses on five core outcomes:

CORE OUTCOME SOUGHT	DESCRIPTION OF OUTCOME
People do not return to homelessness or housing instability	Both Housing with Supports and Permanent Supportive Housing go to great lengths to help ensure the household does not return to homelessness again. Even if the household needs to move, the intention is to have a seamless move from one address to another without a period of homelessness in between. The type, duration, frequency and intensity of support services provided all share the same purpose: to help the household stay housed.

CORE OUTCOME SOUGHT	DESCRIPTION OF OUTCOME
People believe their overall health improves (physical health, mental health, and/or addiction)	Improvements in overall health can include stabilization of a health condition, access to treatment or supports for a health condition, improved education and strategies for responding to a health condition, and/or lessening harm associated with a health condition. In Supportive Housing, health assistance can be provided "in house" or by connecting households to "mainstream" health and community resources. With a stable roof over one's head and enhanced affordability, it is hoped that people can make informed choices in their health care and reap the benefits of that access to health care.
People are satisfied with the quality of supports	Households receiving support services in housing have an active voice in determining what type(s) of support they want, how often they want to receive those supports, how long the supports will last, and how intense the support assistance will be.
People are satisfied with the quality of affordable housing	Housing provided to households in need of supports must be affordable. Most often the rental amount is relative to the amount of gross monthly income the household receives, usually from social assistance. People should feel the housing is as affordable as possible, and that they dwelling is in good condition with all aspects of the dwelling in good working order.
People are socially connected	Support staff, peer supports workers, and recipients of support services work collaboratively to create meaningful opportunities for socio-recreational engagement. This can include a broad range of activities, from acknowledging birthdays and seasonal holidays to partnering with the local senior's centre or other day services to expand tenant's social connections.

It is recommended that the community initiate the development and operations of at least 120 units of Permanent Supportive Housing as rapidly as possible (which would include the 64 units of Permanent Supportive Housing proposed for the new Hub), with another 230 units of Permanent Supportive Housing developed over the next 5 years.

It is recommended that in order to be a candidate for the initial 120 units of Permanent Supportive Housing, the prospective tenant has to have had other attempts at Housing with Supports in the community that were unsuccessful or be referred by an onsite H4 health professional as a person that would benefit from the intensive supports within Permanent Supportive Housing.

It is recommended that the City of Windsor — both independently and in partnership with comparable other Ontario municipalities — along with allied entities like Ontario Health Teams and local justice initiatives advocate for additional capital and operating dollars from the Provincial and Federal governments to make the Permanent Supportive Housing a sustainable reality.

RECOMMENDATION # 2: DEVELOPING A PERSONS WITH LIVED EXPERIENCE (PWLE) ADVISORY GROUP AMONGST H4 SERVICE USERS

"*Nothing about us without us*" is a mantra used often to describe the importance of integrating the voice of people with lived/living experience into program design, ongoing program counsel, and program evaluation. H4 would benefit from a formalized advisory group comprised of people with lived/living experience. This will assist with policy and procedure improvements, program improvements, and improvements to engagement and activities at H4.

A PWLE advisory group would:

- Help reinforce a culture of inclusion at H4;
- Create opportunities for input on an ongoing basis, thereby assisting with continuous improvement;
- Enhance trust between service providers and service recipients;
- Provide training and mentorship opportunities for people that participate in the advisory group;
- Empower and share responsibility for the ongoing intended success of H4.

It is recommended that Manager, Homelessness Special Projects, Housing Hub at the City of Windsor convene a PWLE Advisory Group that meets quarterly to discuss programs, policy and operations at H4 to gather feedback on services and opportunities for continuous improvement.

RECOMMENDATION # 3: IMPROVING SERVICES AND SUPPORTS FOR INDIGENOUS PEOPLE EXPERIENCING HOMELESSNESS THAT USE H4

According to Statistics Canada data[3], people with an Indigenous identify comprise less than 3% of the population of Windsor, yet according to H4, people with Indigenous identity comprise 11% of all service users. Undoubtedly, as is the case with communities throughout Turtle Island people with an Indigenous identity are over-represented in homelessness.

Of all the different defining characteristics of people that use H4 services, people with Indigenous identity were the only characteristic associated with a poorer assessment of H4, as noted in the January engagement with H4 service users. There is one exception: *Thinking about different cultures, how would you rate this place at supporting people with different cultural backgrounds, and different races and ethnicities on a scale of 1 to 10, where 1 means there are no cultural supports and 10 means there are excellent cultural supports?* The answer to this question was the same as non-Indigenous People (8.8 out of 10).

[3] https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/details/page.cfm?Lang=E&SearchText=Windsor&DGUIDlist=2021S05101032&GENDERlist=1,2,3&STATISTIClist=1&HEADERlist=0

This likely is an indicator of the services not being as culturally appropriate and relevant as perhaps they could be, while overall the program is not seen as discriminatory against people that are Indigenous.

	Average Score of All Respondents	Average Score of Indigenous Respondents
Thinking about the services provided at this place, how would you rate those services on a scale of 1 to 10 where 1 is terrible and 10 is excellent?	8.1	7.2
Thinking about the staff at this place, how would you rate the staff on a scale of 1 to 10 where 1 is terrible and 10 is excellent?	8.0	6.8
Thinking about the hours of the day this place is open (8:30am - 6pm), how would you rate the availability of the service on a scale of 1 to 10 where 1 is terrible and 10 is excellent?	6.3	4.5
Thinking about your safety when at this place, on a scale of 1 to 10 where 1 is completely unsafe and 10 is completely safe, how would you rate this place?	8.4	8.0
Thinking about exiting homelessness for housing, on a scale of 1 to 10 where 1 means you are getting absolutely no support from this place to exit homelessness and 10 means you are getting incredible support from this place to exit homelessness, how would you rate this place?	6.4	5.3
Thinking about resting, on a scale of 1 to 10 where 1 means you get no rest when you come to this place and 10 means you find this place very restful, how would you rate this place?	8.1	7.2
Thinking about a safe place to hang out with your friends, on a scale of 1 to 10 where 1 means this is not a safe place to hang out with friends and 10 means this is a great place to hang out with friends, how would you rate this place?	6.9	6.4

Thinking about a place during the day to go to the bathroom, on a scale of 1 to 10 where 1 means the bathrooms are terrible and 10 means bathroom access and quality of bathroom facilities are excellent, how would you rate this place?	6.7	5.7
Thinking about the weather, on a scale of 1 to 10 where 1 is not at all important and 10 is extremely important, how important is this place to get out of the weather when it is really hot or cold, or raining or snowing?	9.4	9.2
Thinking about people on income supports like OW who need help with their case file or help getting referrals for employment opportunities, how would you rate this place on a scale of 1 to 10 where 1 means there is no help with income supports and employment and 10 means there is excellent support with income supports and employment?	7.6	6.3
Thinking about getting information about other services or getting a referral to another service in the community, on a scale of 1 to 10 where 1 means there is no information provided about other services or no referrals made, and 10 means there is excellent information about other services or getting referrals to other services, how would you rate this place?	7.5	6.0
Thinking about your health, how would you rate this place at helping people with their health needs on a scale of 1 to 10 where 1 means there is absolutely no help with health and 10 means there are excellent health services?	7.2	6.6
Thinking about your mental health, how would you rate this place at helping people with their mental health needs on a scale of 1 to 10, where 1 means there is absolutely no help with mental health and 10 means there are excellent mental health services?	6.8	5.8
Thinking about people who have legal issues, how would you rate this place at helping people with legal issues on a scale or 1 to 10 where 1 means there is no help with legal issues and 10 means there is excellent help with mental health services?	6.6	5.8

Thinking about different cultures, how would you rate this place at supporting people with different cultural backgrounds, and different races and ethnicities on a scale of 1 to 10, where 1 means there are no cultural supports and 10 means there are excellent cultural supports?	8.8	8.8
Thinking about the overall importance of this place, how would you rate this place on importance to the entire community and all people experiencing homelessness on a scale or 1 to 10, where 1 means this place is not at all important and 10 means this place is extremely important?	7.8	6.9

Moving forward is not simply a matter of increasing investment in Indigenous service providers in the community. Current investments in Indigenous services have not yielded consistent results at H4. Addressing the perceptions of people with Indigenous identity that use H4 will require all staff to engage and support patrons differently.

It is recommended that all staff that serve people at H4, regardless of organization worked for, undertake training on homelessness amongst Indigenous People, undertake training on the relevant conclusions of the Truth and Reconciliation Commission, and, undertake training on culturally appropriate services and cultural humility.

It is recommended that Indigenous-specific programming by an Indigenous organization be provided at H4 at least two half days per week.

It is recommended that the Indigenous community be consulted on the future location and operations of H4 to incorporate culturally specific elements into the design and/or program offerings.

RECOMMENDATION # 4: ENHANCING MENTAL HEALTH SERVICES AT H4

Obvious to the people that use H4, the wide range of partners that operate out of H4 and to external entities that go to H4 is that unsupported or under-supported compromised mental wellness has a tremendous impact on the population served. Meanwhile, the services on-site at H4 specific to mental health are grossly inadequate. Many of the people that use H4 are not well, and many know that their mental health is a barrier to accessing or sustaining housing. About 2 out of 5 people that use H4 indicate that they live with a Serious Mental Illness (e.g., schizophrenia, bipolar disorder, etc.).

While engagement has been attempted with community-based organizations and health care organizations that deliver services to people living with mental illness, the presence of staff at H4 with expertise in these areas has not been sustained. Engagement with leaders of these services elsewhere in the community questioned the utility of having staff present at H4, especially when compared to other community priorities. Other community leaders indicated that because there is not a source of funding to provide consistent service at H4 that doing so was not financially viable. Furthermore, some community leaders were dismissive that people that use H4 would be compliant with any approach put in place to assist with mental health until the person is either a) ready; or, b) stabilized in housing.

If integrating mental health with homelessness and housing supports is not sorted, it is difficult to see how future Permanent Supportive Housing will realize its fullest potential.

> *It is recommended that executive leaders within the homelessness and housing support system of care and the City of Windsor meet with executive leaders within mental health services to negotiate an agreement to have enhanced mental health services at H4.*

It is recommended that future supports planning for Permanent Supportive Housing ensure, through contract or memorandum of understanding that mental health services will be provided at future Supportive Housing buildings.

RECOMMENDATION #5: TRAUMA COUNSELLING FOR PEOPLE THAT USE H4

Past traumatic experiences were named as a barrier to accessing housing for approximately 2/3 of people that use H4, according to the January survey and engagement with people that use H4 services. While this should not be viewed as a diagnosis of Post Traumatic Stress Disorder, the rates of PTSD are likely high given the large volume of people that self-report past traumas as a barrier for moving forward with housing in the current reality. The reality is that while service providers endeavour to support H4 service users through a trauma-informed lens, that is different than providing trauma-specific therapies and supports to help with the healing process.

While academic studies examining trauma amongst people experiencing homelessness provide a wide-range in the percentage of the homeless population impacted by past trauma, there is general agreement that the prevalence of trauma is higher within the population of people experiencing homelessness than the general population. The impacts of the trauma are diverse, from difficulties engaging with services and supports that could offer support through to higher rates of substance use.

It is recommended that all staff that serve people at H4, regardless of organization worked for, undertake training on trauma-informed care, with refresher training completed on an annual basis.

It is recommended that, if at all possible, a new partner be recruited to provide trauma-counselling at H4 or with H4 service users for at least a half

day per week, to engage in more moderate and longer-term supports to assist with coping and healing from past trauma.

RECOMMENDATION # 6: BETTER MEETING THE NEEDS OF WOMEN THAT USE H4

Women make up about 40% of H4 patrons. While women generally have a positive impression of H4 and feel that H4 is a safe place, some service providers and women patrons of H4 spoke to the needs of women-specific supports and programming. More than once it was suggested that having a safe space within H4 that is a women's-only space would be helpful for women that are looking to rest but not be in the company of men when doing so. It was also suggested that having a women's-only space would help facilitate conversations about domestic and intimate partner violence, trafficking, exploitation, safer involvement in sex work, and women's health needs. It was noted in interviews with staff that operate out of H4 that some of the women they serve are never seen or engaged outside the presence of their male partner and that creating women's specific programming or space within H4 may facilitate a safer way of creating opportunities for women to have a break or separation from their partner that they are not currently seeming to get.

It is recommended that women's specific programming be offered by women and for women that use H4 on a weekly basis, and that women-identifying H4 patrons have an active voice in determining what type(s) of programming are offered and the frequency of the programming being offered.

It is recommended that should H4 relocate to a larger building or purpose-built space, that a women's-only area be integrated into the design and operations.

RECOMMENDATION #7: ACTIVITIES AT H4

Four out of five H4 patrons reported that they are bored most days without meaningful things to do. People that come to H4, if not directly engaged in a service that day, are resigned to quiet time in the gymnasium. There are no other structured activities transpiring. Space limitations in the current building make it impossible to offer simultaneous activities while still maintaining a resting place.

Meaningful activities have many benefits for an operation like H4. For example, activities can provide another opportunity for engagement between staff and patrons; socio-recreational activities can improve mental wellness; and, activities related to areas of interest or characteristics of a population (e.g., a women's support group) can enhance feelings of belonging and safety.

As H4 extends operating hours until later in the day there is an opportunity to provide some structured programming later in the afternoon and into the early evening hours. By that point of the day, passive rest opportunities can be replaced with the likes of cultural programming for Indigenous service users, gender-specific programming for women, harm reduction or recovery programming for people that use substances, housing seminars, peer support programming, safety planning, and/or socio-recreational activities such as puzzles, games or artwork. In addition providing people something to do, these types of structured activities offer another engagement opportunity between staff and H4 patrons to promote and connect people to services that can help end homelessness and offer increased life stability.

> *It is recommended that H4 test the interest and participation in activities by starting with two planned activity sessions per week, later in the afternoon or early evening, and that H4 patrons have a direct voice in determining what types of activities will be offered to start.*

RECOMMENDATION #8: DOCUMENT REPLACEMENT AND DOCUMENT STORAGE ASSISTANCE AT H4

Lack of identification was noted by almost two-thirds of people engaged at H4 as a barrier to housing. While different organizations in the community provide assistance with the likes of replacing a birth certificate, it is not well structured as a community-wide program, and formal, secure assistance with storing the documents is lacking. H4 presents an opportunity to respond to this significant barrier. If an identification clinic was offered on a regular basis at H4 with the opportunity for secure storage of the documents, it is likely the number of people reporting lack of identification as a barrier to housing will decrease considerably.

There are several other Canadian and American models of document replacement and document storage assistance that can be examined and the best features of existing programs can be combined to create a robust H4 program in this regard. Not only would such a service provide benefits to existing H4 service users, it is quite likely it would be a draw to entice other people experiencing homelessness in the community to use H4 as well.

> *It is recommended that the City of Windsor, in cooperation with community partners, identify a not for profit organization that can develop and implement a program at H4 that will assist H4 patrons with replacing identification and other vital documents, as well as offer safe and secure legal storage of the documents, if requested by the patron, to assist with the likes of securing housing in the future.*

RECOMMENDATION # 9: RENAMING H4

"Homelessness and Housing Help Hub" which is what H4 currently stands for can be stigmatizing, if for no other reason that the word "homeless" appears in the title. It may be more beneficial and less stigmatizing to, going forward, refer to the resource as something like the Holistic Housing Help Hub given the multi-service nature of resources that operate at the facility.

It is recommended that the City of Windsor, with input from people with living/lived experience and partners that work out of H4, rename the facility and program operations.

CONCLUSION

H4 has excelled at creating an environment where people can rest. H4 has excelled at creating a nonjudgmental environment. H4 has excelled at bring many service providers into the same building to meet a wide range of needs of service users. Engagement with people who use H4 services, staff that work at H4 from across a broad spectrum of community partners, and the key informants generally agree that H4 meets needs in the community for people experiencing homelessness that are not effectively met in any other manner or location.

In the spirit of continuous improvement, H4 needs to focus on amending or adding various services. The primary area identified repeatedly for improvement across most of the interested and affected parties engaged relates to mental health services. People that use H4 want access to mental health services and most of the entities that provide services at H4 identified mental health services - both rapid response and longer-term supports and counselling - as glaringly missing.

In addition, more work needs to be done to meet the needs of specific population groups. H4 should endeavour to work with the Indigenous community and Indigenous organizations and people with lived experience that identify as Indigenous to ensure that people with Indigenous identity have a more positive experience and assessment of H4. Another population group that would benefit from increased attention and improved programming is meeting the needs of women who use H4.

More activities planned at H4 should result in improved engagement with patrons. It is acknowledged, however, that the current building does not

provide adequate space for this to occur regularly, without interrupting other activities such as the resting space in the building. Should H4 move to a new location, a separate activity space is recommended.

Many of the people engaged as part of the evaluation were lacking vital documents. Government-issued identification is critically important for accessing a range of services, and is critical to the process of helping people exit homelessness for housing. Consideration should be given to enhancing document (re)acquisition and safe storage of documents of people that use H4 services.

Renaming H4 to decrease stigma is another consideration going forward. It is hoped that by reducing stigma another barrier is removed for people that may want to use the H4 services, while also improving community relations.

Finally, the evaluation of H4 has put a spotlight on the supportive housing needs in the community. While H4 is doing good work at addressing immediate needs while experiencing homelessness, and aiming to connect people to housing with supports in community, it is clear that many H4 service users will need housing that has supports available on-site 24 hours per day, 7 days per week. This is especially true amongst people experiencing chronic homelessness with significant health issues, and/or mental illness (including substance use disorder), and/or criminal justice services involvement. Focusing solely on improving H4 without concurrently planning and implementing strategies to assist H4 service users to exit homelessness for housing would be shortsighted. The hope and intention should be for each H4 service user to realize stable housing with appropriate supports and no longer need H4, or to use H4 significantly less.

Council Report: C 69/2024

Subject: Capital Variance Report - March 31, 2024 - City Wide

Reference:

Date to Council: July 22, 2024
Author: Mike Dennis
Manager, Strategic Capital Budget Development & Control
519-255-6100 x6343
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Asset Planning
Report Date: May 30, 2024
Clerk's File #: AF/14585

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE** for information the 2024 Life-to-Date Capital Variance Report as at March 31, 2024; and,
Whereas on February 2, 2024, the Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently as a result of the requests outlined in this report that will allow projects to proceed in an efficient and effective manner, that City Council **DIRECT** the City Treasurer to effect the following transfers and commitments:

a. Transfers to and from existing capital projects/reserves as identified within Appendix A – Summary of Capital Project Variances; and,

b. Additional capital funding requests listed below:

   i. A transfer of $64,488.34 from the 400 City Hall Square Reserve, Fund 186, to the Operating Dept IDs indicated in the Financial Matters section, specifically for temporary cable repairs at 400 City Hall Square,

   ii. A transfer of $600,000 from the 400 City Hall Square Reserve, Fund 186, to the 400 City Hall Square – Capital Repairs project, 7171011, specifically for permanent cable repairs at 400 City Hall Square,

   iii. A transfer of remaining funds in the Willistead Capital Improvements project, 7195000, the Mackenzie Hall project, 7073051, the Willistead Improvements (M264/2012) project, 7125002, and the Capitol Theatre Upgrades project, 7183008, to the Corporate Heritage Property Maintenance project, 7249000.

iv. An expansion of the appropriate use of funds in the Fire Education Materials, Displays and Equipment project, 7161038, to include Community Outreach activities performed by all WFRS divisions and staff.

v. Pre-commitments of $27,000 and $120,430 in 2025 and 2026 funding respectively, from the Community Improvement Plan (CIP) Review project, PBG-001-24, so that funding is made available for use in 2024.

Executive Summary:

Not applicable.

Background:

Administration reports to City Council semi-annually on the status of all open/active capital projects. City Council approved the last semi-annual Capital Variance Report ending September 30, 2023, with CR125/2024. This report reflects the status of projects as at March 31, 2024 and also incorporates various reallocations, transfers, pre-commitments and other funding recommendations as necessary, in order to ensure capital works can proceed as planned, in an efficient and effective manner.

Discussion:

There are currently 563 capital projects that are open/active. Projected variances are based on information as at March 31, 2024 and may continue to fluctuate until projects are officially completed and closed, with all costs being fully accounted for. This is especially true for projects that have not started or are just starting. Based on current available information, the City has 530 projects that are projected to be materially on budget, 26 projected to be completed with a surplus and 7 projected to be in a deficit position. A summary of the surpluses and deficits are laid out in a table which can be found in the Financial Matters section of this report.

Appendix A – Summary of Capital Project Variances provides details of projects within each Program/Category which are projecting or have realized a surplus or deficit upon project completion. Standard practice for projected surpluses is to return any remaining funding back to its original source. In instances where there is an expected deficit, recommendations to reallocate surplus funds are made in order to balance and close completed projects. Where surplus funds are not available to offset project deficits, alternative funding sources are identified.

Further to the above noted process, any projects which meet the criteria established per the Capital Project Reporting Policy (CR429/2010) will also be reported to Council in a separate report. CR429/2010 states: “Capital projects whose final financial position is a deficit greater than 10% of net budget AND greater than $500,000, will BE SUBJECT to a separate report to Council outlining the reasons for the deficit “. For the current

reporting period covering October 1, 2023 through March 31, 2024, there were no projects meeting these criteria.

Despite Administration's best efforts to project anticipated variances, it should be noted that 207 of 563 (37%) of the total open projects have incurred expenditures of only 25% or less of their approved budget. Given that these projects are in their early stages, there is still the very real likelihood of shifts in the current variance projections as the projects proceed to completion. These projects continue to be closely monitored by Project Leads, Financial Planning and Asset Planning, with anticipated variances brought forward as part of future variance reports, where needed.

Inflation Considerations

Although Administration considers inflationary pressures in all capital project estimates, current economic conditions have caused a significant increase in inflation that has resulted in several recent tenders exceeding project budgets. Canada's Q1 2024 Non-Residential Building Construction Price Index figure was 4.6%, as reported by Statistics Canada, exceeding the Bank of Canada's target inflation rate of 1.0% to 3.0%. These inflation figures, however, are not reflective of the City's experience with construction tenders, as tenders have far exceeded City budgets in upwards of 15% to 20%.

In an effort to manage and address significant inflationary impacts, Council approved, as part of the 2023 Capital Budget, the creation of the Corporate Inflation Mitigation project, 7235001. This project was established with $5,000,000 in each of Sewer Surcharge (Fund 153), Pay-As-You-Go (Fund 169), and Service Sustainability (Fund 221) funding, for a total of $15,000,000, specifically to mitigate overages in tender pricing resulting from excess inflation. A further $1,584,217 in Sewer Surcharge (Fund 153) funding was approved as part of the 2024 Capital Budget. Accessing these funds is permitted through a CAO report with a requirement to report use of these funds to Council through the Capital Variance report. The following table provides information on the current balance of this project.

Description	Sewer Surcharge - Fund 153	Pay-As-You-Go - Fund 169	Service Sustainability - Fund 221	Total
2023 Budget	5,000,000	5,000,000	5,000,000	15,000,000
2024 Budget	1,584,217	-	-	1,584,217
Total	6,584,217	5,000,000	5,000,000	16,584,217
Less: Council Approved Funding as of Sept 2023	(1,587,765)	(1,897,416)	-	(3,485,181)
Less: Funding Used - Oct 2023 to March 2024	-	-	-	-
Remaining Funds	**4,996,452**	**3,102,584**	**5,000,000**	**13,099,036**

As noted there have been no draws against the Corporate Inflation Mitigation project during the current reporting period however funds will continue to be available through 2024 as a number of capital projects work towards completion. Recently, Council approved draws of $2,300,000 and $405,857, respectively, for the City Hall Square Ice Rink and Barrymore Lane Rehabilitation projects. Administration continues to work on developing further strategies and guidelines that can be used to deal with significant

price increases in the market, which will be considered in formulating the 2025 Capital Budget 10-year Plan.

Risk Analysis:

The Capital Project Variance Report continues to reflect a low risk to the organization as capital projects are generally managed within budget and available surpluses are generally able to offset any projected deficits. Monthly monitoring by the Project Leads, Financial Planning and Asset Planning ensures any issues are addressed immediately and, if necessary, reported to Council.

As of March 31, 2024, there are approximately $672 million in approved budgeted expenditures which have yet to be incurred. Asset Planning and Project Leads provide updated projections on expenditures for significant projects to ensure cash flow projections include this information. The City continues to have a strong cash flow position to internally finance projects without a significant need for borrowing.

Where there are anticipated surplus projections of capital projects, it is recognized that these early estimates can fluctuate significantly throughout the remaining duration of the project. Caution is given to redeploying anticipated project surpluses given the uncertainty surrounding the final costs of such projects. To allocate these anticipated surplus funds at this stage could risk not completing the project within budget.

Climate Change Risks

Climate Change Mitigation:

Not applicable.

Climate Change Adaptation:

Not applicable

Financial Matters:

The following table summarizes, by Service Area and project type, the projected surplus / (deficit), as well as the amount of funding returned to source and allocated to / (from) Other Projects. A number of project types are not reporting or projecting variances to budget and are therefore not included in this table.

Capital Project Variances, by Service Area and Project Type - March 31, 2024

Service Area	Project Type	Funding Returned to Source	Funding Allocated to / (from) Other Projects	Total Surplus / (Deficit)
Mayor's Office - Total		**-**	**-**	**-**
Economic Development	Transit Windsor	3,579	-	3,579
	Planning / Development	266,778	367,566	634,344
Economic Development - Total		**270,357**	**367,566**	**637,923**
Infrastructure Services	Roadways	122,260	(20,835)	101,425
	Sewer Rehabilitation	-	20,835	20,835
	Development	-	743,855	743,855
	Road Rehabilitation	3,555,365	-	3,555,365
Infrastructure Services - Total		**3,677,625**	**743,855**	**4,421,480**
Corporate Services	Records and Elections	-	157,128	157,128
	Corporate Security	8,218	-	8,218
Corporate Services - Total		**8,218**	**157,128**	**165,346**
Finance	Corporate Asset Planning*	524,629	427,395	952,024
Finance - Total		**524,629**	**427,395**	**952,024**
Human & Health Services - Total		**-**	**-**	**-**
Community Services	Forestry	-	(39,030)	(39,030)
	Parks Design & Development	-	39,030	39,030
Community Services - Total		**-**	**-**	**-**
Agencies and Boards - Total		**-**	**-**	**-**
Grand Total		**4,480,829**	**1,695,944**	**6,176,773**

* Note that $520,000 of the $524,629 in "Funding Returned to Source" is recommended to be transferred to the Energy Reserve Fund, Fund 188.

As detailed in Appendix A, projected surpluses totalling $6,176,773 are being reported as part of this update to Council. Of these funds, $4,480,829 of these funds are being allocated to original funding sources. The remaining $1,695,944 in funding is being used to offset reported deficits in other projects or to continue progress in projects currently underway. The reported transfers should be considered estimates as there could be minor differences between balances as of March 31st and when projects are finally closed upon Council approval.

Further to the recommended transfers presented in Appendix A, the following requests are being brought forward to City Council for approval as they require a transfer of funding and commitments noted below:

1. Transfers from the 400 City Hall Square Reserve, Fund 186, for cable repairs and ultimate replacement at 400 City Hall Square. The 400 City Hall Square building experienced a catastrophic power failure on January 24, 2024 that resulted in an emergency temporary repair to the incoming electrical power cables from the EnWin Transformer to the 400 CHS East building.

Temporary Cable Repairs

To maintain safe operation of the 400 City Hall Square facility, immediate temporary cable repairs were necessary. Funding to pay for this work was charged directly to the Operating dept ids as indicated below:

Dept ID	Description	Total
0122954	Security, Special Activities - City Hall Campus	63,941.83
0125412	Technology Infrastructure	274.46
0136140	Corporate Projects	272.05
Total		**64,488.34**

Permanent Cable Replacement

To provide a permanent solution and mitigate the possibility of a repeat occurrence, additional work is necessary. Work is currently underway and Administration estimates costs to total $600,000. These costs were charged to the 400 City Hall Square – Capital Repairs project, 7171011.

Administration recommends that costs for the temporary and permanent cable repairs of $64,488.34 and $600,000, respectively, be recovered from the 400 City Hall Square Reserve, Fund 186. This fund currently has a balance, net of encumbrances, of approximately $2.5 million which is sufficient to absorb these charges. At time of writing, efforts to recover costs these costs incurred remain uncertain. Should any or all of these costs be recoverable, the funds will be placed in the 400 City Hall Square Reserve so as to keep this reserve balance in tact.

2. Consolidation of various heritage property projects into the Corporate Heritage Property Maintenance project, 7249000. As part of the 2024 Capital Budget development process, future funding for several projects involving heritage properties were consolidated and led to creation of the Corporate Heritage Property Maintenance project. This project provides ongoing funding for capital maintenance including repairs, replacements and refurbishments to buildings, systems, interior finishes and specialized equipment at several heritage facilities. Administration recommends that remaining funding approved in prior years for the following projects be transferred to the Corporate Heritage Property Maintenance project, 7249000:

    a. Willistead Capital Improvements project, 7195000

    b. Mackenzie Hall project, 7073051

    c. Willistead Improvements (M264/2012) project, 7125002

    d. Capitol Theatre Upgrades project, 7183008

3. Expanded usage of the Fire Education Materials, Displays & Equipment project, 7161038. This project currently funds maintenance and replacement of public education display materials and equipment to support the increasing number of public education-related activities undertaken by the Windsor Fire & Rescue Services' ("WFRS") Fire Prevention and Emergency Management Divisions. WFRS is requesting an approval to expand the usage of current funds to include Community Outreach activities performed by all WFRS divisions and staff within. Different community groups invite public figures of their interest (eg WFRS) to provide support through banquet style speeches and events. Expanding the use of funds within this project would give WFRS staff more opportunity to attend events which require purchasing tickets to engage in larger audiences and bring knowledge and expertise on a particular topic to the general public.

4. Pre-commitments of $27,000 and $120,430 in 2025 and 2026 funding, respectively, from the Community Improvement Plan (CIP) Review project, PBG-001-24, to supplement the $2,570 available in 2024, so that funding is made available immediately and the tender can be awarded. The Community Improvement Plan (CIP) review is expected to start in Q3 of 2024.

Consultations:

All project leads and their respective Financial Planning Administrators provided capital project status updates to augment the analysis performed by the Manager, Strategic Capital Budget Planning & Development. Additional consultations are as follows:

- Ray Mensour – Commissioner, Community Services
- Mark Winterton – Commissioner, Infrastructure Services (Acting)
- Andrew Daher – Commissioner, Human & Health Services
- Jelena Payne – Commissioner, Economic Development
- Dana Paladino – Commissioner, Corporate Services (Acting)

Conclusion:

A comprehensive report on all open/active capital projects indicates that overall, the 563 projects are currently trending towards an overall net surplus position. Given the number of projects and the fact that construction of many will continue into the following year and beyond, significant fluctuation in the projections is likely. Regular reports will keep Council apprised of the projects' status as they proceed.

Planning Act Matters:

Not applicable.

Approvals:

Name	Title
Mike Dennis	Manager, Strategic Capital Budget Development & Control

Name	Title
Natasha Gabbana	Senior Manager, Asset Planning
Janice Guthrie	Commissioner, Finance / City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix A – Summary of Capital Project Variances – March 31, 2024

APPENDIX A – Summary of Capital Project Variances – March 31, 2024

Listed below is a summary by Department/Program as to the status of each capital project portfolio. Projects with any projected final variance are detailed in a table within the respective Department/Program summary.

Project explanations denoted with "Project surplus/deficit" are projects that are in a position to be closed and the variance is likely to materialize. Those denoted with "Anticipated surplus/deficit" are projects that are still ongoing and not completed, as such the preliminary variance is merely an estimate which may fluctuate significantly before the project is complete.

Mayor's Office

Mayor's Office:
There are five active capital projects in this area that are being administered by the Mayor's Office, with no projected variance to report at this time.

Office of the Commissioner of Economic Development

Economic Development:
There are three active capital projects in this area that are being administered by the Economic Development department. No variances are being reported at this time.

Environment Sustainability & Climate Change:
The are three active capital projects in this area. No project variance is anticipated at this time.

Transit Windsor:
There are 24 active capital projects in this area that are being administered by Transit Windsor. One project, Transit Windsor - Garage Feasibility Study (7201004), is reporting a surplus of $3,579.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Transit Windsor - Garage Feasibility Study (7201004)	$3,579	Preliminary work on the Transit Windsor Master Plan Implementation has been completed as it relates to the Transit Garage. This project can be CLOSED. Administration is requesting to return the surplus to its original funding source in the Budget Stabilization Reserve (Fund 139).

Planning Development:
There are 23 active capital projects in this area that are being administered by the Planning and Development Services department. Five projects are reporting a combined surplus of $634,344 and are detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Heritage Conservation District Study (7141014)	$200,000	This project is ongoing. Administration is requesting to transfer surplus funding into a new project titled "Bill 23- Heritage Review" to assist in funding work related to the December 31, 2026 deadline to register Heritage properties. Funds for the Bill 23 work were originally approved in principle for 2026, however, this work needs to begin now and making the funds available now will save on internal financing charges. Funding for the Heritage Conservation District project will be replenished in 2026 as part of the 2025 Capital Budget.
BIA Assistance Program (7069002)	$176,923	This project is complete and can be CLOSED. The BIA Assistance Program funds the City's contribution in cost sharing initiatives proposed by any of the 9 BIAs. The BIAs are responsible for developing proposals that improve local economic development in consultation with the Planning Department. Administration recommends returning surplus its' original funding source, the Pay-As-You-Go Reserve, Fund 169.
Heritage Planning (7086006)	$167,566	This project is required for the update to the City's Archaeological Management Plan as it relates to policy and legislation changes which require the involvement of Indigenous consultations. As this project is nearing completion, Administration is recommending transferring $167,566 to a new project titled "Bill 23- Heritage Review" and returning any remaining funds to its' original funding source, the Pay-As-You-Go Reserve, Fund 169. A report detailing the updated Plan will be brought forward to Council in the fall of this year once final consultant invoices and related costs are reconciled.
Ont Invs Ready Certified Sites (7151019)	$92,297	This project is complete and can be CLOSED. Administration recommends transferring funding to cover the deficit in the Streamline Dev TPA project (7221061)

		and the remaining surplus to be returned to its' original funding source, the Pay-As-You-Go Reserve, Fund 169.
Streamline Dev TPA (7221061)	($2,442)	This project is nearing completion and was largely funded by the Streamline Development Approval Fund (SDAF) to aid in the development process of applications and to make digital improvements. Administration was notified by the grant provider that a lower amount of funds than initially budgeted would be received. Administration recommends funding this with a transfer from the Ont Invs Ready Certified Sites project (7151019).

Office of the Commissioner of Infrastructure Services

Roadways:
There are 30 active capital projects in this area that are being administered by the Engineering department. Two projects are reporting a combined surplus of $101,425 and are detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Road Improvements – Walker (7035014)	$131,815	This project is complete and can be CLOSED. Administration recommends transferring $9,555 to the SMP-Risk Assessment W.Windsor project (7211017) to fund the current deficit before transferring the remaining balance to its' original funding source, the Pay-As-You-Go Reserve, Fund 169.
SMP-Risk Assessment W.Windsor (7211017)	($30,390)	This project is complete and can be CLOSED as the final payment from the grant provider was received from the Vulnerability & Risk Assessment on Windsor West. Administration recommends transferring $20,835 in surplus funds from the Rankin-Wyandotte-Union Ward 2 project (7191026) and $9,555 from the Road Improvements – Walker project (7035014) to offset this shortfall in funding.

Sewer Rehabilitation:
There are 39 active capital projects in this area that are being administered by the Engineering department. In total, there is one project with a net surplus of $20,835 and is detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Rankin-Wyandotte-Union Ward 2 (7191026)	$20,835	This project is complete and can be CLOSED. Work on this area came in under budget and resulted in a surplus of funds. Administration

		recommends transferring surplus to the SMP-Risk Assessment W.Windsor project (7211017) to fund the current deficit.

Storm Sewers:
There are 13 active capital projects in this area that are being administered by the Engineering department. No project variance is anticipated at this time.

Sanitary Sewers:
There are three active capital projects in this area that are being administered by the Engineering department. No project variance is anticipated at this time.

Corporate Projects:
There are 26 active capital projects in this area that are being administered by the Corporate Projects division. No project variance is anticipated at this time.

Corporate Facilities:
There are 25 active capital projects in this area that are being administered by Corporate Facilities. No project variance is anticipated at this time.

Development:
There are six active capital projects in this area that are being administered by the Design & Development division. This division is anticipating a surplus of $743,855 in the Tecumseh Water Treatment Demolition / Redevelopment project and is detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Tecumseh Water Treatment Demolition/Redevelopment (7103001)	$743,855	This project is complete and is in its maintenance period. After the maintenance period is complete, Administration recommends transferring the remaining surplus to the New Infrastructure Development project (7035119), to continue repaying developers that build oversized sewers and roads, which allow other lands to be serviced. These funds will also be used to assist in negotiations with developers that are the result of new initiatives anticipated in 2024 that require additional funding. The New Infrastructure Development project (7035119) has remaining funding of approximately $1,115,000. Current commitments of funding for 2024 are anticipated to total approximately $1,280,000 and if paid in 2024, will result in a year-end deficit of approximately ($165,000). Some of these commitments include the Horizons Pratt Drain Oversizing ($518,000), Ojibway ($400,000), and the Northway Avenue

		Development ($228,000).

Pollution Control:
There are 82 active capital projects in this area that are being administered by the Pollution Control department. The majority of these projects are funded from the dedicated Pollution Control Reserve. The department has no deficits to report on at this time.

Environmental Services:
There is one capital project being administered by the Environmental Services division, which is expected to come in on budget.

Contracts & Field Services:
There are five active capital projects in this area that are being administered by the Public Works Operations department. No project variance is currently expected.

Road Rehabilitation:
There are 12 active capital projects in this area that are being administered by the Public Works Operations department. There is one project, as identified in the table below, anticipating an overall surplus of $3,555,365.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
2021 City Wide Road Rehab (7211000)	$3,555,365	Project is complete and can be CLOSED. Surplus is a result of scope of work changes. Rehabilitation work was completed on several roadways throughout the City including Cameron, Labelle, Ypres, Tecumseh, Matchette, Lauzon, Kildare, Campbell, Bruce and EC Row. Upon release of final holdback, project can be CLOSED. Administration recommends returning surplus funds to the original funding source, the Service Sustainability Reserve, Fund 221.

Transportation Planning:
There are nine active capital projects in this area that are being administered in the Transportation Planning area. Administration has no variance to report at this time.

Traffic Operations and Parking Services:
There are 15 active capital projects in this area that are being administered by the Traffic Operations and Parking Services division, and in total is expecting to come in on budget.

Fleet Operations:
There are 19 active capital projects in this area that are being administered by the Public Works Operations department. Administration has no variance to report at this time.

PW Maintenance:
There are six active capital projects in this area that are being administered by the Public Works Operations department. Administration has no variance to report at this time.

Technical Support:
There is one active capital project in this area that is being administered by the Technical Support division. The Information IPS Hansen Asset Management System project (7209001) is expected to come in on budget.

Office of the Commissioner of Corporate Services

City Solicitor:
There are nine active capital projects in this area that are being administered by the Legal Department. Administration has no variance to report at this time.

Records and Elections:
There are three active capital projects in this area that are being administered by the Council Services department. This division is reporting a $157,128 surplus in the Electronic Agendas project and is detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Electronic Agendas (7121005)	$157,128	This project is complete and can be CLOSED. Agenda.Net is the electronic agenda management software currently in use across the Corporation since 2015 to create and process Council/Standing Committee Reports, Agendas, Minutes, CAO/CAOP reports, By-Laws and their supporting documentation. Administration is recommending combining this surplus with the new Electronic Agenda Upgrade project (7241007) to assist in funding the improved software and its ongoing fees.

Information Technology:
There are 16 active capital projects in this area that are being administered by the Information Technology department. Administration has no variance to report at this time.

Human Resources:
There are seven active capital projects in this area that are being administered by the Human Resources department. Administration has no variance to report at this time.

Corporate Security:
There is one active capital project under Corporate Security that is being administered by the Security, City Hall Campus and Special Activities area. The Fire Prevention Renovations project (7231030) is reporting a surplus of $8,218.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Fire Prevention Renovations (7231030)	$8,218	This project is complete and can be CLOSED. Administration recommends returning this surplus to the Pay-As-You-Go Reserve, Fund 169.

Office of the Commissioner of Finance & City Treasurer

Corporate Asset Planning:
There are 26 active capital projects in this area that are being administered by the Asset Planning department. Eight projects are reporting a combined surplus of $952,024 and are detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Net Metering Rooftop PV-Essex (7219022)	$277,395	Project can be CLOSED. As reported to Council (C42/2024), construction could not proceed as there were grid-related constraints at this location. The funding for this project is being redirected to the Net Metering Rooftop PV-Moose project (7219020) to allow for the full scope of the Council approved work award to Moose Power to proceed.
LRWRP Back Up Generator Upgrad (7131005)	$270,000	Project can be CLOSED. Administration recommends transferring this surplus to the Energy Reserve (Fund 188) to allow for the funding of future energy-related projects, as identified in the 2024 Energy Management Plan.
LRPCP Energy Eff. Measures (7201017)	$150,000	Project can be CLOSED. Administration recommends transferring this surplus to the LRPCP Energy Efficiency Upgrade project (7141024). The LRPCP Energy Efficiency Upgrade project is currently ongoing, with work on the aeration system upgrade expected to be completed this year. The transfer of funds will allow for more robust work to be completed at the LRPCP including the investigation of additional energy savings measures, such as pumps and Variable Frequency Drives (VFDs).
Power Factor Correction (7141023)	$100,000	Project can be CLOSED. Administration recommends transferring this surplus to the Energy Reserve (Fund 188) until a detailed report is brought forward to Council to further review opportunities for implementing power

		factor corrections.
400 CHS Energy Eff. Upgrades (7211038)	$100,000	Project can be CLOSED. Administration recommends transferring this surplus to the Energy Reserve (Fund 188) as a review of energy efficiency opportunities at 400 CHS are planned to take place this year which will result in a detailed report to Council where future projects will be identified and funding will be needed.
HL Energy Eff. Initiatives (7211040)	$50,000	Project can be CLOSED. Administration recommends transferring this surplus to the Energy Reserve (Fund 188) as a review of energy efficiency opportunities at Huron Lodge are planned to take place this year which will result in a detailed report to Council where future projects will be identified and funding will be needed.
Enhancd Interim Financing Fund (7145005)	$24,578	This project is ongoing and was designed to fund any temporary financing costs for those enhanced capital projects approved by Council which could not be absorbed within the allotted budget. Project can be CLOSED once construction of impacted projects is complete, with funds returned to the Pay-As-You-Go Reserve, Fund 169.
Corp Energy Reduction Measures (7085900)	($19,949)	This project is complete and can be CLOSED. The shortfall in funding is a result of $27,800 spent to complete a study on efficiency improvement of the WIATC CHP. Administration is recommending a transfer from the CHP/PV Maintenance Reserve (Fund 222) to fund the current deficit.

Financial Accounting:
There are two active capital projects in this area that are being administered by the Financial Accounting department. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Financial Planning:
There are six active capital projects in this area that are being administered by the Financial Planning division. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Taxation and Financial Projects:
There are five active capital projects in this area that are being administered by the Taxation and Financial Projects department. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Office of the Commissioner of Human & Health Services

Huron Lodge:
There are 11 active capital projects being administered by Huron Lodge. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Employment and Social Services
There is one active capital project being administered by Employment and Social Services. The Windsor Reg Employment Network project (7239000) is expected to come in on budget.

Housing and Children's Services:
There are three active capital projects being administered by Housing and Children's Services. No project variance is anticipated as these projects are currently expected to come in on budget.

Office of the Commissioner of Community Services

Fire and Rescue:
There are 14 active capital projects in this area that are being administered by the Fire and Rescue department. Administration has no variance to report at this time.

Cultural Affairs:
There are six active capital projects in this area that are being administered by the Recreation and Culture department. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Recreation Facilities:
There are eight active capital projects in this area that are being administered by the Recreation & Culture department. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Forestry:
There are three active capital projects in this area that are being administered by the Forestry division. One project, Natural Areas Management Prgm (7219014), is reporting a deficit of ($39,030).

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Natural Areas Management Prgm (7219014)	($39,030)	This project addresses management needs within the City's natural heritage parks and natural areas to maintain their ecological health and biodiversity. Management activities include prescribed burns, invasive species control, educational signage, addressing vandalism, conducting species surveys, and ecological restoration. Administration recommends a transfer from the Ojibway Bridge and Parking Lot project (7221027) to fund the anticipated deficit in this project.

Horticulture:
There is one active capital project in this area. The Bright Lights project (7171089) is currently expected to come in on budget and does not have a variance to report.

Parks Operations:
There are seven active capital projects in this area that are being administered by the Parks Operations division. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Parks Design & Development:
There are 42 active capital projects in this area administered by the Parks Design & Development division. Five projects are reporting a combined surplus of $39,030 and are detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Little River Acres CIP Implementation (7041913)	$54,900	Administration recommends transferring funding to cover deficits in the Kennedy Park Improvements project (7201021), the Tennis Pickleball Courts Expansion project (7221065), and the Forest Glade Tennis/Pickleball project (7212007).
Ojibway Bridge and Parking Lot (7221027)	$39,030	Administration is recommending transferring surplus funding to the Natural Areas Management Prgm (7219014) to fund the anticipated deficit in the project.
Kennedy Park Improvements (7201021)	($910)	This project is complete and can be CLOSED. Neighbourhood redevelopment improvement projects include, but are not limited to, improved landscaping, pathway development and demolition/renovation of outdated park amenities. Improvement related work at Kennedy Park resulted in a slight deficit and Administration is recommending a transfer from the Little River Acres CIP Implementation project (7041913) to fund this shortfall.
Tennis Pickleball Courts Expansion (7221065)	($4,815)	Project is complete and can be CLOSED. This project was used to fund the expansion of courts located at Goldenwood, Fontainebleau, and Wilson Parks and came in slightly over budget. Administration recommends funding this deficit with a transfer from the Little River Acres CIP Implementation project (7041913).
Forest Glade Tennis/Pickleball (7212007)	($49,175)	This project is complete and can be CLOSED. Work on the Forest Glade Tennis and Pickleball Courts were tendered in the spring of 2021 and required the use of a pre-commitment in funds for 2025 to complete the full scope of the initially approved work.

		Administration is recommending funding this current deficit with a transfer from the Little River Acres CIP Implementation project (7041913).

Facilities Operations:
There are eight active capital projects in this area administered by the Facilities Operations department. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Windsor Public Library:
There are 10 active capital projects in this area that are being administered by the Windsor Public Library and Corporate Projects. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Agencies and Boards

Windsor Police Services (WPS):
There are 15 active capital projects in this area that are being administered by various WPS divisions. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Roseland Golf and Curling Club:
There are three active capital projects in this area that are being administered by the General Manager at Roseland. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Windsor Airport:
There are five active capital projects in this area that are being administered by the Corporate Projects division. No project variances are anticipated at this time.

Handi-Transit:
There is only one active capital project active in this area that is being administered by Handi-Transit/Transit Windsor. The Handi-Transit Bus Acquisitions project (7191019) is expected to come in on budget.

Council Report: C 87/2024

Subject: Municipal Class Environmental Assessment for the Ojibway Parkway Wildlife Crossing - Ward 1

Reference:

Date to Council: July 22, 2024
Author: Michael Todd
Project Administrator
(519) 255-6100 ext. 6407
mtodd@citywindsor.ca
Corporate Projects – Engineering
Report Date: July 5, 2024
Clerk's File #: EI/13795

To: Mayor and Members of City Council

Recommendation:

I. **THAT** Council **ENDORSE** the updated draft Environmental Study Report (ESR) for Ojibway Parkway Wildlife Crossing Municipal Class Environmental Assessment with recommendations for the preferred solution for an ecological overpass spanning both Ojibway Parkway and the Essex Terminal Railway as prepared by WSP E&I Canada Limited, dated July 2024, the Executive Summary is attached as **Appendix A**; and further,

II. **THAT** Administration **BE DIRECTED** to finalize the Environmental Study Report (ESR) for Ojibway Parkway Wildlife Crossing Municipal Class Environmental Assessment and issue the Notice of Study Completion in accordance with the Municipal Class Environmental Assessment Planning Process to commence the minimum of 30-day review period immediately following finalizing the Environmental Assessment.

Executive Summary:

N/A

Background:

As reported in the previous update through C172/2022 (**Appendix B**), in 2020 the City of Windsor entered into a Memorandum of Understanding through CAO 29/2020 with Bridging North America, a private-sector partner of Windsor-Detroit Bridge Authority to retain an engineering consultant to undertake a Municipal Class Environmental Assessment (EA) and develop an Environmental Study Report (ESR) for a Wildlife Crossing as part of its Community Benefits Plan. The objective was to begin to re-

establish an ecological connection between the natural areas associated with Black Oak Heritage Park and Ojibway Park, thereby reducing landscape fragmentation and loss of biodiversity through the improvement of habitat connectivity. This objective further supported goals of reducing wildlife mortality and increasing driver safety for the heavily travelled Ojibway Parkway corridor that sees approximately 20,000 vehicles per day.

The City retained WSP (formerly Wood Environment and Infrastructure Solutions, a Division of Wood Canada Limited) to undertake the initial EA. Initial public feedback and evaluation of alternatives through Public Information Centre (PIC) #1 identified an overpass design as the preferred solution over an underpass.

WSP prepared a draft ESR that identified an initial preferred solution of an overpass crossing Ojibway Parkway roadway **only** with the intention for a future analysis to address the appropriate next steps relative to the Essex Terminal Railway (ETR) line directly west of the Ojibway Parkway right-of-way. The draft report was endorsed by City Council during the December 20, 2021 meeting and Council directed administration to finalize the report and issue it for the formal public review period of a minimum of 30 days (CR549/2021).

Prior to finalizing the ESR and commencing the mandatory 30-day review period, the draft report was shared with government review agencies, Indigenous Communities, and key Stakeholders. During this review period, various stakeholders raised concerns with the initial preferred solution and the feedback received was that the EA should evaluate an alternative solution to extend the overpass over the ETR tracks as it was viewed that the current solution fell short of addressing ecological connectivity concerns. In order to evaluate this option, a change in scope to the EA process conducted to date was required.

In October 2022 (CR445/2022, **Appendix C**), City Council approved an amendment to WSP's scope to undertake additional studies and research to assess lands west of the ETR tracks, and to undertake additional public engagement/communication related to the revised EA scope.

Discussion:

WSP's amended scope included evaluating alternative design options for extending the Wildlife Crossing over both the Ojibway Parkway and ETR tracks, undertaking additional public engagement, recommending a preferred solution, and updating the ESR document. The Study Area was expanded to include portions of the Black Oak Heritage Park and the adjacent natural area west of ETR lands to allow for consideration of Wildlife Crossing Options across the ETR Tracks.

Over the course of 2023, additional ecological field studies were completed within the expanded Study Area. Relevant information from various other studies in the area was reviewed and incorporated into the assessments and evaluation. In addition, connectivity modelling was completed to identify additional locations for a Wildlife Crossing along Ojibway Parkway. The intent was to identify an alternative location for the crossing that would minimize impacts to the Black Oak Wetland Complex.

WSP subsequently developed and evaluated four (4) new “updated” design options. A detailed and concise evaluation matrix was created that provided a weighting for each criterion and a rating scale was developed to score the criteria. Through the evaluation process, an updated preferred solution was identified with the Wildlife Crossing over Ojibway Parkway and the ETR tracks.

Updated Preferred Solution

The updated Preferred Solution is a 50-metre wide three-span overpass bridge that crosses Ojibway Parkway and the ETR tracks, at a location south of Broadway Street. Conceptual renderings of the updated Preferred Solution are provided in **Appendix D**.

As an overpass was determined to be the best solution, a melded approach of a landscaped bridge and wildlife overpass was selected. The large width of the structure was selected as the crossing aims to restore the habitat connection between the natural areas associated with Ojibway Park and Black Oak Heritage Park. It is intended to meet the movement needs of a broad spectrum of wildlife; large and small mammals, amphibians, and reptiles. Microhabitat features and vegetation placement will be designed to enhance crossings by bats, birds, invertebrates, and plants.

The crossing structure is designed exclusively for wildlife. Human use would be prohibited to minimize disturbance of both wildlife using the crossing and vegetation establishment atop the crossing. Design elements or other measures to deter human use of the Wildlife Overpass would be evaluated and determined during detailed design phase of this project. These elements may include signage, surveillance equipment and monitoring.

WSP has included an opinion of probable construction cost of $38M (2024 dollars) for the updated Preferred Solution in Section 9.6 of the draft ESR document. This is a high-level estimate for construction work, and is subject to change based on final scope, design and market conditions. Engineering and other miscellaneous costs have not been included.

A copy of the Executive Summary from the updated draft Environmental Study Report for Ojibway Parkway Wildlife Crossing is provided in **Appendix A**. The full version of the draft ESR can be found on the Project Webpage (https://CityW.ca/Ojibway-wildlife-crossing).

Public Information Centre (PIC) #3

A third Public Information Centre (PIC #3) was conducted to present the updated preferred solution for the Wildlife Crossing that would cross Ojibway Parkway and the ETR tracks and would re-connect the natural areas associated with Ojibway Park and Black Oak Heritage Park.

The PIC was hosted in two formats:

- Virtual Public Consultation: A project information package was made available on the project webpage, starting Monday, December 18, 2023. Interested individuals were invited to review this information and submit any comments by January 26, 2024 using the online comment form.

- In-person Open House: An In-person Open House was hosted on Thursday, January 18, 2024 at the Ojibway Nature Centre. Interested individuals were invited to attend this event where they had the opportunity to meet with Study Team Members and ask any questions and submit comments.

Notice of the PIC was advertised on the City webpage, social media platforms, The Windsor Star, and through flyers posted in Ojibway Nature Center. Letters were mailed to residents and businesses within the Study Area and emailed to key stakeholders and Indigenous Communities. Additionally, various news outlets, such as The Windsor Star and CBC News, posted articles about the PIC on their respective websites.

Approximately 117 comments were received from interested individuals (via online Comment Form, email or mailed letter), generally supportive of the updated preferred design and overall project. A summary of key comments and the Study Team's responses are provided in Table 12-2 of the updated draft ESR, and detailed comments are included in Appendix K of said report. The full version of the draft ESR can be found on the Project Webpage (https://CityW.ca/Ojibway-wildlife-crossing).

Next Steps

Pending Council endorsement of the updated draft Environmental Study Report, the Notice of Study Completion will be published in the Windsor Star and on the Project Webpage. The Notice will be provided by direct mail-out and email (as applicable) to those who have requested inclusion on the project contact list for the Class EA report, and to Indigenous Communities, the public, government agencies, ETR, utilities, and key stakeholder groups.

A copy of the Notice of Study Completion will also be provided to the Mayor and Members of Council and included as a Communication Item at the next regularly scheduled meeting of Council following publication.

The Environmental Study Report will be available for review on the Project Webpage during the 30-calendar day public review period.

Risk Analysis:

There are no significant or critical risks in accepting this Environmental Study report.

The recommendation will require, pursuant to the Environmental Assessment Act, a mandatory minimum of 30-day review period. During the public comment period, anyone can: review the documentation, submit any comments or concerns to the proponent and request a Section 16(6) Order.

The Minister of the Environment, Conservation and Parks has the authority and discretion to make an Order under Section 16 of the Environmental Assessment Act. A request may be made to the MECP for an order requiring a higher level of study (i.e., requiring an individual/comprehensive EA approval before being able to proceed), or that conditions be imposed (e.g., require further studies), only on the grounds that the requested order may prevent, mitigate, or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests on other grounds will not be considered.

Property acquisition requirements for the updated Preferred Solution have been identified in the draft ESR document. Consultation and negotiations with private property owner(s) related to acquisition will be required as part of subsequent phases of the project, prior to implementation. Please see additional information about this matter in attached P & C memo.

Since construction is not imminent and the minimum 30-day period is mandated by legislation, it is recommended that the above risks be tolerated.

Climate Change Risks:

Climate Change Mitigation

There will be no long-term energy requirements to support the ongoing operation of the eco-passage therefore the only greenhouse gas emissions will be associated to the construction phase of the eco-passage.

Climate Change Adaptation

The City of Windsor's Climate Change Adaptation Plan (2020) identified a total of seven (7) objectives for creating a more resilient city to the effects of a changing climate (City of Windsor, 2020). This project closely supports Objective 5 (Protect Biodiversity and Enhance Ecosystem Functions):

Action 5.3: Enhance linkages between and among natural heritage features

- Investigate increased land connectivity options including land acquisition and landscaped or below grade Eco passages to enhance natural areas linkages.

These works would provide additional green space, habitat and the re-establishment of an ecological connection between the natural areas associated with Ojibway Park and Black Oak Heritage Park. These ecological connections are important to protect, maintain and grow healthy, stable fauna populations.

The greenspace would reduce rainfall on the pavement which would reduce peak storm flows to the drainage system.

Creating additional green space over the asphalt roadway will positively reduce the localized urban heat island effect.

Financial Matters:

The Project budget for the cost of the Class Environmental Assessment work (7201003 – EA Ojibway Wildlife Crossing) has sufficient funds. A total of $250,000 for the study phase of this EA was received from the Windsor-Detroit Bridge Authority (WDBA), in addition to $150,000 from Parks Canada (CR 445/2022) for a cumulative total of $400,000. The recommendations in this report have no financial impact.

It should be noted that any subsequent phase of the Ojibway Parkway Wildlife Crossing project (i.e. implementation of the preferred design, including assessments, detailed design, construction, etc.) is subject to City Council's direction in the future. As previously mentioned in the Discussion section of this report, a preliminary estimate of $38 million in construction costs was provided by WSP for the updated Preferred Solution. Should there be a desire from Council to proceed with any subsequent phase of the project, the intent is to seek future funding from environmental organizations, provincial and federal levels of government and to obtain approval for the remaining amount through future budget requests via the Capital Budget process.

Consultations:

Kathy Buis – Finance

Karen Cedar – Parks

Karina Richters – Economic Development

Wira H.D. Vendrasco – Legal

Conclusion:

The draft ESR presents a thorough review and evaluation of the updated Preferred Solution. This study took into consideration several criteria and factors in the assessment of the design alternatives. Based on the field studies, analysis and evaluations completed, the updated Preferred Solution is for an overpass bridge that crosses Ojibway Parkway and the ETR tracks.

Pending Council endorsement of the updated draft ESR, Administration will finalize the ESR, issue the Notice of Study Completion, and commence the 30-day review period.

Planning Act Matters:

N/A

Approvals:

Name	Title
Colleen Middaugh	Manager, Corporate Projects
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
Mark Winterton	Commissioner, Infrastructure Services – City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Email

Appendices:

1 Appendix A - Executive Summary of the updated draft Environmental Study Report for Ojibway Parkway Wildlife Crossing (15 pages)

2 Appendix B - C172/2022 (5 pages)

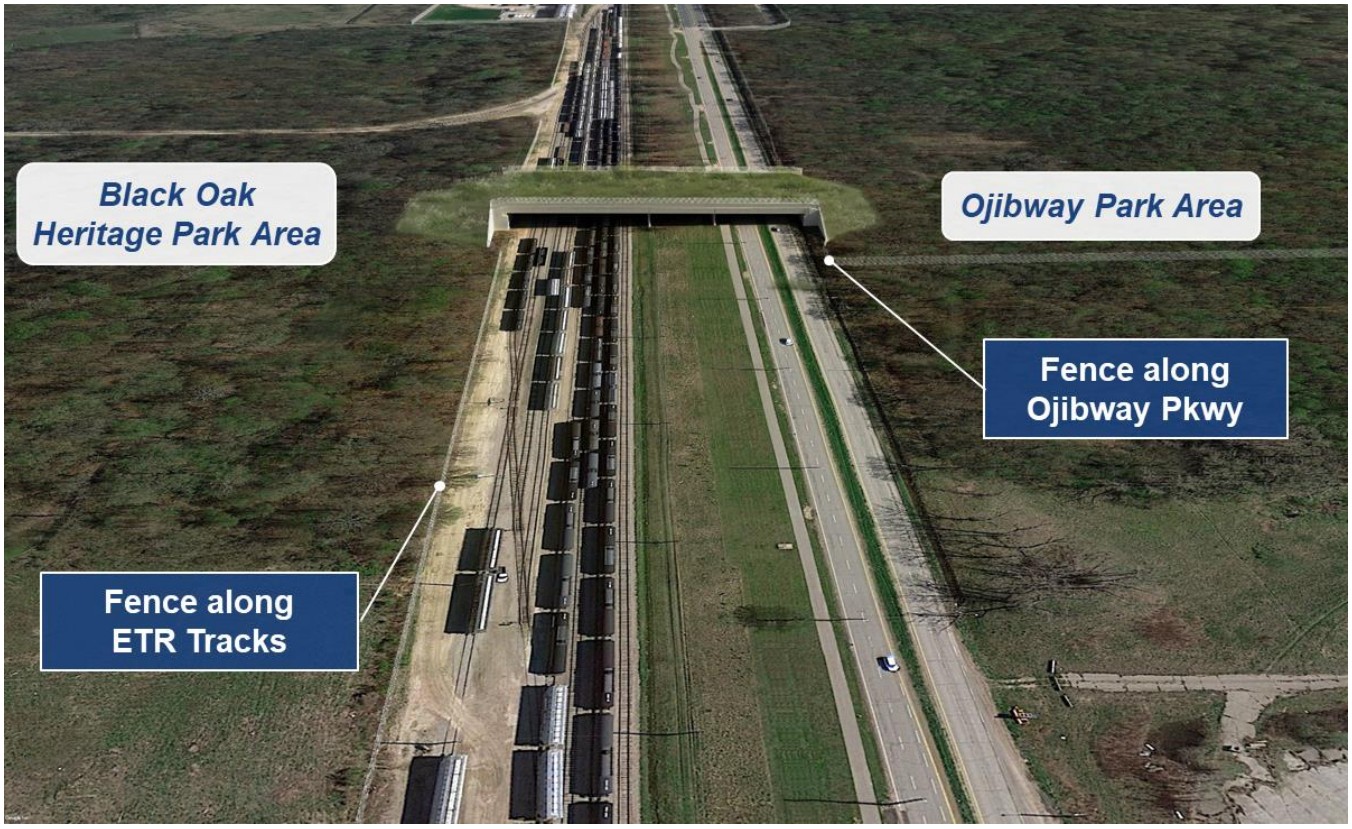
3 Appendix C - CR445/2022 (2 pages)

4 Appendix D - Updated Preferred Solution - Conceptual Rendering of Wildlife Crossing over Ojibway Parkway and ETR tracks (1 page)

City of Windsor

Ojibway Parkway Wildlife Crossing Environmental Study Report

July 2024



Ojibway Parkway Wildlife Crossing Environmental Study Report

City of Windsor

Project No.: IM20104013
Date: July 2024

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City of Windsor

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WSP

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Senior Structural Engineer	Nathan Kranendonk, P.Eng.
Cultural Heritage Lead	Heidy Schopf, MES, CAHP
Archaeology Lead	Barbara Slim, M.A., CAHP
Geotechnical Engineering Lead	Dirka Prout, P.Eng.

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Executive Summary

Introduction

The City of Windsor has completed an environmental assessment to consider the construction of a Wildlife Crossing across Ojibway Parkway and the Essex Terminal Railway (ETR) tracks, south of Broadway Boulevard, to re-establish an ecological connection between the natural areas associated with Black Oak Heritage Park and Ojibway Park. The Wildlife Crossing would provide a connection for local tallgrass prairie plant communities and safe passage opportunities for wildlife, including species at risk. The proposed Wildlife Crossing would thereby reduce landscape fragmentation through improvement of habitat connectivity in the Ojibway Prairie Complex. The Wildlife Crossing would also reduce wildlife-vehicle collisions and their threat to motorists.

The 20 m wide Ojibway Parkway and the eight tracks operated by the ETR to the west of Ojibway Parkway inhibit wildlife movement and ecological functions. Approximately 20,000 vehicles per day travel along the Ojibway Parkway and E.C. Row Expressway, contributing heavily to wildlife mortality, driving hazards, and landscape fragmentation. In addition, traffic along Ojibway Parkway is expected to increase with the development of the nearby Gordie Howe International Bridge. Consequently, the Windsor-Detroit Bridge Authority (WDBA) is a funding partner for the commencement of the environmental assessment. The City's intent is to seek future funding from environmental organizations, provincial and federal levels of government and obtain approval for the remaining amount through the Capital Budget process.

The location and design of the Wildlife Crossing was selected as part of this environmental assessment after careful consideration of engineering requirements and existing site conditions, constraints related to land ownership, previous studies and literature and feedback obtained through a comprehensive consultation program, which was comprised of consultation with the Indigenous Nations, the public, government agencies, ETR, utilities, and key stakeholder groups. The preferred location and design of the Wildlife Crossing consider wildlife-related concerns, including habitat fragmentation and connectivity for several wildlife groups, as well as plants. The preferred location and design also consider the loss of habitat and secondary and cumulative impacts to the existing landscape.

This environmental assessment was completed following the Municipal Class Environmental Assessment (Class EA) process, for a Schedule 'C' project, which is outlined in the Municipal Engineering Association's document titled "Municipal Class Environmental Assessment," (amended 2023). The Class EA Study addressed Phases 1 through 4 of the Class EA process. The draft Environmental Study Report (ESR) was initially endorsed by the City of Windsor's Council (Council), by CR549/2021, on December 20, 2021. Subsequent to Council's endorsement, and before issuing the Notice of Study Completion, the draft ESR was circulated to the Indigenous Nations, relevant Government Agencies, and the ETR for their review. The feedback received prompted the continuation of the Class EA Study. Consequently, an updated preferred design for the Wildlife Crossing was selected. This crossing would extend over both Ojibway Parkway and the ETR railway tracks. At the time of finalization of this report, the Study Team had intended to present it to the City Council for endorsement at the Council Meeting of July 22, 2024.

Study Area

The general limits of the Study Area are shown in Figure E-1. It is important to note that the Study Area initially included a portion of the Ojibway Park and Ojibway Parkway south of Broadway Boulevard. However, following input from the Indigenous Nations, the public, government agencies, and key stakeholder groups, the Study Area was expanded to consider a Wildlife Crossing across Ojibway Parkway as well as the ETR tracks.

Municipal Class Environmental Assessment Process

The Municipal Class EA process includes five phases. Schedule 'C' projects require that all five phases be conducted. Phases 1, 2, 3, and 4 are part of this study; the fifth phase would be initiated following completion of this study. A description of the Class EA planning phases is provided below.

- **Phase 1 – Problem or Opportunity Statement:** Identify the problem (deficiency) or opportunity.
- **Phase 2 – Alternative Solutions:** Identify and evaluate alternative solutions to address the problem or opportunity by taking into consideration the existing environment and establish the preferred solution considering public and review agency input.
- **Phase 3 – Alternative Design Concepts for the Preferred Solution:** Identify Alternative Design Concepts for the preferred solution by taking into consideration the existing environment and establish the preferred design concept by considering public and review agency input.
- **Phase 4 – Environment Study Report:** Document and file the Environmental Assessment including the design and consultation process in an Environmental Study Report (ESR) for public review.
- **Phase 5 – Implementation:** Complete detailed design and required additional investigations, obtain permits and approvals, and proceed to construction and operation. Monitor construction for adherence to environmental provisions and commitments. Where special conditions dictate, also monitor the operation of the completed facility.

Problem Statement

Phase 1 of the Class EA process requires developing a problem or opportunity statement. The following problem statement was developed for this Class EA Study:

The City of Windsor is undertaking a Municipal Class Environmental Assessment Study to consider the construction of a Wildlife Crossing across Ojibway Parkway and the Essex Terminal Railway (ETR) tracks, south of Broadway Boulevard, to begin to re-establish an ecological connection between the natural areas associated with Black Oak Heritage Park and Ojibway Park.

The 20 m wide Ojibway Parkway that carries approximately 20,000 vehicles per day, as well as the 8 tracks operated by the ETR to the west of the Ojibway Parkway inhibit wildlife movement and ecological functions. The Wildlife Crossing would provide a connection for local tallgrass prairie plant communities and safe passage opportunities for wildlife, including species at risk. The proposed Wildlife Crossing thereby reduces landscape fragmentation through improvement of habitat connectivity in the Ojibway Prairie Complex. In addition, the Wildlife Crossing would improve safety of the travelling public on Ojibway Parkway by reducing wildlife-vehicle interactions.

Existing Conditions

Several technical studies were completed to develop an understanding of existing conditions within the Study Area. The ESR discusses existing conditions in detail relating to transportation, social, cultural, natural and technical environments. A summary of existing conditions is provided below.

Transportation

- **Roadways:** Ojibway Parkway is a four-lane arterial road with a landscaped median that transitions into E. C. Row Expressway at Broadway Boulevard, which marks the Study Area's northern limit.
- **Trails:** The main trail within and adjacent to the Study Area is the Ojibway Parkway Trail, which runs in a north-south direction along the west side of Ojibway Parkway. In addition, the Ojibway Park to the east includes a series of loop trails.

- **Essex Terminal Railway:** A railway yard owned and operated by the ETR is located to the west of Ojibway Parkway in the Study Area. The ETR is a switching (or short line) railway that runs from the east side of Windsor through the Town of LaSalle and terminates in Amherstburg.
- **Land-use:** The lands on either side of Ojibway Parkway, within and adjacent to the Study Area, are primarily parkland and industrial uses. Ojibway Park is located to the east, and ETR-owned yard and lands, and Black Oak Heritage Park are located to the west of Ojibway Parkway. Dainty Foods' production is located to the northwest of the Study Area.

Cultural Environment

- **Archaeological Resources:** Stage 1 Archaeological Assessments identified that portions of the Ojibway Park and Black Oak Heritage Park within the Study Area have archaeological potential. Areas of archaeological potential that will be subject to disturbance as part of project construction, shall be assessed through a Stage 2 Archaeological Assessment (and any subsequent assessments, if required).
- **Built Heritage Resources and Cultural Heritage Landscapes:** Ojibway Park and Black Oak Heritage Park have potential for Cultural Heritage Value or Interest.

Natural Environment:

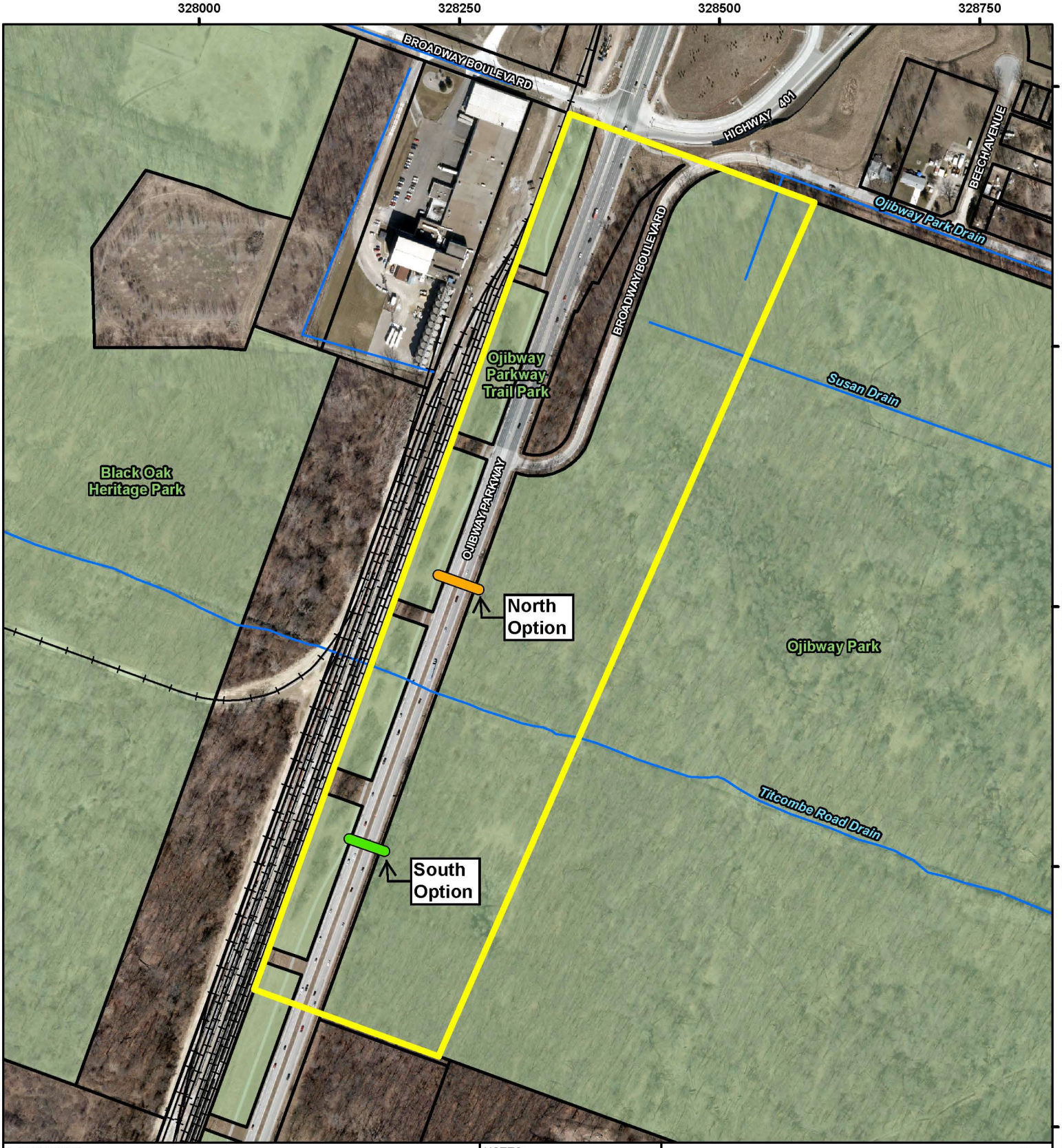
- **Natural Heritage:** The Study Area includes diverse oak-dominated forests, swamps, and savannahs, with mid-aged canopies, mixed understories, and ground layers hosting both native and non-native species, amidst ecological disturbances. There are a variety of birds, anurans, bats, and mammals, with some species at risk. Five species at risk have been confirmed in the Study Area, while several more have high or moderate probability of occurrence. Ojibway Park and Black Oak Heritage Park are part of an Area of Natural and Scientific Interest and include significant woodlands. Black Oak Wetland Complex is located in Black Oak Heritage Park.
- **Drainage:** There are three municipal drains within the Study Area (Ojibway Park Drain, Titcombe Road Drain, and Susan Drain), which are regulated by the Essex Region Conservation Authority.
- **Soil:** The subsurface soils in the region generally comprise silty sand/sandy silt deposits overlying an extensive silty clay layer, which is in turn underlain by limestone bedrock.
- **Contamination:** Two Areas of Potential Environmental Concerns were identified resulting from Potentially Contaminating Activities associated with known contaminants located adjacent to the Study Area (Salt applied to roadway surface and Rail Yards, Tracks and Spurs).
- **Source Water:** The Study Area is located within Surface Water Intake Protection Zone and Significant Groundwater Recharge Area (vulnerability score of 2).

Technical Environment:

- **Utilities:** Utilities along Ojibway Parkway include two Enbridge gas pipelines, Bell Canada line, ENWIN's hydro poles and distribution lines, Town of LaSalle's sanitary forcemain, Windsor Utilities Commission's watermain, and City of Windsor's street-lights and sanitary sewer.

Alternative Solutions

Phase 2 of the Class EA process requires that reasonable solutions shall be identified to address the problem statement. For this project, two alternative solutions were identified: Wildlife Overpass and Wildlife Underpass, with two alternative locations for each solution (Figure E-2). These solutions were evaluated using criteria related to natural, social, and cultural environments and technical and cost considerations to identify a preferred solution. Based on this evaluation, the Overpass Wildlife Crossing (North Option) was initially selected as the Preferred Solution. Subsequently, the Wildlife Crossing location was re-evaluated based on wildlife connectivity modelling, and the southern option was selected as the preferred location, where the Wildlife Crossing would cross Ojibway Parkway and ETR tracks.



G:\Ojibway_Wildlife_Overpass_EA\MXD\Alternative_Overpass_Locs_3.mxd

LEGEND

- Approximate Study Area
- Parks
- Watercourse / Drain
- Railway
- Property Boundaries

Alternative Wildlife Crossing Locations

- North Option
- South Option

0 50 100 200 300 400 Metres

NOTES:
- Aerial imagery extracted from Essex County interactive map, 2019.

Datum: NAD83
Projection: UTM Zone 17N

THE CITY OF WINDSOR ONTARIO, CANADA

wood.

OJIBWAY PARKWAY WILDLIFE CROSSING

Alternative Wildlife Crossing Locations

PROJECT N°: IM20104013	**FIGURE E-2**
SCALE: 1:5,000	DATE: October 2020

Design Options for Wildlife Crossing (Overpass)

Phase 3 of the Municipal Class EA process involves development and evaluation of alternative design concepts for the Preferred Solution. For this project, Wildlife Overpass was identified as the Preferred Solution. In accordance with the Phase 3 of the Municipal Class EA process, design options were identified and evaluated to determine a preferred design for the Wildlife Crossing (Overpass).

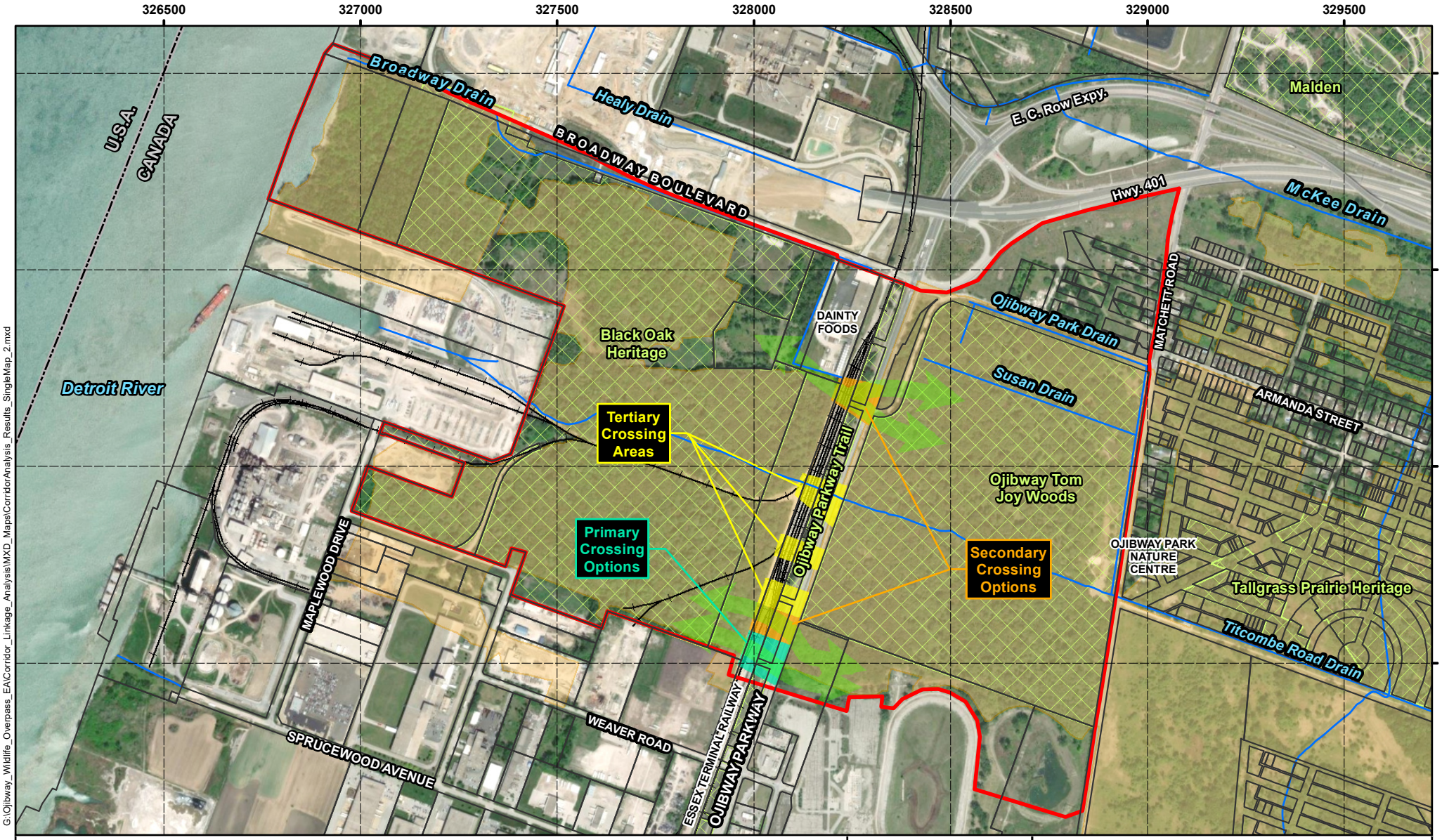
An initial set of four design options was developed and evaluated to identify a preliminary design for the Wildlife Crossing. These design options were comprised of Wildlife Crossing options across Ojibway Parkway, connecting Ojibway Park Area with the median area between Ojibway Parkway and the ETR tracks.

The initial design options, along with their evaluation and preliminary preferred design were shared with Indigenous Nations, the public, government agencies, ETR, utilities owners, and key stakeholders through Public Information Centre #2 in April 2021. A key comment received was to extend the crossing across the ETR tracks to provide connectivity between the Ojibway Park Area and the Black Oak Heritage Park Area.

Following PIC #2, the draft ESR was presented to the City Council for endorsement. Subsequent to the Council endorsement, and prior to issuing the Notice of Study Completion, the draft ESR was circulated to the Indigenous Nations, relevant Government Agencies, and the ETR for their review. The feedback received prompted the continuation of the Class EA Study. Accordingly, the Study Team completed additional work to explore design options for the Wildlife Crossing across Ojibway Parkway and the ETR tracks. This involved reevaluating the location of the crossing and identifying potential design alternatives for connecting Ojibway Park Area with the natural areas associated with Black Oak Heritage Park. The additional, or modified, studies to support this work included:

- **Study Area Expansion:** The Study Area was expanded to include the natural area associated with Black Oak Heritage Park to allow for consideration of Wildlife Crossing Options across the ETR tracks.
- **Additional Field Studies:** Additional ecological field studies were completed within the expanded Study Area during 2023. The Study Team completed surveys on public lands only, as permission to access private lands was not provided. Relevant information from other studies performed by the City was reviewed and incorporated into the assessments and evaluation.
- **Connectivity Analysis:** Connectivity modelling was completed to identify additional locations for a Wildlife Crossing along Ojibway Parkway. The intent was to identify an alternative location for the crossing that would minimize impacts to the Black Oak Wetland Complex. Potential Wildlife Crossing locations identified through connectivity modeling are shown in Figure E-3.
- **Development of Revised Design Options:** Four new “revised” design options were developed and evaluated to identify a preferred design for the Wildlife Crossing over Ojibway Parkway and the ETR tracks.

Ultimately, the preferred design for the Wildlife Crossing over Ojibway Parkway and the ETR tracks was chosen through the development and evaluation of revised design options. These revised options and preferred design for Wildlife Crossing over Ojibway Parkway and ETR tracks was presented at the Public Information Centre #3.



LEGEND

- Approximate Study Area
- National Border
- Railway
- Property Parcels
- Parks (labelled with name)
- Watercourse / Drain
- Natural Heritage Feature (ANSI, Provincially Significant Wetland, Environmentally Significant Area or Provincial Park)
- Primary and Secondary Wildlife Movement Corridors crossing Ojibway Parkway
- Primary Crossing Location
- Secondary Crossing Location
- Tertiary Crossing Area

NOTES:
- Aerial imagery extracted from ESRI basemap imagery service (scene date: May/June 2023)
- Property parcels and parks extracted from City of Windsor Open Data Catalogue, (https://opendata.citywindsor.ca/ 2023)

Datum: NAD83
Projection: UTM Zone 17N

0 250 500 1,000 1,500 2,000 Metres

THE CITY OF WINDSOR ONTARIO, CANADA

wsp

OJIBWAY PARKWAY WILDLIFE CROSSING

Potential Wildlife Crossing Locations

PROJECT N°: IM20104013	**FIGURE: E-3**
SCALE: 1:13,500	DATE: September 2023

Preferred Design for Wildlife Crossing

The refined preferred design for the Wildlife Crossing is a three-span bridge comprised of a 51.3 m span over the Essex Terminal Rail (ETR), a 21.62 m span over the boulevard area, and a 47.22 m span over Ojibway Parkway. The Wildlife Crossing features a sloped deck for water drainage and it is proposed to be supported by deep foundations with steel H-piles. The design includes wildlife-proof barriers to promote wildlife crossings at the location of the proposed bridge. Steel plate girders were chosen for ease of installation and to meet clearance requirements, while the bridge's longitudinal gradient and transverse crossfall ensure proper water flow. The existing Ojibway Parkway Trail to the west side of Ojibway Parkway would require realignment to pass under the new structure.

Vegetation is proposed on the Wildlife Crossing to create a natural environment with a mix of open areas and shrubs, using native plant species and soils. The design aims for a heterogeneous landscape that encourages wildlife use, with features like boulders and brush piles to deter human access.

Wildlife fencing, crucial for guiding animals to the crossing and preventing road intrusions, will be 8 feet (2.4 m) high and include escape features. The fencing will consist of a taller chainlink style fence with an attached segment of shorter fence with smaller openings. The fencing will connect seamlessly to the crossing, ensuring no gaps for wildlife to bypass the intended path. These design elements will be refined during the detailed design phase in consultation with local authorities and conservation agencies.

A conceptual rendering of the preferred Wildlife Crossing is provided in Figure E-4. An example of proposed wildlife fencing is provided in Figure E-5, whereas the alignment of the proposed wildlife fencing is shown in Figure E-6.

Figure E-4: Conceptual Rendering of Preferred Wildlife Crossing Design

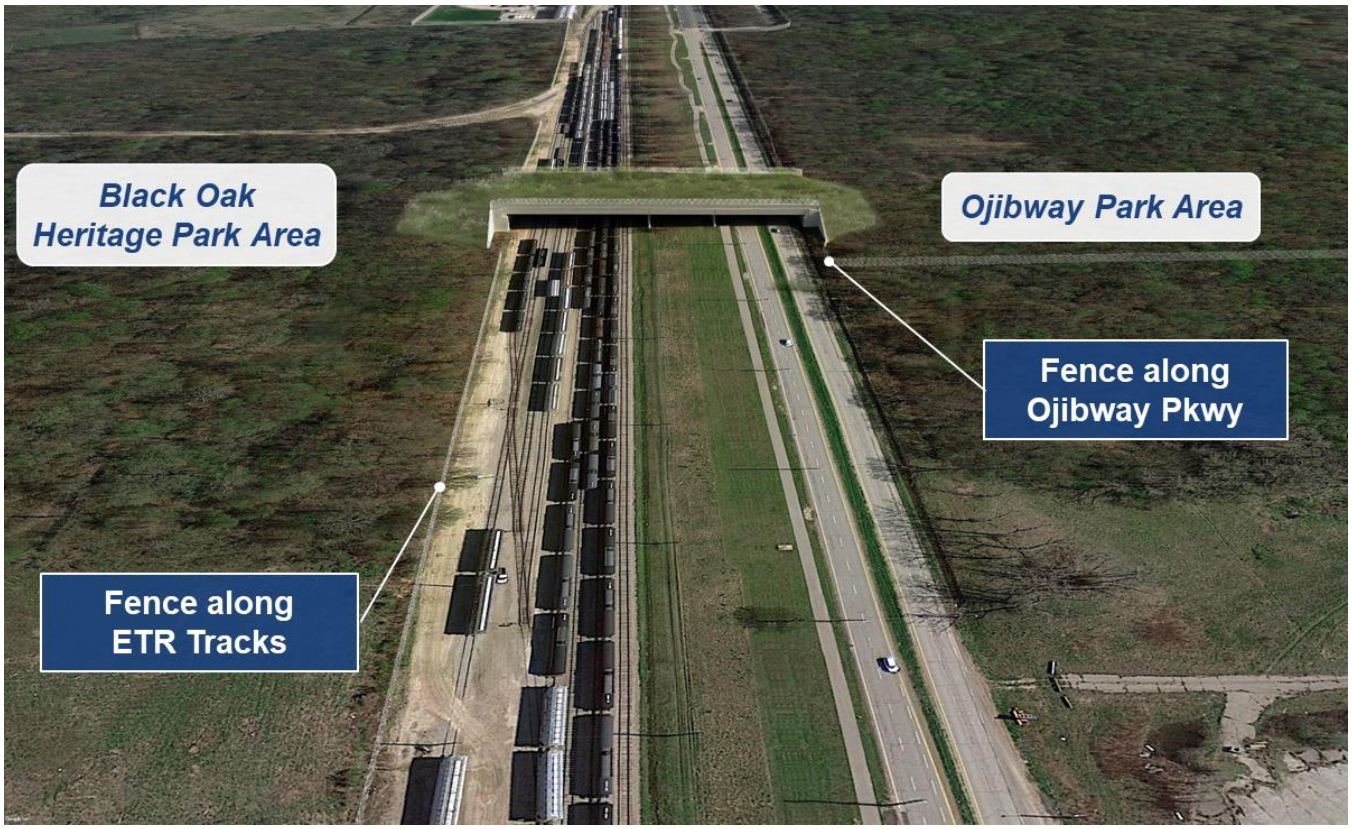


Figure E-5: Fence along the Herb Gray Parkway (Example)

Potential Environmental Effects and Mitigation Measures

The ESR provides a detailed account of project's potential environmental effects and proposes avoidance and mitigation measures. Mitigation of negative effects was applied throughout the Class EA process, including selection of preferred design by identifying the alternative that has the least overall effects on the environment. Some negative effects cannot be totally avoided; therefore, mitigating measures are proposed to minimize effects. These measures will need to be further developed and finalized in the next phase of design and will need to be included in the contract documents for implementation during construction.

Monitoring Plan and Future Commitments

Monitoring and Management Recommendations

The Wildlife Crossing's success hinges on comprehensive monitoring to assess habitat connectivity and road mortality reduction, with a diverse focus beyond single species. The City is encouraged to collaborate with universities and NGOs for monitoring support, establishing benchmarks for adaptive management. The detailed design phase will include a Restoration and Planting Plan, emphasizing native species and ecological principles to foster a natural crossing environment and manage vegetation. This plan will feature routine inspections, photo-monitoring, and formal vegetation sampling to guide ongoing management, ensuring the crossing supports a rich biodiversity and addresses the needs of species at risk while deterring human interference.

A multifaceted monitoring and management strategy is proposed, focusing on both vegetation and wildlife movement to ensure the crossing meets its goals of habitat connectivity and mortality reduction. Photo-monitoring and formal vegetation sampling will track ecological changes, while focal species monitoring will assess the crossing's effectiveness for wildlife. Adaptive management will play a crucial role, with ongoing evaluations leading to potential modifications in design, microhabitat elements, and fencing to optimize the crossing's functionality. Regular inspections, documentation of human interference, and invasive species control are integral to the plan, ensuring the crossing remains a vital and effective wildlife corridor.

Commitments for Additional Work and Permits and Approvals

While the Class EA process has been supported by various technical studies, the project's next phase will necessitate additional studies. This phase will involve enhanced consultation and coordination with key stakeholders to refine and advance the project design. Moreover, the acquisition of several permits and approvals will be a critical part of advancing the project. These future actions and the associated commitments are detailed in the ESR.

Consultation Program

Comprehensive consultation was a key component of the Class EA Study. The consultation process carried out during the Class EA study was designed to exceed the formal notice and consultation requirements of the Class EA process. Consultation was carried out with public, Indigenous Nations, government agencies, ETR, utilities owners, and key stakeholder groups. The following activities were completed as part of the consultation program:

- A project webpage was setup at the commencement of this project on the City of Windsor's website. Information related to the Class EA study was posted on this webpage throughout the study, including study notices, materials related to Public Information Centres, and study reports. The project webpage can be accessed from the following link: https://www.citywindsor.ca/residents/Construction/Environmental-Assessments-Master-Plans/Pages/Ojibway-Parkway-Wildlife-Crossing-Class-Environmental-Assessment.aspx

- A Study Contact List was developed at the commencement of this Class EA study to identify contacts that may have an interest in this study. This list included contacts from the local Indigenous Nations, provincial government agencies, Essex Region Conservation Authority, emergency services provider, Town of LaSalle, ETR, utilities owners, special interest groups, members of the public who expressed interest in the study and the area residents and businesses. The Contact List was updated throughout the study.
- Study notices were distributed via serval methods, including postings on the project webpage, the City's Twitter and Facebook pages; publication in the local newspapers; email circulation and mail distribution to the contacts on the Study Contact List.
- Meetings were held with the Essex Region Conservation Authority to solicit technical input at key project milestones in the Class EA Study.
- Study Notices and projects reports were shared with the Indigenous Nations for review. Where requested, meetings were also held with select Indigenous Nations.
- Three Public Information Centres were held to share the project updates and to solicit public input.
- Meetings were held with the ETR, a key stakeholder, to share project information and discuss their concerns for a Wildlife Crossing across ETR tracks.
- Meetings were held with select utilities owners to identify potential conflicts with utilities and to discuss protection and relocation measures.

Closure and Next Steps

The Environmental Study Report has documented the planning, decision making and consultation process for Ojibway Parkway Wildlife Crossing in accordance with the Municipal Class EA process for a Schedule 'C' project. This report is being made available for review by the Indigenous Nations, the public, government agencies, ETR, utilities owners, and interested stakeholder groups. The location and timing of the review of this report is being identified in the Notice of Study Completion. Interested persons may provide written comments to the following contact in accordance with the timeline identified in the Notice of Study Completion:

Michael Todd, P.Eng.
Project Administrator
Engineering Department – Corporate Projects
mtodd@citywindsor.ca

Provided that no Section 16 Order Requests are received, this project can proceed to detailed design phase. Information on Section 16 Order Request process is provided in the Environmental Study Report.

Council Report: C 172/2022

Subject: Agreement Amendment for RFP 21-20 for the Municipal Class Environmental Assessment for Ojibway Parkway Wildlife Overpass– Ward 1

Reference:

Date to Council: October 11, 2022
Author: Sergio Colucci
Project Administrator
519-255-6100 ext. 6785
scolucci@citywindsor.ca
Engineering
Report Date: 9/22/2022
Clerk's File #: EI/13795

To: Mayor and Members of City Council

Recommendation:

I. THAT City Council **APPROVE** an amendment to the Agreement with WSP E&I Canada Limited (WSP), formerly Wood Environment and Infrastructure Solutions, a Division of Wood Canada Limited, to undertake additional studies, research, assessments and public engagement/communication related to the Municipal Class Environmental Assessment for the Ojibway Parkway Wildlife Overpass Project, by increasing the upset limit by an additional $150,000 (excluding HST), for a revised cumulative upset limit totaling $400,000 (excluding HST); ; and,

II. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute the required documentation to amend the Agreement, subject to legal approval by the Commissioner, Legal & Legislative Services, satisfactory in financial content to the Commissioner, Corporate Services CFO/City Treasurer, and in technical content to the Commissioner, Infrastructure Services.

III. THAT Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the above project(s), provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to Commissioner, Corporate Services/Chief Financial Officer, in legal form to the Commissioner, Legal & Legislative Services; and in technical content to the Commissioner, Infrastructure Services.

Executive Summary:

N/A

Background:

Bridging North America (BNA) is the Windsor-Detroit Bridge Authority's (WDBA) private-sector partner and is responsible to design, build, finance, operate and maintain the Canadian and US Ports of Entry and the bridge, under a public-private partnership agreement (P3).

The WDBA announced, as part of its Community Benefits Plan, seed money in the total amount of $1.5 M for a Wildlife Crossing to re-connect Black Oak Heritage Park and Ojibway Park, as a joint project with the City of Windsor. This Wildlife Crossing would provide safe passage for area wildlife and species at risk in the Ojibway Prairie Complex as approximately 20,000 vehicles per day travel along Ojibway Parkway and E.C. Row Expressway, which contributes heavily to wildlife mortality.

Through CAO 29/2020, dated May 1, 2020, the City of Windsor entered into a Memorandum of Understanding (MOU) with the new international bridge P3 proponent (Bridging North America). The MOU was specifically to fund the retaining of an engineering consultant to undertake a Class Environmental Assessment (EA) and develop an Environmental Study Report (ESR) report in the amount of $250,000 (excluding HST). It also authorized the release of the Request for Proposals (RFP) to retain an engineering consultant to undertake the Class EA.

WSP (formerly Wood Environment and Infrastructure Solutions, a Division of Wood Canada Limited) was the successful engineering consultant to undertake the EA. The objective of the EA was to establish an ecological connection between Black Oak Heritage Park and Ojibway Park, thereby reducing landscape fragmentation through improvement of habitat connectivity.

Discussion:

WSP prepared a draft ESR and the draft report was endorsed by City Council during the December 20, 2021 Council meeting. Council directed administration to finalize the report and issue it for the formal public review period of a minimum of 30 days (CR549/2021).

Prior to finalizing the ESR and commencing the mandatory 30-day review period, the draft report was shared with government review agencies, Indigenous Nations and key stakeholders for a final review and comment. It was during this review period that various stakeholders raised the concern with the preferred solution of the overpass crossing over Ojibway Parkway roadway **only** (see Appendix A). They believed the objective of the EA should evaluate the alternative solution of extending the overpass over **both** Ojibway Parkway roadway as well as the ETR tracks (see Appendix B).

In order to evaluate this option, a continuation of the current EA process is recommended. The consultant's modified scope would include additional investigations necessary to assess the lands on the west side of the ETR tracks to inform the

evaluation of alternative solutions and the potential development of a new preferred concept design.

WSP will need to undertake a variety of inventory work for the additional study area which was not required under the initial scope of work for the EA. This additional work, some of which is weather dependent and will need to commence this fall, includes but is not limited to the following:

- Additional field investigations.
- A review of the City's natural environmental field data.
- Additional natural environment field investigations.
- Completion of stormwater management review.
- Geotechnical review.
- Preparation of design alternatives and plan and profile drawings.
- Additional meeting with stakeholders (ETR, ERCA, Indigenous Groups).
- Preparation of materials for an additional open house meeting.
- Finalizing a preferred solution.

Approval is being sought to amend the existing agreement with WSP to a revised cumulative upset limit totaling $400,000 (excluding HST), to complete this additional scope.

Next Steps

The proposed method to include a crossing of the ETR tracks within the EA is to add it directly into the current EA study and the associated ESR. The ESR for the project is currently in a draft status and has undergone its first round of review by the City, government agencies, Indigenous Groups, ERCA and ETR. Under this approach once the additional costs are approved, work on the ESR will be paused while the additional studies are performed, and potential solutions for the crossing of the ETR tracks are developed.

The alternative solutions would then be assessed, and a preferred solution identified, followed by an assessment of the alternate design concepts to identify the preferred design. The additional studies, alternative solutions, preferred solution and preferred design, will then be presented to the public during an additional Public Information Centre (PIC). Following this PIC, the ESR will be updated to include an alternative with this new design that spans both Ojibway Parkway and the ETR tracks. At this point, the revised draft ESR will be submitted to the City for preliminary review and comment, after which the preferred solution will be presented to Council. The Notice of Completion and placement of the ESR on the public record for the 30-day review period will be the final step prior to EA completion.

Risk Analysis:

Delays in amending the Agreement will result in delays to undertaking and completing the additional studies, research, and assessments of the natural environment required for the completion of the EA and ESR. Some of this work is weather dependent and will need to start this fall in order to complete the ESR in 2023

Climate Change Risks

Climate Change Mitigation:

These works will provide additional green space, habitat and the start of re-building an ecological connection between Ojibway Park and Black Oak Heritage Park. The greenspace will reduce rainfall on the pavement of Ojibway Parkway which will reduce peak storm flows to the drainage system.

Creating additional green space over the asphalt roadway and ETR tracks will reflect some of the suns radiation, and we can expect a reduction in the heat retention and increase in the overall cooling effect which will provide some attenuation of the urban heat island effect.

Climate Change Adaptation:

N/A

Financial Matters:

The increase in the upset limit of the Agreement by $150,000 (excluding HST) will be funded through Parks Canada Contribution Agreement GC-1790, which was executed on August 22, 2022. The costs for the additional work will be charged to the National Urban Park Project (Project ID 7211062). There are sufficient funds in Project ID 7211062 to undertake this additional work.

Consultations:

Marc DiDomenico – Corporate Projects

Linda Mancina – Financial Planning

Mike Dennis, Asset Planning

Paul Mourad – Engineering Design

Conclusion:

Administration recommends amending the Agreement by increasing the upset limit by an additional $150,000 (excluding HST), for a revised cumulative upset limit totaling $400,000 (excluding HST)to undertake additional work related to the Ojibway Parkway Wildlife Overpass Environmental Assessment Project as detailed in the above report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Colleen Middaugh	Manager, Corporate Projects
France Isabelle-Tunks	Executive Director Engineering/Deputy City Engineer
Alex Vucinic	Purchasing Manager
Chris Nepszy	Commissioner, Infrastructure Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Janice Guthrie	On behalf of Commissioner, Corporate Services CFO/City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Conceptual Rendering of Wildlife Crossing over Ojibway Parkway

2 Appendix B - Conceptual Rendering of Wildlife Crossing over Ojibway Parkway and ETR

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

City Council
Decision
Tuesday, October 11, 2022

Moved by: Councillor Francis
Seconded by: Councillor Sleiman

Decision Number: CR445/2022

I. That City Council **APPROVE** an amendment to the Agreement with WSP E&I Canada Limited (WSP), formerly Wood Environment and Infrastructure Solutions, a Division of Wood Canada Limited, to undertake additional studies, research, assessments and public engagement/communication related to the Municipal Class Environmental Assessment for the Ojibway Parkway Wildlife Overpass Project, by increasing the upset limit by an additional $150,000 (excluding HST), for a revised cumulative upset limit totaling $400,000 (excluding HST); and,

II. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute the required documentation to amend the Agreement, subject to legal approval by the Commissioner, Legal & Legislative Services, satisfactory in financial content to the Commissioner, Corporate Services CFO/City Treasurer, and in technical content to the Commissioner, Infrastructure Services; and further,

III. That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the above project(s), provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to Commissioner, Corporate Services/Chief Financial Officer, in legal form to the Commissioner, Legal & Legislative Services; and in technical content to the Commissioner, Infrastructure Services.

Carried.

Report Number: C 172/2022
Clerk's File: EI/13795 11.3

Anna Ciacelli
Deputy City Clerk
January 20, 2023

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

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Alex Vucinic	Purchasing Manager
Chris Nepszy	Commissioner, Infrastructure Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Janice Guthrie	Deputy Treasurer – Taxation, Treasury & Financial Projects
Joe Mancina	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer
Onorio Colucci	(Acting) Chief Administrative Officer

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Julia Roesel	jbroesel58@gmail.com
Friends of Ojibway	friendsofojibway@gmail.com

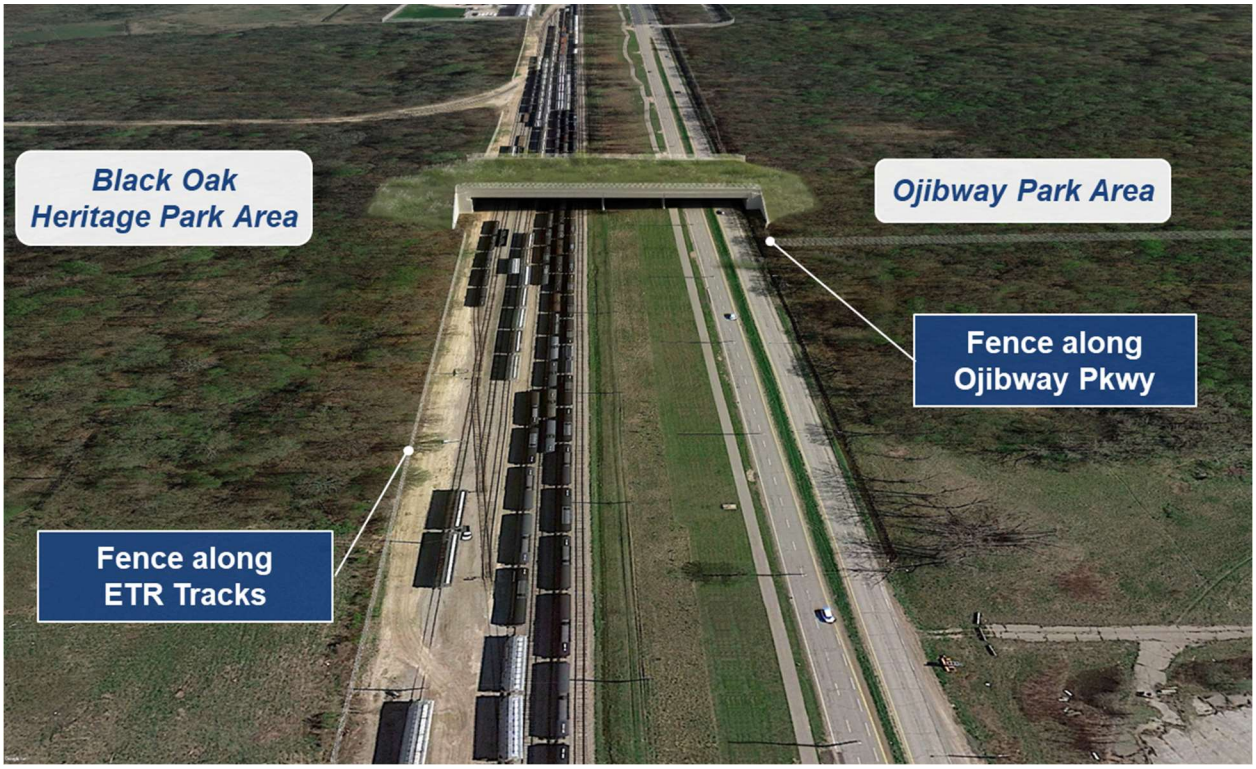
Revised Design Option 3 - South Crossing, Three Span Bridge (bridge span over boulevard between ETR and Ojibway Parkway)

Key features of this design option are noted below:

- Three span structure (bridge spans over ETR tracks, span over boulevard between ETR tracks and Ojibway Parkway, and span over Ojibway Parkway).
- 50 m wide wildlife crossing connecting Ojibway Park on the east and the natural areas associated with Black Oak Heritage Park on the west.
- 6.0 m vertical clearance over Ojibway Parkway and 7.49 m vertical clearance over ETR Tracks.
- Fences along Ojibway Parkway and ETR tracks to keep the wildlife outside of roadway and railway tracks.

Conceptual rendering for this design option is shown in the following figure.

Figure 8-15: Revised Design Option 3 – Conceptual Rendering



Council Report: C 91/2024

Subject: Banwell Road/E.C. Row Expressway Interchange and Corridor Improvements - Funding and Approvals - Ward 7

Reference:

Date to Council: July 22, 2024
Author: Stacey McGuire
Executive Director of Engineering
(519) 255-6100 Ext. 1726
smcguire@citywindsor.ca
Engineering
Report Date: July 8, 2024
Clerk's File #: SW/9581 & SPL/14449

Co-Author: Lorie Gregg
Deputy Treasurer, Taxation Treasury and Financial Projects
(519) 255-6100 Ext. 6522
lgregg@ citywindsor.ca
Finance

To: Mayor and Members of City Council

Recommendation:

THAT with respect to the Banwell Road / E.C. Row Interchange and Corridor Improvements Capital Works project (the Project):

I. THAT City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the Project provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto, satisfactory in legal form to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer; and further,

II. THAT the Purchasing Manager **BE AUTHORIZED** to issue purchase orders as may be required to effect the recommendations related to the Project and amend any purchase orders as may be required, subject to the purchase orders and amendments thereto being within approved budget amounts and all specifications being satisfactory in financial content to the Chief Financial Officer/City Treasurer, and in technical content to the City Engineer; and further,

III. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial

content to City Treasurer, in legal form to the City Solicitor; and in technical content to the City Engineer; and further,

IV. THAT Administration **BE AUTHORIZED** to issue any change order(s) for any project agreement, contracts and/or amendment(s) for the Project as may be required, provided the amendment(s) are within approved budget amounts, satisfactory in financial content to the City Treasurer, and in technical content to the City Engineer; and further,

V. THAT Council **AUTHORIZE** the creation of a new capital account "Banwell/EC Row Interchange Improvements" to be used to track and record expenditures related to the infrastructure construction works relating to the Project including staff and project management costs; and further

To preserve the ability to utilize external funding sources as outlined in the report and to meet legislative requirements under the *Ontario Municipal Act* where external financing may be utilized:

VI. THAT Council **DIRECT** the City Treasurer to update the calculation of the City of Windsor Authorized Repayment Limit and estimate the annual amount payable in accordance with O.Reg.403/02; and further,

VII. THAT Council **AUTHORIZE** the remaining capital works for the Project being "Banwell/EC Row Interchange Improvements" in an amount estimated to be $85.1 million; and further,

VIII. THAT Council **ENDORSE** the use of debt in an estimated amount of $35.1 million for purposes of the long-term funding associated with the infrastructure construction costs portion of the Project with any principal and/or interest payments applied as first charges of $31,590,000 and $3,510,000, respectively, to the Roads & Related Development Charge Reserve (Fund 115) and Stormwater & Drains Development Charge Reserve (Fund 117); and further,

IX. THAT Council **AUTHORIZE** the City Treasurer to undertake the necessary actions that would allow for the issuance of debt to fund the infrastructure construction costs, including a review of all financing options; and further,

X. THAT prior to any use of external financing which may require the issuance of debt, the City Treasurer BE DIRECTED to bring a report to City Council which outlines the full costs associated with the recommended financing approach; and further,

XI. THAT Council **DIRECT** the City Treasurer to prioritize and incorporate the additional capital works of $35.1 million as part of the 2025 10-year Capital Plan ensuring the pre-commitment of these funds within the first 5-year funding period; and further,

XII. THAT Administration **BE AUTHORIZED** to take any other steps as may be required to bring effect to these resolutions related to the Project, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, satisfactory in legal content to the City Solicitor, in financial content to the Chief Financial Officer/City Treasurer and technical content to the City Engineer.

Executive Summary:

N/A

Background:

In 2022, LGES and Stellantis announced a joint venture, now called NextStar Energy Inc. (NextStar), to build an electric vehicle (EV) battery manufacturing facility to produce battery cells and modules for the North American market with a plan to employ 2500 local employees.

The 'Banwell Road Environmental Study Report (ESR) – Tecumseh Road East to CP Railway Tracks' was completed by IBI Group and dated September 20, 2016 (adopted by City Council under Council Resolution CR 593/2016). The ESR recommends a new Banwell Road interchange at E.C. Row Expressway as well as widening and improvements to the Banwell Road corridor from Tecumseh Road to the City Limits, including improvements to the existing Canadian Pacific (CP) rail crossing (The Project). The proposed widening and improvements of Banwell Road would merge with similar improvements currently being implemented by the County of Essex south of the CP railway crossing.

The City recently implemented a first phase of the ESR recommended improvements to Banwell Road between Tecumseh Road to just south of Mulberry Drive. Continuation of the ESR recommendations to implement the new Banwell Road / E.C. Row interchange and corridor widening will further improve access to Canada's first electric vehicle battery plant (Nextstar), while also supporting supply chain businesses across Windsor and the new Windsor-Essex hospital.

Earlier this year the Provincial government announced $50M in funding for the Banwell Road/EC Row Expressway interchange. Details of the funding agreement have not yet been shared with the City, however the detailed design for the interchange and widening of Banwell is well underway using existing funding to address traffic congestion concerns already being experienced as a result of the NextStar plant construction and partial occupancy.

Discussion:

The Project includes widening of Banwell Road from a two (2) lane rural to six (6) lane urban cross section from approximately Mulberry Drive over E. C. Row to Intersection

Road where it will taper to four (4) lanes crossing the CP railway crossing to merge with widened works currently under construction by the County of Essex. The works will further include new intersections for access to the Nextstar site as well as the future Tecumseh Hamlet secondary planning area.

At a high-level the proposed major works include a new Banwell Road overpass and interchange at E.C. Row, watermain, storm sewer system, pavements, lighting and Multi-Use trail system.

The City hired Dillon Consulting Limited (CAOP 128/2023) to complete the detailed design, contract administration and on-site inspection of the Project, which was initiated in Fall 2023 with construction anticipated to start as early Spring 2025, pending funding. Utility relocations and land acquisition steps are currently underway and scheduled to be completed in late 2024 ahead of the anticipated Spring 2025 construction commencement of the Project.

The recommendations for pre-approval, signing authority and authorization to issue POs, conditional upon expenditures remaining within budget, will assist in meeting timelines associated with the Project.

Risk Analysis:

The Traffic Impact Study for the NextStar plant identified that the existing transportation network is not anticipated to have sufficient capacity to accommodate NextStar site traffic volumes. The primary constraints identified include the Banwell/EC Row intersection and the intersections of the proposed site accesses with Banwell Road. It is imperative that the Banwell Road Improvements and interchange are constructed as soon as possible to alleviate existing traffic congestion along Banwell and the surrounding roadways. Failure to fund the infrastructure improvements is anticipated to result in significant delays for commuters.

Pre-approval allows for strategic timely issuance of procurements and acquisitions to take advantage of better pricing and allows construction to proceed in a timely manner. Failure to provide the approvals to proceed expeditiously may result in significant delays to the Project.

Climate Change Risks

Climate Change Mitigation:

The Community Energy Plan aims to create economic advantage, mitigate climate change, and improve energy performance. It strives to position Windsor as an energy centre of excellence that boasts efficient, innovative, and reliable energy systems that contribute to a high quality of life for residents and businesses. The NextStar EV facility and its supply chain present an opportunity for Windsor to create economic advantage while supporting the transition towards to a low carbon future.

Construction will result in GHG emissions that are accounted for within the Community GHG emissions inventory. Construction emissions in general will be offset by improved drivability and functionality of the infrastructure.

Climate Change Adaptation:

Stormwater Management design for the widened roadway and interchange will follow current standards and include considerations for extreme precipitation and high surface water levels when developing flooding solutions.

Financial Matters:

On March 11, 2024, the Province of Ontario issued a media release announcing the government's investment of $50.0M towards the construction of a new interchange at Banwell Road and E.C. Row Expressway of which details are still pending.

As of January 2024, funds totaling $8,498,168 have been approved within the current 10-year capital plan for this project (CR 19/2023 & CR 394/2023) which has allowed for preliminary works, including but not limited to detailed design, site investigations, land appraisals/acquisitions and preliminary utility relocations to proceed. In addition, CAOP82/2024 provided approvals to proceed with the railway crossing design and construction within the existing funding amount. There is a balance of approximately $4.3M remaining and available in budget funding for Project #7233000 – E.C. Row/Banwell Interchange.

On July 8, 2024, City Council also provided direction with regards to the acquisition of lands required to undertake the expansion plan. Funding for the land acquisitions will be accommodated within existing funding for Project #7233000.

The total estimated cost for this infrastructure project is estimated $93,600,000. Taking into account funds currently available and the Provincial contribution, a balance of $35,101,832 will need to be funded by the City.

This project was originally identified as part of the current Development Charge study and therefore the municipal costs associated with the project can be considered an eligible draw. As at the writing of this report, the balance uncommitted and available within the Roads and Related Development Charge reserve is $865,530 and the Stormwater and Drains Development Charge reserve is in a slight deficit of ($50,418). Administration must caution that use of these reserves to fund the full municipal share of this project cost in advance of receiving the expected future development charges will very likely cause the reserves to fall into a further deficit position (the actual cash position of the reserves will depend on other projects which are being undertaken simultaneously). Funding the municipal portion through existing cash balances will also impact the financial liquidity position of the corporation which will reduce investment yields.

Historically Administration has maintained all reserves in a net positive position. The reason being that by holding reserves improves our overall cash position and further

allows an ability to leverage longer term investments which yield investment income. Projects such as this one, which requires a significant amount of funding over a short period of time could deplete our cash resources. To mitigate the need for an immediate cash outlay, Administration is recommending that City Council consider the use of a construction loan, likely financed through Infrastructure Ontario. Under this financing model, cash draws would be provided which align with the construction project schedule for a period of up to 5 years. Thereafter, repayment of the loan would then be charged to the noted Development Charge Reserves. Repayment of the loan may be made in one-lump sum or over a defined repayment period up to a period of 40 years or the expected life of the asset (whichever is less). Given that this is Project relates to infrastructure improvements, the term of the loan could be extended the full 40 years however a shorter period of time is likely to be recommended.

While Administration typically does not recommend debt, by structuring the project financing in this regard the city can maintain its reserve balances, better align cash draws with the project construction schedule, and further better align cash draws upon the reserve with future development charge revenue.

Prior to the issuance of debt, there are certain actions that are prescribed under the Municipal Act and must be undertaken. It is important to note that by taking the below noted actions, which approve the use of debt as a funding strategy, City Council is not bound to utilize the debt option. However, if these actions are not taken prior to the undertaking of the Project works, debt cannot be utilized as a funding option.

1. City Council must approve the capital project and further approve that the project will be partially or fully funded through the issuance of debt. The recommendation to create a new capital project for the infrastructure works and endorsement of the use of debt will satisfy this requirement.
2. The City Treasurer must certify that the required funding is supported through an updated Debt and Financial Obligations Limit calculation and falls within the Authorized Repayment Limit calculations for the City provided by the Ministry of Finance.
3. City Council must pass by-laws for the capital project and debt issuance. A by-law will be brought forward at the appropriate time.
4. City Council must encumber the repayment of debt, both principle and interest as a first charge to future operating budgets.
5. External legal council will be required to provide an independent opinion as to the process followed by Administration with regards to the debt issuance

Administration is seeking approval from City Council with regards to the establishment of the capital project and potential funding source using debt in this report to ensure that approvals are in place prior to expenditures being made. Administration is also seeking direction to update the Debt and Financial Limit Obligation calculations within the approved ARL limits defined by the Ministry of Finance, another critical component when debt financing may be utilized.

Where the debt is funded through capital markets, a fiscal agent will need to be engaged. The City Solicitor will be responsible to ensure that external legal counsel is

engaged to provide the required opinion and appropriate due diligence is in place relative to all aspects of the financing arrangements.

At this time, Administration is seeking approval in principle for the use of construction loans or the issuance of debt should it be required so that the full amount of the project can be included in the 2025 10-year capital plan. As indicated above, where there is a use of debt, acknowledgement of this debt must be made prior to the capital works being undertaken. Since there is a pre-existing project relating to the site preparation works, Administration is recommending that a new capital project for the Interchange Improvements be created for the remaining $85.1 million in total costs.

This financing strategy is being tabled for consideration. There is currently sufficient funding within the existing capital project to allow work to proceed through 2024. By early 2025, Administration is hopeful that additional information regarding the Provincial contribution will be known and that those funds will become available in 2025. Administration will continue with the project including the tendering of contracts which will be required and will report back to City Council with additional details as to the actual financing requirements, including any planned use of debt at a later date.

Consultations:

Patrick Robitaille, Project Administrator – Engineering

Colleen Middaugh, Manager of Corporate Projects - Engineering

Kathy Buis, Financial Planning Administrator -Engineering

Michael Dennis – Manager, Strategic Capital Budget Development & Control

Conclusion:

The NextStar Energy Inc. joint venture has provided the City of Windsor, and in fact the entire region, with a once in a generation opportunity. To support this project, improvements to Banwell Road including a new interchange at E.C. Row Expressway is considered an immediate priority. This report recommends a funding strategy related to this infrastructure in order to proceed with construction as early as possible.

Approvals:

Lorie Gregg	Deputy Treasurer, Taxation Treasury and Financial Projects
Stacey McGuire	Executive Director of Engineering/Deputy City Engineer
Mark Winterton	Commissioner, Infrastructure Services

Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance/City Treasurer
Joe Mancina	Chief Administrative Officer

Appendices:

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 21/2024

Subject: Award of Tender No. 150-23: Professional and protective security services – Citywide

Reference:

Date to Council: 7/22/2024
Author: Sebastian Pirrone
Director, Corporate Security
519-255-6100 ext. 5248
spirrone@citywindsor.ca

Jude Malott
Executive Initiatives Coordinator, Corporate Services
519 255-6100 ext. 6804
jmalott@citywindsor.ca
Purchasing
Report Date: 2/15/2024
Clerk's File #: AF/13583

To: Mayor and Members of City Council

Recommendation:

1. THAT City Council **APPROVE** retaining Paladin Security Group (Ontario) Limited for the purpose of providing professional and protective security services at municipal facilities as per the specifications, unit prices, terms, and conditions of Tender No. 150-23 for an initial two-year term with an option to extend for an additional three one-year terms; and,

2. THAT City Council **AUTHORIZE** the Chief Administrative Officer and City Clerk to execute an agreement between Paladin Security Group (Ontario) Limited and the City of Windsor, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Director, Corporate Security; and,

3. THAT whereas, on February 2, 2024, the 2024 operating budget was deemed approved via Mayoral Decision MD 05-2024, City Council subsequently **SUPPORTS** an amount estimated to be $1,833,961 for security personnel in 2024, to be funded by existing operating budgets, revenue recoveries, any additional surpluses and corporate contingencies; and,

4. THAT the City Treasurer **BRING FORWARD** an operating budget issue in the amount estimated to be $450,000 after all recoveries and revenues have been

taken into consideration, for professional and protective security services as part of the 2025 Operating Budget; and further,

5. THAT the City Treasurer **BE DIRECTED** to identify this expenditure as part the 2025 operating budget with the expenditure being considered a priority.

Executive Summary:

N/A

Background:

The Corporation of the City of Windsor ("the City") contracts with a private company to provide security personnel at various municipal facilities. Security services across all City departments are provided under the same contract terms, with costs accounted for separately by each department based on the level and amount of services used.

In 2019, a contract for security services was awarded to Neptune Security Services Inc. ("Neptune") through Request For Tender (RFT) No. 90-19.

In May 2023, Neptune declared bankruptcy. To ensure continuity of staff and services, an emergency purchase order was awarded shortly afterwards to Paladin Security Group (Ontario) Limited ("Paladin").

On December 11, 2023, the City initiated a combined Prequalification and RFT process for professional and protective security services through its bidding portal. This document, encompassing both prequalification and the RFT, was advertised simultaneously.

On January 12, 2024, the City's proposed 2024 operating budget was tabled. Following Council deliberations, the final 2024 operating budget was approved on February 2, 2024 through Mayoral Decision MD 05-2024.

On January 19, 2024, the Prequalification/RFT phase closed. The City received a total of five submissions, of which only three met the prequalification criteria. Consequently, only the bids from the three prequalified candidates were opened. Following the evaluation, Paladin Security Group was determined to be the lowest compliant bidder. The unofficial results were posted on February 20, 2024, after the 2024 budget was approved.

Discussion:

The results of RFT 150-23 listed below were returned following a pre-qualified tender process and are not the result of a sole-sourced procurement. Exemption from the acquisition methods of Purchasing By-law 93-2012 does not apply.

The contract provides for an initial two-year term with three optional one-year extensions. Departments are invoiced for services received, and terms allow for flexibility throughout the duration of the contract if security needs change.

The values below represent the sum of all unit rates submitted by each vendor in response to RTF 150-23. These values are only used to evaluate the lowest compliant bidder and determine the winning bid.

Vendor	Total Tender Price (excluding HST)
The Canadian Corps of Commissionaires (Ottawa Division)	$1,371.30
Garda Canada Security Corporation	$1,311.40
Paladin Security Group (Ontario) Limited	$796.41

Corporate security services are funded through individual department budgets. When preparations for the 2024 operating budgets began, the market rate for security services was not known and the rate secured through the emergency purchase order awarded to Paladin was presumed to be higher than market rates. Because of this, calculations for department security costs used an average cost of $19 per hour based on the terms secured through RFT 90-19.

Once the results of RFT No. 150-23 were known, Administration identified that the average hourly rate offered by Paladin in their submission was substantially more than the rate used when preparing the 2024 operating budget, which would result in operational deficits for impacted departments.

All impacted departments have been made aware of the increased hourly rates, and once the results of the tender were known, each department was asked to review their security needs to see if savings could be found. Following a thorough line-by-line review of 2024 operating budgets, impacted departments, including Corporate Accounts, have identified cost savings, surpluses, revenue recoveries and contingencies to absorb any costs increase related to security personnel.

Actual demand for security services may vary from projected amounts. Preceding years used for projections include unexpected events like the hay maze fire in Jackson Park during Bright Lights in 2023 as well as additional security staff needs related to possible labour disruption events and the COVID-19 pandemic. Providing that similar events do not occur in 2024, overall security service hours may be lower than budgeted amounts for some departments.

Going forward, the delivery of corporate security services will be reviewed. However, it is anticipated that the need for external security services, to some extent, will always remain. The proposed contract with Paladin will allow Administration to tailor security services as needed from time to time.

Risk Analysis:

Paladin was the lowest bidder for RFT 150-23. Failure to secure the contract with Paladin will result in further cost increases if another supplier must be used.

Paladin has agreed to hold pricing for the time being but is not contractually committed to doing so. If Council does not award this RFT as recommended, Paladin could unilaterally change the terms and conditions of service.

Existing security service levels for key City facilities cannot be maintained at current levels without additional funding. If additional funding is not provided to cover these costs, the level of security services provided will necessarily need to be reduced.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Expenses related to the security personnel are budgeted and charged to the departments that utilize this service so they can take advantage of cost recovery opportunities wherever possible.

As noted in the Discussion section, the matter of professional and protective security services contract became known after the 2024 budget development process, which explains why it was not brought up to Council prior to the approval of MD05-2024. The proposed terms of the contract with Paladin Security Group Ltd. will result in an increase of hourly rates for security personnel. The initial estimate for the 2024 actual cost for this service is $1,833,961 (net of recoveries), an increase of $847,821 versus the approved 2024 operating budget.

Impacted departments have assessed their ongoing usage of security personnel to ensure billable hours are used in the most efficient and cost-effective manner. Further, departments have confirmed that they will absorb costs increase within their 2024 approved operating budgets, barring unforeseen circumstances beyond the departments' control. Additional expenses related to security personnel utilized at City Hall campus will be funded by existing operating budgets, revenue recoveries, additional surpluses and corporate contingencies projected by the Corporate Security and Corporate Accounts departments. Administration projects that sufficient funding is available in the 2024 city-wide operating budget to cover the cost of the new security personnel contract with Paladin Security Group Ltd.

Should City Council approve the terms of the professional and protective security services contract with Paladin Security Group Ltd., and deem it a priority expense, an operating budget issue will be submitted for consideration during the 2025 operating budget process and be identified as priority by the City Treasurer.

Consultations:

Alina Sirbu, Executive Director, Long Term Care/Administrator, Huron Lodge

Chris Carpenter, Manager, Provincial Offences

James Chacko, Executive Director, Parks & Facilities

Kelly Goz, Manager, Homelessness & Housing Supports

Matt Pavelich, Manager of Administration, Human & Health Services

Michael Chantler, Chief Executive Officer (A), Windsor Public Library

Muhammad Masri, Financial Planning Administrator

Tyson Cragg, Executive Director, Transit Windsor

Conclusion:

The qualified bids returned in response to RFT 150-23 exceed the anticipated costs on which the 2024 operating budget was calculated. However, these results only became known after the 2024 budget was approved, resulting in a projected operational deficit. Administration projects that sufficient funding in existing operating budgets, revenue recoveries, surpluses and corporate contingencies is available in the 2024 city-wide operating budget to cover the cost of the new security personnel contract with Paladin Security Group Ltd. Should City Council approve the award of RFT 150-23 as recommended, Administration recommends identifying security services as a priority expense during the 2025 operating budget deliberations.

Approvals:

Name	Title
Sebastian Pirrone	Director, Corporate Security
Alex Vucinic	Manager, Purchasing & Risk Management
Wira Vendrasco	City Solicitor (A)
Dana Paladino	Commissioner, Corporate Services (A)
Andrew Daher	Commissioner, Human & Health Services
Ray Mensour	Commissioner, Community Services
Jelena Payne	Commissioner, Economic Development
Mark Winterton	Commissioner, Infrastructure Services (A)
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Name	Address	Email

Appendices:

Council Report: C 84/2024

Subject: Proposed Expropriation of Part of 2191 Dominion Boulevard for Dominion Boulevard / Ojibway Street Intersection Improvements - Ward 10

Reference:

Date to Council: July 22, 2024
Author: Aaron Farough
Senior Legal Counsel
519- 255-6100 x 6850
afarough@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: July 5, 2024
Clerk's File #: APM2024

To: Mayor and Members of City Council

Recommendation:

I. THAT City Council, as approving authority under the Expropriations Act (the "Act") **APPROVE** the expropriation of the fee simple interest of part of the property municipally known as 2191 Dominion Boulevard in the City of Windsor as further described in Appendix "A" attached hereto and shown on as Part 4 on Appendix "B" attached hereto, for the purposes of the Dominion Boulevard / Ojibway Street Intersection Improvements;

II. THAT City Council **PASS** By-law xx-2024 to Expropriate attached as Appendix "C".

Executive Summary:

N/A

Background:

City Council adopted the Municipal Class Environmental Assessment to identify improvements to the Central Box area. The area is bounded by Eugenie Street to the north, Howard Avenue to the east, West Grand Boulevard / South Cameron Boulevard to the south, and Dominion Boulevard to the west. Reconstruction of the Dominion Boulevard / Ojibway Street intersection forms part of these improvements.

City Council authorized the City Solicitor to commence the process for the expropriation of the lands described on Appendix "A", in addition to other properties required for the

Dominion Boulevard / Ojibway Street Intersection improvements. Agreement has been reached with owners of all other lands required for these improvements and the subject property represents the last parcel required by the City for the intersection improvements.

DISCUSSION

In expropriation cases Council sits as an "approving authority" and has broad discretion on whether to approve or reject a proposed expropriation. Where there has been a Hearing of Necessity, the Act requires the approving authority to consider a report of the Tribunal and give reasons for its decision.

Statutory notices were published and served and no request for a Hearing of Necessity was received from the Owner.

Risk Analysis:

Without these lands, the planned intersection improvements could not be completed.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

An Independent appraisal has been obtained by Administration in order to determine the fair market value to assist with negotiating for the fee simple acquisitions required. If expropriation is approved, an updated appraisal will be required.

To date, Council has approved a total of $10,027,337 in funding to facilitate the reconstruction of the Dominion Boulevard / Ojibway Street Intersection (Project #7171084). Available funding will be sufficient to cover the estimated acquisition costs.

Consultations:

Aojeen Isaac, Engineer II
Stephanie Santos, Coordinator of Real Estate Services
Rosa Maria Scalia, Financial Planning Administrator
Kathy Buis, Financial Planning Administrator
Michael Dennis, Manager, Strategic Capital Budget Development and Control

Conclusion:

Acting as the approving authority, City Council may make whatever decision it feels appropriate. Expropriating the subject lands would provide the City with the final portion of lands it requires to complete the Dominion / Ojibway intersection improvements. If Council desires to proceed with the taking, wording has been provided in the Recommendation and the accompanying by-law can be passed.

Approvals:

Name	Title
Aaron Farough	Senior Legal Counsel
Wira Vendrasco	Acting City Solicitor
Dana Paladino	Acting Commissioner, Corporate Services
Mark Winterton	Acting Commissioner, Infrastructure Services
Janice Guthrie	Commissioner Finance/ City Treasurerr
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

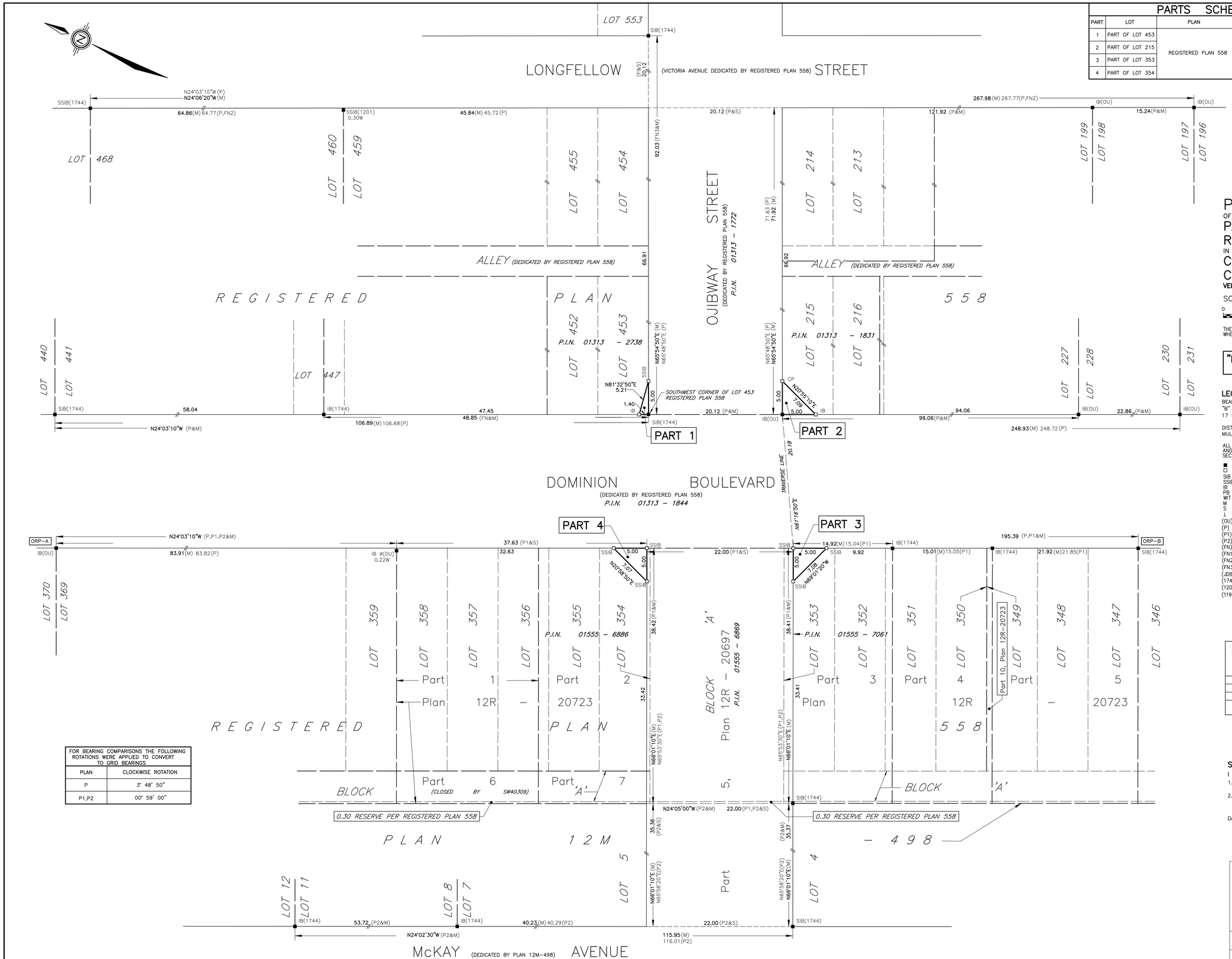
Appendices:

1 Legal description of lands to be expropriated
2 Plan 12R29463
3 Proposed expropriation by-law

APPENDIX A

LEGAL DESCRIPTION OF LANDS TO BE EXPROPRIATED

Owner & Municipal Address	Land to be Expropriated	Type of Acquisition
Diaeddine Mohammed ARNOUS 2191 Dominion Boulevard	PART LOT 354, PLAN 558 DESIGNATED AS PART 4 ON PLAN 12R-29463, City of Windsor, County of Essex, being Part of PIN 01555-6886 (LT)	Partial Taking Fee Simple



PARTS SCHEDULE

PART	LOT	PLAN	PART OF P.I.N.	AREAS (sq.m.)
1	PART OF LOT 453	REGISTERED PLAN 558	01313–2738	3.5
2	PART OF LOT 215		01313–1831	12.5
3	PART OF LOT 353		01555–7061	12.5
4	PART OF LOT 354		01555–6886	12.5

PLAN 12R-29463

Received and deposited

August 4th, 2023

Dragana Jovanovic

Representative for the Land Registrar for the Land Titles Division of Essex (No.12)

PLAN OF SURVEY
OF
PART OF LOTS 215, 353, 354 & 453 REGISTERED PLAN 558
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO

VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.

SCALE = 1:250

METRES 0 2.50 5.00 10.00 15.00 25.00

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 609mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:250

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

LEGEND AND NOTES

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

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999923

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

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
WIT	DENOTES	WITNESS
M	DENOTES	MEASURED
S	DENOTES	SET
⊥	DENOTES	PERPENDICULAR
(OU)	DENOTES	ORIGIN UNKNOWN
(P)	DENOTES	REGISTERED PLAN 558
(P1)	DENOTES	PLAN 12R–20723
(P2)	DENOTES	PLAN 12M–498
(FN)	DENOTES	FIELD NOTE BY(1744) DATED JULY 12, 2002. (Job No. 4–20868)
(FN1)	DENOTES	FIELD NOTE BY(1201) DATED AUGUST 13, 1971. (Job. No. 2289))
(FN2)	DENOTES	FIELD NOTE BY(1194) DATED APRIL 8, 1996. (T556/42)
(FN3)	DENOTES	FIELD NOTE BY(1744) DATED SEPT. 29, 1993. (Job. No. 4–10415)
(J.DB)	DENOTES	J.D. BARNES LIMITED
(1744)	DENOTES	VERHAEGEN LAND SURVEYORS
(1201)	DENOTES	CLARKE SURVEYORS INC., O.L.S.
(1194)	DENOTES	JOHN B. SMEETON INC., O.L.S.

N = NORTH; S = SOUTH; W = WEST; E = EAST

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN–NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG 216/10

POINT ID	NORTHING	EASTING
ORP–A	4683208.95	332181.31
ORP–B	4683030.55	332260.94

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

FOR BEARING COMPARISONS THE FOLLOWING ROTATIONS WERE APPLIED TO CONVERT TO GRID BEARINGS	
PLAN	CLOCKWISE ROTATION
P	3° 48' 50"
P1,P2	00° 59' 00"

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE **29th** DAY OF **JUNE, 2023.**

DATE AUGUST 2, 2023

ROY A. SIMONE
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2209533

VERHAEGEN LAND SURVEYORS SURVEYING MAPPING GIS
A DIVISION OF J.D. BARNES LTD.
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: D.J.	CHECKED BY: RAS	REFERENCE NO.: 23–47–303–00
CAD File: 23–47–303–00.dwg	E–558–21	CAD Date: August 2, 2023 10:26 AM

B Y - L A W N U M B E R -2024

A BY-LAW TO EXPROPRIATE PART OF THE LANDS KNOWN MUNICIPALLY AS 2191 DOMINION BOULEVARD

Passed the day of , 2024.

WHEREAS in accordance with the provisions of the *Expropriations Act*, R.S.O. 1990, c. E.26, an application was submitted to City Council as approving authority, for approval to expropriate a fee simple interest in part of the property municipally known as 2191 Dominion Boulevard, and legally described as PART LOT 354, PLAN 558 DESIGNATED AS PART 4 ON PLAN 12R-29463, City of Windsor, County of Essex, being Part of PIN 01555-6886 (the "**Lands**") for the Dominion Boulevard / Ojibway Street Intersection Improvements;

AND WHERAS notice of such application was published and served on the registered owners of the Lands in accordance with the *Expropriations Act*;

AND WHEREAS no request for a hearing of necessity was received pursuant to the *Expropriations Act*.

AND WHEREAS the Council of the Corporation of the City of Windsor, as approving authority, at its meeting held on July 22, 2024, has approved the application to expropriate the Lands and has given leave to introduce and enact this by-law.

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

1. The expropriation of the fee simple interest in the Lands for the purposes of the Dominion Boulevard / Ojibway Street Intersection Improvements is approved by the Council of The Corporation of the City of Windsor, as approving authority, and the Chief Administrative Officer and City Clerk and their respective designates are hereby authorized to execute a Certificate of Approval pursuant to the *Expropriations Act*.

2. The expropriation of the fee simple interest in the Lands for the purposes of the Dominion Boulevard / Ojibway Street Intersection Improvements is authorized by the Council of The Corporation of the City of Windsor as expropriating authority and the Chief Administrative Officer and City Clerk and their respective designates are hereby authorized to execute the necessary plan of expropriation pursuant to the *Expropriations Act*;

3. The City Solicitor and designates, are hereby authorized to prepare, execute, serve, and file, as necessary, all other documents required to complete the expropriation and give effect to this bylaw, and to make an offer of compensation under section 25 of the *Expropriations Act* and issue payment accordingly.

DREW DILKENS, MAYOR

CLERK

First Reading	-	, 2024
Second Reading	-	, 2024
Third Reading	-	, 2024

Council Report: C 60/2024

Subject: International Charles Brooks Memorial Peace Fountain Replacement Project Update - Ward 6

Reference:

Date to Council: July 22, 2024
Author: Patrick E. Robitaille
Project Administrator
(519) 255-6100 ext. 6675
probitaille@citywindsor.ca
Corporate Projects - Engineering
Report Date: May 10, 2024
Clerk's File #: SR/14084

To: Mayor and Members of City Council

Recommendation:

I. **THAT** City Council **RECEIVE FOR INFORMATION** the International Charles Brooks Memorial Peace Fountain Replacement Project Update outlined in this report; and further,

II. **THAT** City Council **DIRECT** Administration to proceed with Option 1 and Option 2 as identified herein, for the International Charles Brooks Memorial Peace Fountain Replacement Project; and further,

III. **THAT** City Council **PRE-APPROVE** and **AWARD** any further procurement(s) necessary that are related to the above noted project, provided that the procurement(s) are within the funds allocated to this project by Council, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and the City Engineer; and further,

IV. **THAT** Administration **BE AUTHORIZED** to take any other actions as may be required to bring effect to these resolutions, and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, satisfactory in financial content to City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and City Engineer; and further,

V. **THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and City Engineer; and further,

VI. **THAT** Administration **BE AUTHORIZED** to issue any change order(s) for any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to City Treasurer, and in technical content to the Executive Director of Parks and Facilities and City Engineer.

Executive Summary:

N/A

Background:

At the meeting on May 30, 2022, through CR250/2022 (Appendix A), Council directed Administration to move forward with the 'Floating Fountain' design concept developed by Partisans Architects Inc. ("Partisans") for the replacement of the International Charles Brooks Memorial Peace Fountain. It is important to note that this concept specifically included a component for the main fountain raft to remain in the water as an illuminated winter feature, in lieu of the removal by barge with on-land winter storage, which was typical of the previous fountain system.

In the subsequent months following City Council's direction, Administration explored several different procurement approaches to ensure the proper experts were engaged to undertake this specialized and complex project. Several Requests for Proposals (RFPs) for consulting services were issued, with no response. Administration proactively reached out to various fountain vendors to gauge interest in the project, and to better understand why no responses were received to the previously issued RFPs. Based on the feedback gathered, it was determined that a 'Design-Build' procurement may garner more interest, as it would allow the fountain vendors to be more involved and integrated in the design and construction of the fountain, rather than just one or the other.

As a result of these discussions, Administration elected to pursue a 'Design-Build' procurement strategy and subsequently retained Dillon Consulting Ltd., along with international water feature design sub-consultant, Dan Euser Waterarchitecture Inc. (DEW Inc.), to provide Compliance Consulting services. In the following months Dillon proceeded to prepare the Owner's Statement of Requirements (OSR) required for the Design-Build specifications in collaboration with input from the City for Operations and Maintenance (O&M) needs while following the Partisans 'Floating Fountain' concept.

A pre-qualification process was undertaken for the Design-Build team, which resulted in two (2) pre-qualified proponents. RFP 149-23 for Design-Build services was released in late November 2023 with an initial closing date in January 2024 however after a request for an extension due to the complexity of the project and the level of effort required to develop a design-build proposal submission, the closing date was extended to late February 2024 with bids received from both proponents. Only one of the two proponents passed the technical submission requirements.

The single compliant proponent's bid costing envelope was subsequently opened and found to greatly exceed the estimate of $8.1M (C95/2022) provided in the Partisan's report for the 'Floating Fountain' concept.

Administration had several discussions with the proponent in the weeks following the proposal submission. The intent of these discussions was to identify and ascertain what elements of the design were driving the bid price so far above the estimate provided by Partisans and to review what could be potentially 'value-engineered' to reduce the cost closer to the original budgeted range.

Feedback received from the proponent indicated that there are significant unknowns and risks at the concept level associated with the required in-water works including but not limited to riverbed elevations, geotechnical sub-grade conditions including archaeological potentials, varying river levels, permits/approvals, as well as winter features subject to significant damage from ice flows over the life of the fountain.

Discussion:

Based on the feedback received from the proponents of RFP 149-23, specifically related to the winter weather constraints with the in-water feature, the unknowns and risks identified, and the significant cost implications to implement, Administration does not recommend proceeding with awarding the RFP.

An update on the RFP negotiations went before Council at the In-Camera session held July 8, 2024. At that time, Council directed Administration to cease further negotiations with the single submission proponent, cancel RFP 149-23 and to bring back additional cost-effective options for council's consideration in a future Council report.

Administration is seeking City Council's direction on next steps and has outlined two (2) potential options below for consideration.

Option 1 - Explore a 'Like-for-Like' Floating Fountain Alternative without an In-Water Winter Component

This option represents pursuing a scaled down true like-for-like replacement of the fountain system in line with the previous floating raft details. This option would mimic the existing winter maintenance and operations procedure, involving removal of the fountain

by means of a barge, and on-land storage at Lakeview Park Marina, or at a potential alternative location.

This option closely aligns with the Council's preferred 'Floating Fountain' concept option in that it would be close in appearance to the previous fountain and would likely result in considerable savings in its implementation. Unfortunately, this option carries the same difficulties in maintenance and operations as the previous fountain as well the same concerns noted by the public of the 'eyesore' of on-land storage of the fountain during the winter months.

Consideration could be given to on-land winter storage of the fountain in a dedicated space within Reaume Park. Further, it is expected that this option would incorporate new technology and readily available replacement components with as much infrastructure on-land as possible for improved maintenance and operational purposes.

Should Council wish to pursue exploring this option, Administration recommends engaging Dillon Consulting (current Compliance Consultant) to undertake a technical feasibility review, risk analysis, and provide an updated Class D cost estimate for the design and construction, as well as revised milestone schedule.

It is estimated that this exercise could be completed at an upset limit of $20,000 (excluding taxes) from funds currently available within the existing approved project budget.

Option 2 - Explore a Land-Based Fountain Alternative

This option represents pursuing a land-based option for the fountain system which could if desired by Council follow closely in the spirit of the 'The Boardwalk' concept presented by Partisans in 2022 (C95/2022). This fountain concept places all infrastructure on land and consists of nozzles located along the perimeter of the existing belvedere projecting water into the bay. This would significantly reduce risks associated with in-water works including improved ease of operations and maintenance. Further, this concept permits the potential for some form of updated programming for a winter lighting display.

It is also important to note that this alternative may not result in cost savings in comparison to the 'Floating Fountain' concept with winter feature. Based upon Partisans' analysis in 2022, the land option was identified as being slightly higher in costs ($8.3M - $9.5M in $2022) in comparison with the Floating Fountain design option ($7M - $8.1M in $2022) due to some increased infrastructure requirements.

Should Council wish to pursue exploring this option, Administration recommends engaging Dillon Consulting (current Compliance Consultant) to undertake a technical feasibility review, risk analysis, and provide an updated Class D cost estimate for the design and construction, as well as revised milestone schedule.

Similar to Option 1, it is estimated that this exercise could be completed at an upset limit of $20,000 (excluding taxes) from funds currently available within the existing approved project budget.

Next Steps

Administration would report back to Council later this year with the results of the technical feasibility review, budget estimates for each option along with updated operating and maintenance cost estimates, for further consideration and direction from Council.

At that time, should Council wish to move ahead further with a selected alternative, a consultant would be retained to prepare a tender-ready design followed by procurement.

Risk Analysis:

The existing Peace Fountain was permanently decommissioned and removed from Reaume Park in the Fall of 2023.

The single submission proponent for RFP 149-23 has reported a number of concerns with current unknowns within the riverbed as well as concerns with ice flows that require further engineering investigations, as well as potential issues acquiring permits and approvals from various agencies and authorities having jurisdiction.

As a result, the previous timeline to have a fully commissioned and operational fountain in 2025 is not practical and a new timeline will need to be considered which is fully dependent on the direction moving forward with the various options presented.

Climate Change Risks

Climate Change Mitigation:

Energy efficiency shall be considered during any future design components. The operation of the Peace Fountain required a significant amount of electricity. Future designs should consider the full lifecycle of the fountain including the on-going energy needs and corresponding greenhouse gas emissions as well as the climate change projections for lake level extremes.

Climate Change Adaptation:

As mentioned above, one of the concerns of the proponent includes the varying water levels. The development of the technical feasibility study or a design should consider climate change impacts to Great Lakes water levels. Other climate change considerations such as high winds, overland flooding, and extreme heat should be considered during design.

Financial Matters:

The previously anticipated funding required for the new Peace Fountain design had been based on the Council approved conceptual plan provided for in C95/2022, CR250/2022 and has been earmarked in the Capital Budget.

To date, funds totaling $2,838,182 have been approved for the overall Peace Fountain Replacement project. Currently, there is $2,226,058 in funding available in Project #7211054 – Peace Fountain Design. Additional capital funding has also been identified in the 10 year capital plan pending council's annual budgetary approval.

As part of next steps, should Administration be directed to proceed with Option 1 and/or Option 2, funding opportunities to address the ultimate design will also be explored and reported back to Council in a future report.

Consultations:

Mark Nazarewich – Deputy City Solicitor

Jen Knights – Executive Director of Recreation & Culture

Karina Richters – Supervisor, Environmental Sustainability and Climate Change

Natasha Gabbana – Senior Manager, Asset Planning

Kathy Buis – Financial Planning Administrator

Mike Dennis – Manager, Strategic Capital Budget Development & Control

Conclusion:

The RFP 149-23 results for the design and construction of the replacement of the existing Peace Fountain based on Partisan's 'Floating Design' concept far exceed the budget amount estimated by Partisans in 2022. Should Council desire, Administration could pursue a technical feasibility review of Options 1 and 2 as identified herein, and report back to Council later this year with the results of the review, along with updated operating and maintenance cost estimates, budget estimates, and a revised schedule for further consideration and direction.

Approvals:

Name	Title
Alex Vucinic	Purchasing Manager
Colleen Miiddaugh	Manager, Corporate Projects
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer

Mark Winterton	Commissioner, Infrastructure Services
James Chacko	Executive Director, Parks & Facilities
Ray Mensour	Commissioner, Community Services
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance CFO/City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - CR 250/2022 (2 pages)

Appendix A

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

City Council
Decision
Monday, May 30, 2022

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR250/2022

I. That the report of the Project Administrator, Corporate Projects, dated May 18, 2022 entitled "Peace Fountain Replacement – Ward 6" and its appendices (*attached*) **BE RECEIVED** for information; and,

II. That Council **DIRECT** Administration to **MOVE FORWARD** with Option 1: Floating Fountain design concept, and that Administration **PERFORM** public consultation and **BRING FORWARD** final design, costing and funding options for presentation to Council for the 2023 Capital Budget; and,

III. That City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary related to the approved option, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in legal content to the Commissioner of Legal & Legislative Services, in financial content to the Chief Financial Officer/City Treasurer, and in technical content to the Commissioner of Infrastructure Services; and,

IV. That Administration **BE AUTHORIZED** to take any other steps as may be required to bring effect to these resolutions, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, subject to legal approval by the Commissioner of Legal & Legislative Services, financial approval by the Chief Financial Officer/City Treasurer, and technical approval by the Commissioner of Infrastructure Services; and,

V. That a committee **BE STRUCK** to begin fundraising to assist in covering costs associated with the Charles Brooks Peace Fountain replacement; and further,

Carried.

Councillors Costante and Sleiman were absent from the meeting when the vote was taken on this matter.

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

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WEBSITE: www.citywindsor.ca

Report Number: C 95/2022
Clerk's File: SR/14084 11.4

Anna Ciacelli
Deputy City Clerk
June 6, 2023

Department Distribution

Marc Di Domenico	Project Administrator, Corporate Projects
Colleen Middaugh	Manager of Corporate Projects
Natasha Gabbana	(Acting) Senior Manager of Asset Planning
France Isabelle-Tunks	Executive Director of Engineering / Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
James Chacko	Executive Director of Parks & Facilities
Ray Mensour	Commissioner, Community Services
Joe Mancina	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer
Tony Ardovini	Deputy Treasurer – Financial Planning
Alex Vucinic	Purchasing Manager
Dana Paladino	(Acting) Commissioner, Legal & Legislative Services
Shelby Askin Hager	(Acting) Chief Administrative Officer

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Pooya Baktash and Nathan Bishop Partisans	pooya@partisans.com nathan@partisans.com
George Brooks and David Brooks	goenic@cogeco.ca davbrolondon@gmail.com
Rick Labonte Unifor Local 444 Community Environment Rep	local444environmentcommittee@gmail.com
Kristina Bradt	kristinabradt@hotmail.com

Item No. 12.3

Committee Matters: SCM 193/2024

Subject: Minutes of the Windsor Accessibility Advisory Committee of its meeting held May 14, 2024

Windsor Accessibility Advisory Committee
Meeting held May 14, 2024

A meeting of the Windsor Accessibility Advisory Committee is held this day commencing at 10:00 o'clock a.m. via Zoom video conference, there being present the following members:

Sally Bennett Olczak, Co-Chair
Peter Best, Co-Chair
Councillor Fred Francis
Danica McPhee
Riccardo Pappini
Nick Petro
Caleb Ray

Absent:

Surendra Bagga

Also present are the following resource personnel:

Mark Keeler, Accessibility/Diversity Officer
James Chacko, Executive Director, Parks
Jen Knights, Executive Director, Recreation & Culture
Bill Kralovensky, Coordinator, Parking Services
Karen Kadour, Committee Coordinator

1. Call to Order

Sally Bennett Olczak, Co-Chair calls the meeting to order at 10:03 o'clock a.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Declaration of Conflict

None disclosed.

3. Adoption of the Minutes

Moved by Councillor Fred Francis, seconded by Riccardo Pappini,

That the minutes of the Windsor Accessibility Advisory Committee of its meeting held February 20, 2024 **BE ADOPTED** as presented.

Carried.

4. Business Items

4.1 Hidden Disabilities Sunflower

The document entitled "The Sunflower Program – Creating Support for Hidden Disabilities" is ***attached*** as Appendix "A". Mark Keeler provides an overview of the Hidden Disabilities Sunflower initiative as follows:

- Indicates that this program is currently running at YQG.
- This program deals with conditions such as autism, Alzheimer's, Tourette Syndrome. These are people who do not look like they have a disability but they struggle when it comes to getting access to programs and services within the city. They are often misinterpreted, they may have speech issues which is a result of a brain injury and has an impact on how well they integrate in communities and the level of quality of life. Need to ensure they have equal access to programs.
- For example if a person has aphasia which is usually caused by a head trauma or stroke affecting the left hemisphere (in 2 different regions of the brain) it can cause problems with speech or difficulty in taking directions.
- The staff would give out cards to the public for free. The public does not have to verify or disclose their disability. The cards say "dear staff member, I need extra help".
- The Hidden Disabilities Sunflower initiative began in England; is now in 90 countries but is not in any municipality in Ontario at this time.
- Will require buy-in from senior leaders to promote this program within the City of Windsor departments.
- Branded Visibility (at a cost) for the initiative includes card packs, window decals, standup signage, counter signs and staff buttons.

Riccardo Pappini agrees that this program will be very helpful to those folks dealing with these types of disabilities. The members generally support this initiative.

4.2 Capitol Theatre – Accessible Parking

Bill Kralovensky, Coordinator Parking Services appears before the Committee and advises that in the past, in the City of Windsor, if a commercial parking space is available, this space is also available for those to park with accessible permits. In front of the Capitol Theatre there was space for three vehicles for a one hour time frame for commercial loading which resulted in some complaints. The time limits of one hour have been removed from those parking spots, however, if people park for a longer time, they may need to revisit this matter and add some time frames.

Sally Bennett Olczak, Co-Chair adds that in speaking to some residents, they have expressed they are pleased with the changes put forth by Parking Services.

Moved by Caleb Ray, seconded by Danica McPhee,
That the update provided by Bill Kralovensky, Coordinator Parking Services regarding accessible parking in the vicinity of the Capitol Theatre **BE RECEIVED.**
Carried.

4.3 Windsor Accessibility Advisory Committee Survey, Strengths, and Areas for Improvement, Springtime 2024

Sally Bennett Olzak, Co-Chair reports that she had the pleasure of speaking with each member of the Windsor Accessibility Advisory Committee regarding the committee's strengths and areas for improvement. She indicates that a consolidation of the comments provided by the members will be available at some point. The overall sense of the members showed that the committee is feeling positive of what we are doing; good attendance at meetings; good participation; and a restructuring of the working groups pointing WAAC in a positive direction.

4.4 Working Groups

Infrastructure Working Group

Members of the Infrastructure Working Group – includes Mark Keeler, Riccardo Pappini, Peter Best. Surendra Bagga, Nicholas Petro, Caleb Ray and Danica McPhee

(a) Audio Pedestrian Signals

Mark Keeler advises that Ian Day. Senior Manager Traffic Operations, Parking and Prem Patel, Manager Traffic Operations, will be invited to attend a meeting of the Infrastructure Working Group to allow for more detailed discussions which will be reported back to WAAC.

(b) Transit Windsor

Mark Keeler reports that he is working with Transit Windsor on their Federal Accessibility Plan.

(c) *Windsor International Airport*

Mark Keeler advises that representatives from the Windsor International Airport consulted with the Infrastructure Working Group regarding their Federal Accessibility Plan. He states that at some point WAAC members will be invited to tour the Airport facility.

Mark Keeler responds that traffic is looking at new installations at three various intersections.

In terms of the Windsor Public Library, Peter Best advises that an arrangement was made to meet with library staff to help them understand voiceover on an I-Pad (without any visual). The next step is to provide a demonstration on equipment for low vision.

Moved by Nick Petro, seconded by Caleb Ray,
That the update and progress of the Infrastructure Working Group **BE RECEIVED.**
Carried.

Sandy's Point Working Group

Members of Sandy's Point Working Group includes – Mark Keeler, Peter Best, Nick Petro, Surendra Bagga and Danica McPhee

Mark Keeler states that the event will be held on May 28, 2024 at 10:30 a.m. at Sandy's Point, Alexander Park.

Mark Keeler indicates that Danica McPhee brought up a point that once this event is completed, how do we reflect on different parks in the city, i.e. Mic Mac and Malden. We want to ensure that when we do events in subsequent years that we look at other parks in the city and make sure that all wards are getting that same degree of attention.

Moved by Riccardo Pappini, seconded by Danica McPhee,
That the update of the Sandy's Point Working Group **BE RECEIVED.**
Carried.

Clerk's Note: As of May 22, 2024, the Sandy's Point event was cancelled.

Facility Accessibility Design Standards Working Group

Mark Keeler remarks that the Working Group has been working on the FADS update for almost a year and adds that this will be the first Facility Accessibility Design Standards in all of Ontario that is actually based not only on engineering and architectural guidance, but on lived experience. He adds there are only 18 sections left to review and expects to complete the task by mid-summer.

Moved by Nick Petro, seconded by Caleb Ray,
That the update on the progress of the Facility Accessibility Design Standards **BE RECEIVED.**
Carried.

5. WAAC Operating and Capital Budget

Sally Bennett Olczak, Co-Chair advises that the 2024 Operating Budget for the Windsor Accessibility Advisory Committee is $6,250.

6. Date of Next Meeting

The next meeting will be held in late September 2024 or in early October 2024.

7. Adjournment

There being no further business, the meeting is adjourned at 10:58 o'clock a.m.

THE SUNFLOWER PROGRAM

Creating Support for Hidden Disabilities

HIDDEN DISABILITIES

- Thinking beyond the visible spectrum
- Difficult to identify for front-line employees
- Conditions subject to misinterpretation
- Harder to access programs and services
- Impact on integration, quality of life, and equity

More than 900+ Hidden Disabilities

Autism
ADHD
Alzheimer's
Aphasia
Asthma
Brain Injury
Cognitive and Learning
Crohn's
Diabetes
Dyslexia
Cancer
Epilepsy
Fibromyalgia Syndrome
Hemophilia
Lupus
Mental Health Conditions
Migraines
Multiple Sclerosis
Narcolepsy
Parkinson's
Tourette Syndrome

APHASIA

HIDDEN DISABILITIES

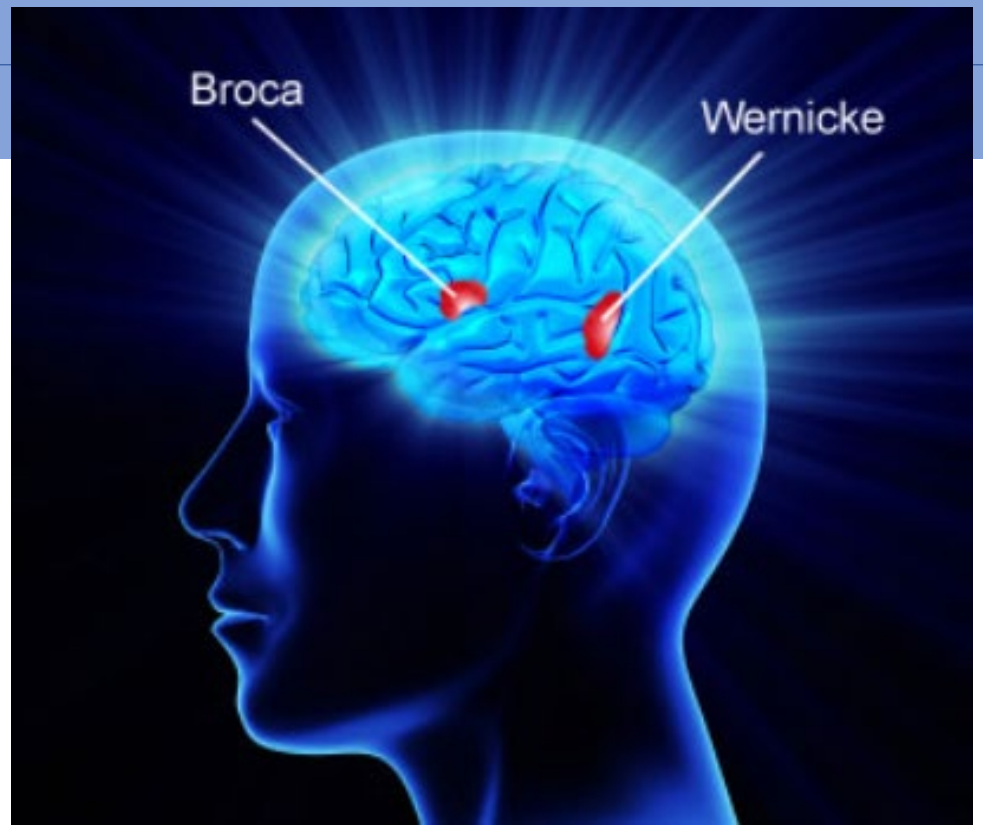
Caused by Stroke, Brain Injury, Disease or Tumor

Affects

- Left hemisphere, language functions
- Broca Aphasia – Speech Production
- Wernicke Aphasia – Speech Comprehension

Impacts on Access to Services

- Requesting 311 or in-person assistance
- Cannot communicate/understand instructions



How to Assist Aphasia Residents

- Allow extra time to respond to questions
- Use short, simple, uncomplicated speech

THE CITY OF WINDSOR ONTARIO, CANADA

WHAT IS SUNFLOWER?

- Helps residents with hidden disabilities receive support
- Increases awareness internally and externally
- Provides training to public-facing employees on how to assist persons that identify themselves with the sunflower card
- Communicates to staff that a resident needs extra assistance
- Cards are free upon request
- Does not require verification and

FAST FACTS

- Cards are always free
- Residents do not need to prove or divulge their disability
- The program does not confer any added preference or privilege
- Cards should be available at key City locations.

Where do we find Sunflower?

- Originated Gatwick Airport, 2016
- Growing in North America, in 90 Countries
- Highly concentrated in travel and aviation
- Educational, Courts, Retail, Hotels
- No Ontario municipality – Let's be the *first*.

Americas

Argentina
Bolivia
Brazil
Canada
Chile
Colombia
Costa Rica
Dominican Republic
Ecuador
El Salvador
Guatemala
Honduras
Mexico
Nicaragua
Panama
Paraguay
Peru
Puerto Rico
Uruguay
USA
Venezuela

Europe

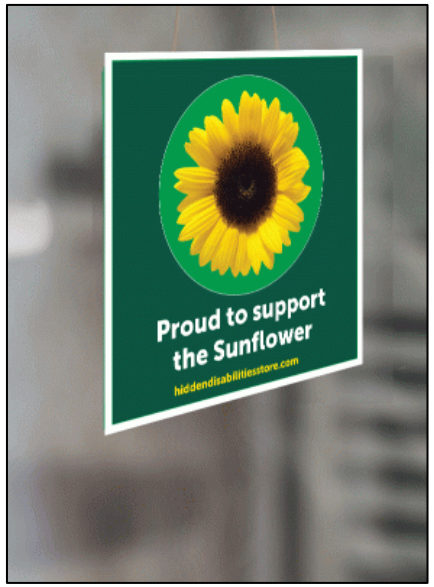
Belgium
Denmark
Finland
France
Greenland
Iceland
Ireland
Netherlands
Norway
Spain
Sweden
United Kingdom

Oceania

Australia
New Zealand

Maximizing Effectiveness through Branded Visibility

Card Packs



Window Decals

Standup Signage

Counter Signs

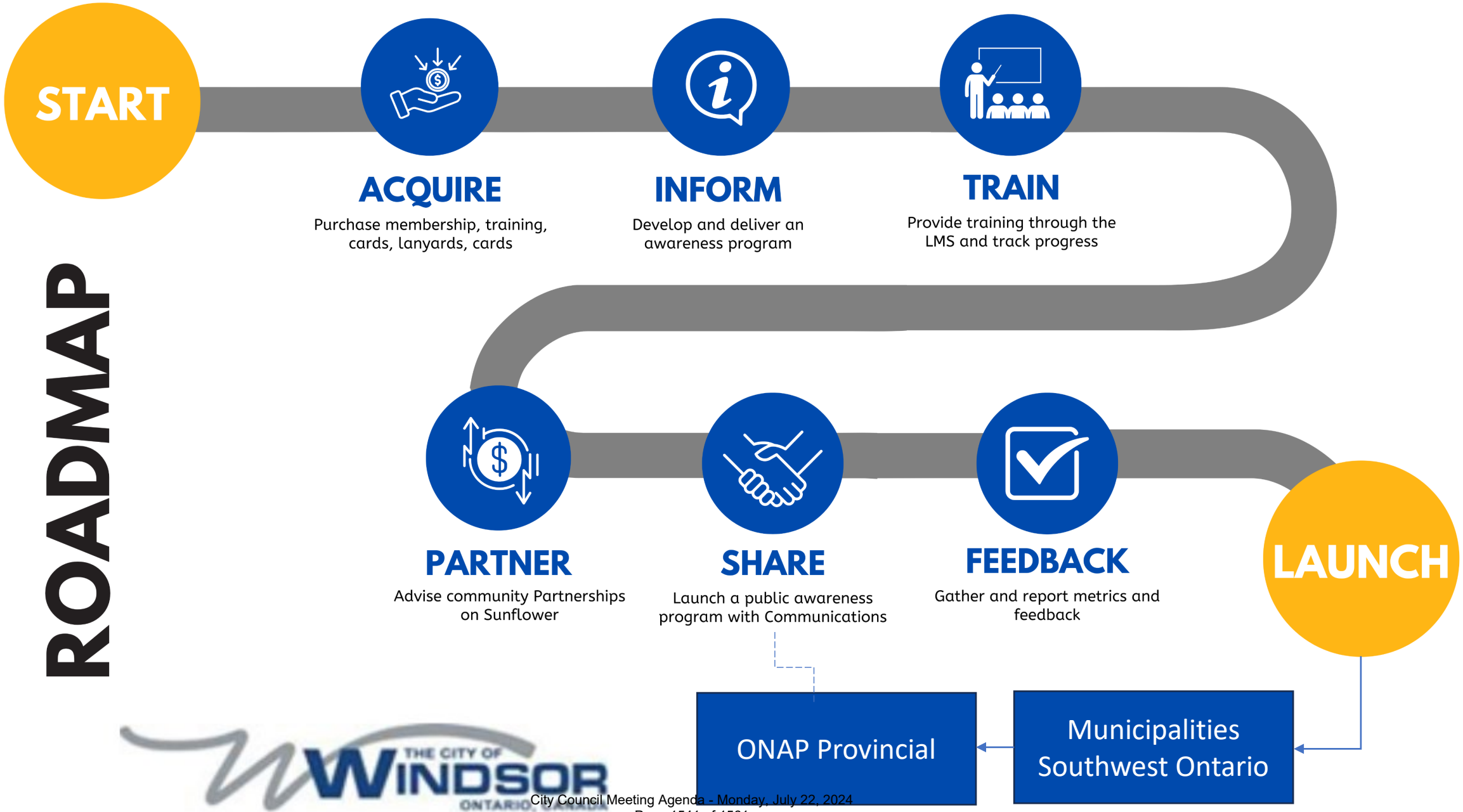
Staff Buttons

PRELIMINARY BUDGET

Item Description	Plan A Corporate	Plan B Standard
Membership (Standard or Corporate)	$2800	$550
Cards and Lanyard (500)	$1,750	$1,750
Window Decals (for customer service) – Pack of 10	$15.75	$15.75
Bespoke Roller Banner	$328	$328
Poster Pack (Bespoke)	$154.61	$154.61
Total	**$5048.36**	**$2798.36**

* Standard does not include webinars

ROADMAP


START
ACQUIRE
Purchase membership, training, cards, lanyards, cards
INFORM
Develop and deliver an awareness program
TRAIN
Provide training through the LMS and track progress
PARTNER
Advise community Partnerships on Sunflower
SHARE
Launch a public awareness program with Communications
FEEDBACK
Gather and report metrics and feedback
LAUNCH
ONAP Provincial
Municipalities Southwest Ontario

Thank you

BY-LAW NUMBER 121-2024

A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS MCDOUGALL STREET IN THE CITY OF WINDSOR

Passed the 22nd day of July, 2024.

WHEREAS the lands described in Schedule "A" annexed hereto and forming part of this by-law are vested in The Corporation of the City of Windsor.

AND WHEREAS it is deemed expedient to establish the said lands hereinafter described as a public highway.

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

1. That the lands described in said Schedule "A" annexed hereto are established as a public highway known as **MCDOUGALL STREET**.

2. That this by-law shall come into force and take effect after the final passing thereof on the day on which it is electronically registered in the Land Registry Office of Essex (12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 22, 2024
Second Reading - July 22, 2024
Third Reading - July 22, 2024

SCHEDULE "A"

To By-Law Number 121-2024

PART LOTS 4, 5 AND 6 PLAN 119; DESIGNATED AS PARTS 26 AND 27 ON 12R16569; WINDSOR
PIN 01171-0574 (LT)
McDougall Street, Windsor

PART LOTS 6 AND 7 PLAN 119; DESIGNATED AS PART 1 ON PLAN 12R16712; WINDSOR
PART of PIN 01171-0328 (LT)
McDougall Street; Windsor

PART ALLEY PLAN 119; DESIGNATED AS PARTS 2 AND 3 ON PLAN 12R16712; WINDSOR
PART of PIN 01171-0296 (LT)
McDougall Street; Windsor

PART LOTS 1 TO 4, INCL., PLAN 111 AND PART LOTS 1 TO 7, INCL., PLAN 116; DESIGNATED AS PART 4 ON PLAN 12R16712; WINDSOR
PART of PIN 01171-0483 (LT) and ALL of PIN 01171-0447 (LT)
McDougall Street; Windsor

PART OF LOTS 11 TO 14, INCL., PLAN 107 AND PART LOTS 1 TO 3, INCL., PLAN 113; DESIGNATED AS PART 5 ON PLAN 12R16712; WINDSOR
PART of PIN 01168-0499 (LT)
McDougall Street; Windsor

BY-LAW NUMBER 122-2024

A BY-LAW TO EXPROPRIATE PART OF THE LANDS KNOWN MUNICIPALLY AS 2191 DOMINION BOULEVARD

Passed the 22nd day of July, 2024.

WHEREAS in accordance with the provisions of the *Expropriations Act*, R.S.O. 1990, c. E.26, an application was submitted to City Council as approving authority, for approval to expropriate a fee simple interest in part of the property municipally known as 2191 Dominion Boulevard, and legally described as PART LOT 354, PLAN 558 DESIGNATED AS PART 4 ON PLAN 12R-29463, City of Windsor, County of Essex, being Part of PIN 01555-6886 (the "**Lands**") for the Dominion Boulevard / Ojibway Street Intersection Improvements;

AND WHERAS notice of such application was published and served on the registered owners of the Lands in accordance with the *Expropriations Act*;

AND WHEREAS no request for a hearing of necessity was received pursuant to the *Expropriations Act*.

AND WHEREAS the Council of the Corporation of the City of Windsor, as approving authority, at its meeting held on July 22, 2024, has approved the application to expropriate the Lands and has given leave to introduce and enact this by-law.

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

1. The expropriation of the fee simple interest in the Lands for the purposes of the Dominion Boulevard / Ojibway Street Intersection Improvements is approved by the Council of The Corporation of the City of Windsor, as approving authority, and the Chief Administrative Officer and City Clerk and their respective designates are hereby authorized to execute a Certificate of Approval pursuant to the *Expropriations Act*.

2. The expropriation of the fee simple interest in the Lands for the purposes of the Dominion Boulevard / Ojibway Street Intersection Improvements is authorized by the Council of The Corporation of the City of Windsor as expropriating authority and the Chief Administrative Officer and City Clerk and their respective designates are hereby authorized to execute the necessary plan of expropriation pursuant to the *Expropriations Act*;

3. The City Solicitor and designates, are hereby authorized to prepare, execute, serve, and file, as necessary, all other documents required to complete the expropriation and give effect to this bylaw, and to make an offer of compensation under section 25 of the *Expropriations Act* and issue payment accordingly.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 22, 2024
Second Reading - July 22, 2024
Third Reading - July 22, 2024

BY-LAW NUMBER 123-2024

A BY-LAW TO ADOPT AMENDMENT NO. 186
TO THE OFFICIAL PLAN OF THE CITY OF
WINDSOR

Passed the 22nd day of July, 2024.

WHEREAS pursuant to the provisions of Section 17(1) of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, the Minister of Municipal Affairs and Housing (Minister) is the approval authority in respect of the approval of a plan as an official plan.

AND WHEREAS Section 17(9) of the said *Planning Act* provides that the Minister may by order exempt a proposed official plan amendment from his approval under Section 17(1) of the said Act.

AND WHEREAS pursuant to the provisions of Ontario Regulation 525/97 most amendments to the official plan of the City of Windsor commenced after January 19, 1998 are exempt from the approval of the said Minister.

THEREFORE the Council of the Corporation of the City of Windsor in accordance with the provisions of the said *Planning Act* hereby enacts as follows:

1. That Amendment No. **186** to the Official Plan of the City of Windsor, attached hereto, is hereby adopted.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 22, 2024
Second Reading - July 22, 2024
Third Reading - July 22, 2024

AMENDMENT NO. 186

TO THE

OFFICIAL PLAN

CITY OF WINDSOR

Part D (Details of the Amendment) of the following text and attached Schedule A of the City of Windsor Official Plan constitute Amendment No. 186.

Also included, but not constituting part of the Amendment, are explanations of Purpose, Location, Background, and Implementation of the Amendment, Appendix A (Results of Public Involvement)

A. PURPOSE:

The purpose of Amendment No. 186 is to amend Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan by designating the subject land as a Special Policy Area, and to amend Chapter "1" of Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan to add specific planning policies for the aforesaid Special Policy Area to allow an increase in maximum building height from six (6) storeys to no more than sixteen (16) storeys, and to permit a solely residential building.

B. LOCATION:

The amendment applies to the land described as Part of Lot 2, Block B, Plan 76, known municipally as 0, 666, 676, 684 & 696 Chatham St W (north east corner of Chatham Street West and Caron Avenue), shown as the *Area of Development* on Schedule A.

Ward: 3 **Planning District:** City Centre Planning District **ZDM:** 3

C. BACKGROUND:

The applicant requested an amendment to Zoning By-law 8600 and the City of Windsor Official Plan to allow the following:

0, 666, 676, 684 & 696 Chatham Street West (northeast corner of Caron Avenue and Chatham Street West): construction of a 16-storey, 88-unit dwelling with 70 parking spaces proposed on the 2nd, 3rd and 4th storey and amenity space on the ground floor and roof-top terrace on the 5th storey.

0 Chatham Street West (southeast corner of Caron Avenue and Chatham Street West): construction of a new surface parking lot containing 12 visitor parking spaces.

Both sites are currently vacant.

The subject properties are currently located within a Mixed-Use land use designation and Medium Profile Area as identified on Schedule E: City Centre Planning District Land Use Plan of the City of Windsor Official Plan, Volume I, which permits a mixed-use building, generally no greater than 6 storeys. The applicant is requesting an official plan amendment to permit a solely residential, high-profile (16 storeys), multiple dwelling to be located on the lands described as Part of Lot 2, Block B, Plan 76, known municipally as 0, 666, 676, 684 & 696 Chatham St W (northeast corner of Chatham Street West and Caron Avenue).

The subject properties are located within a Commercial District 3.6 (CD 3.6) zone as identified on Map 3 of Zoning By-law 8600, which permits dwellings units in a combined use building with a maximum height of 20m. The applicant is requesting an amendment to the zoning by-law to permit the following at Part of Lot 2, Block B, Plan 76 (northeast corner of Chatham Street and Caron Avenue): a solely residential use; establish site-specific provisions for the proposed height (55m); stipulate that the definition of "amenity area" includes balconies; and stipulate that Section 5.15.5 does not apply. Additionally, the applicant requests that the parking area at Plan 450, Part Lot C (southeast corner of

Chatham Street West and Caron Avenue) count towards the required parking for the development at Part of Lot 2, Block B, Plan 76 (northeast corner of Chatham Street and Caron Avenue); establish site-specific provisions to permit a parking space to be located within 6 metres from the intersection of two streets; and, reduce the parking area separation from the street to 0.9 metres.

The subject proposal is subject to Site Plan Control and will require a Draft Plan of Condominium.

When Official Plan Amendment No. 186 is approved, the requested amendment to Zoning By-law 8600 will conform to the Zoning By-law Amendment Policies in Section 11.6.3 of the Official Plan and conform to the general direction of the Official Plan.

D. DETAILS OF THE AMENDMENT:

1) THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Lot 2, Block B, Plan 76 situated at the northeast corner of Chatham Street and Caron Avenue, and known municipally as 0 Chatham Street West, 666 Chatham Street West, 676 Chatham Street West, 684 Chatham Street West and 696 Chatham Street West, shown as the *Area of Development* on Schedule A, as a special policy area.

2) That Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.XX Northeast Corner of Chatham Street West and Caron Avenue

LOCATION 1.XX.1 The lands described as Part of Lot 2, Block B, Plan 76 situated at the northeast corner of Chatham Street and Caron Avenue, and known municipally as 0 Chatham Street West, 666 Chatham Street West, 676 Chatham Street West, 684 Chatham Street West and 696 Chatham Street West, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

PERMITTED USE AND PROFILE 1.XX.2 Notwithstanding Section 6.11 of the City of Windsor Official Plan, Volume I, Chapter 6 - Land Use:

a) A building with maximum 16 storeys shall be permitted; and

b) A building with solely residential uses shall be permitted.

E. IMPLEMENTATION:

i. This amendment is to be implemented by an amendment to Zoning By-law 8600 as recommended in Report Number S 68/2024, Z009-24 [ZNG/7186] and Official Plan Amendment OPA 186 [OPA-7187] and approved by Council on July 8th 2024 by CR287/2024 DHSC 618.

ii. The proposed development on the subject lands is deemed a development per Section 41(1) of the *Planning Act*; therefore, Site Plan Control shall be an additional tool for the implementation of this amendment.

APPENDIX A

The following are the results of public notification of the amendments and the outcome of public meetings. Comments relate to the Official Plan Amendment and the associated Zoning By-law Amendment.

DEVELOPMENT & HERITAGE STANDING COMMITTEE (DHSC):

A meeting of the DHSC was held on June 10, 2024, to consider the applications Z009-24 [ZNG/7186] and Official Plan Amendment OPA 186 [OPA-7187] and Staff Report S 68/2024. This is the statutory public meeting required by the *Planning Act*. No written or oral submissions were received.

7.2. Zoning By-Law Amendment Z009-24 [ZNG/7186] and Official Plan Amendment OPA 186 [OPA-7187] - 2743331 Ontario Inc. – 0, 0, 666, 676, 684 & 696 Chatham Street West, Ward 3

Laura Strahl (author), Planner III – Special Projects - is available for questions.

David French (agent) is available for questions.

Laura Strahl states that there are two additional zoning provisions that have been clarified since the publishing of the consolidated agenda and recommends that the following be added to recommendation three in report S 68/2024: the definition of “amenity area” in Section 3, amenity area may include the gross floor area of any balcony, and Section 5.15.5 related to the location of a building on a corner lot shall not

apply. Ms. Strahl clarifies that the recommendations do not change the applicant's proposal, rather to facilitate the proposal.

Councillor Kieran McKenzie asks if the new clauses will it adjust the parking spaces. Ms. Strahl states her verbal update regarding two additional provisions is in addition to the provisions outlined in the Additional Information Memo. Councillor McKenzie asks whether the proposed parking spots follows best practice regarding the distance from the corner or infrastructure. Ms. Strahl states that the site lot lines have a grass boulevard, sidewalk and then meet the road and it was determined that it was appropriate. Councillor McKenzie asks about the proximity of the parking spots to the corner. Ms. Strahl states that site plan shows that only a corner of a car is within the six-meter corner.

Councillor McKenzie asks whether the structures that will be demolished are listed as being heritage structures, due to the acknowledgement of this area being a heritage neighbourhood. Ms. Strahl states that there are no structures on the site and no buildings will be demolished for the proposal.

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

Decision Number: **DHSC 618**

I. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Lot 2, Block B, Plan 76, situated on the northeast corner of Chatham Street West and Caron Avenue as a Special Policy Area; and,

II. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.# **NORTHEAST corner of CHATHAM STREET WEST and Caron Avenue**

1.#.1 The lands described as Part of Lot 2, Block B, Plan 76 situated at the northeast corner of Chatham Street and Caron Avenue, and known municipally as 0 Chatham Street West, 666 Chatham Street West, 676 Chatham Street West, 684 Chatham Street West and 696 Chatham Street West, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 6.11 of the Official Plan, Volume I:

a) A building with maximum 16 storeys shall be permitted; and
b) A building with solely residential uses shall be permitted.

III. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Part of Lot 2, Block B, Plan 76 situated at the northeast corner of Chatham Street and Caron Avenue, and known municipally as 0 Chatham Street West, 666 Chatham Street West, 676 Chatham Street West, 684 Chatham Street West and 696 Chatham Street West and Plan 450, Part Lot C situated at the southeast corner of Chatham Street West and Caron Avenue, and known municipally as 0 Chatham Street West by adding a site-specific exception to Section 20(1) as follows:

x. NORTHEAST corner of CHATHAM STREET WEST and Caron Avenue and southeast corner of CHATHAM STREET WEST and Caron Avenue

For the 1228 m^2 lands comprising of Part of Lot 2, Block B, Plan 76; the following additional regulations shall apply:

a) Despite Section 16.6.1, a *multiple dwelling* building is permitted;
b) Ground floor parking is not permitted;
c) The podium of the building shall not be higher than 14 metres and must be clad with red brick;
d) Despite section 16.6.5.4, the maximum building height shall be 55 metres;
e) The parking located at Plan 450, Part Lot C shall count towards the required parking for the proposed development at Part of Lot 2, Block B, Plan 76;

f) Despite Section 24.26.8, an exterior parking space is permitted to be located within 6 metres of the intersection of any two streets;
g) Despite Section 25.5.20, a parking area separation of 0.9m from a street is permitted;
h) Notwithstanding the definition of "amenity area" in Section 3, *amenity area* may include the *gross floor area* of any balcony; and,
i) Section 5.15.5 related to the location of a building on a *corner lot* shall not apply.

IV. THAT the Site Plan Approval Officer **BE DIRECTED** to request the applicant undertake the following, subject to any updated information, and to incorporate recommendations from the studies into an approved site plan and an executed and registered site plan agreement:

1) Geotechnical study
2) Noise and Vibration Study
3) Requirements of the City of Windsor – Engineering and City of Windsor – Transportation Planning contained in Appendix I of Report S68/2024, subject to approval of the City Engineer; and,

V. THAT The Site Plan Approval Officer **CONSIDER** all comments contained in Appendix I of Report S68/2024 and all recommendations in the documents submitted in support of the applications for amendments to the Zoning By-law 8600.

Carried.

Report Number: S 68/2024

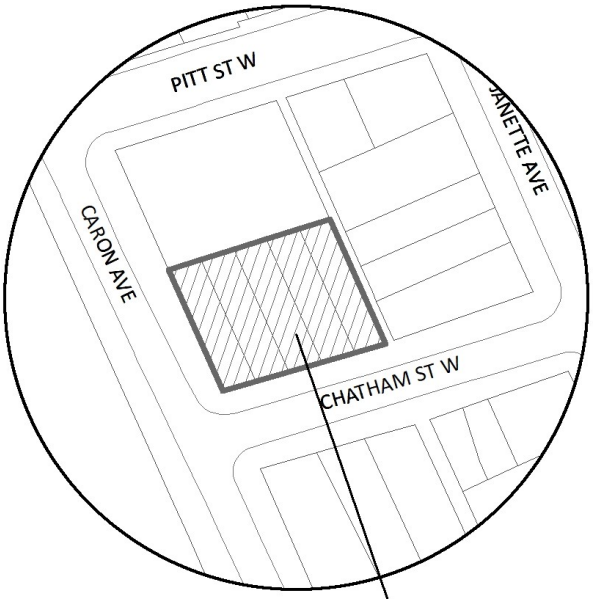
Clerk's File: Z/14760 & Z/14762

COUNCIL MEETING:

A meeting of City Council was held on July 8th, 2024, at which time the recommendations of the DHSC were considered (Report Number: S 68/2024).

No other oral presentations or written submissions were made or submitted. Council approved the recommendations of DHSC (CR287/2024 DHSC 618).

SCHEDULE A



LANDS AFFECTED BY
OFFICIAL PLAN AMENDMENT NO.186

OFFICIAL PLAN AMENDMENT NO. 186

AREA SUBJECT TO OFFICIAL PLAN AMENDMENT NO.186

SPECIAL POLICY AREAS

PLANNING DISTRICTS

SECONDARY PLANS

Item No. 13.4

BY-LAW NUMBER 124-2024

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

Passed the 22nd day of July, 2024.

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

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

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

509. NORTHEAST CORNER OF CHATHAM STREET WEST AND CARON AVENUE AND SOUTHEAST CORNER OF CHATHAM STREET WEST AND CARON AVENUE

For the 1,228 m^2 lands comprising of Part of Lot 2, Block B, Plan 76; the following additional provisions shall apply:

a) Despite Section 16.6.1, a *multiple dwelling* is an additional permitted *main use*.

b) The podium of the *building* shall not exceed 14 m in height and shall be clad with red brick.

c) Despite Section 16.6.5.4, the maximum *building height* shall be 55 m.

d) *Parking spaces* on the ground floor are prohibited.

e) Notwithstanding the definition of “amenity area” in Section 3, for the purpose of this site specific exception, *amenity area* may include the *gross floor area* of any balcony.

f) Section 5.15.5 related to the location of a *building* on a *corner lot* shall not apply.

g) Parking spaces located at Plan 450, Part Lot C shall count towards the required parking for the proposed development at Part of Lot 2, Block B, Plan 76.

h) Despite Section 24.26.8, an exterior *parking space* is permitted to be located within 6 m of the intersection of any two *streets*.

i) Despite Section 25.5.20, a parking area separation of 0.90 m from a *street* is permitted.

(ZDM 3; ZNG/7186)

3. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	3	Part of Lot 2, Block B, Plan 76, 0, 666, 676, 684 & 696 Chatham St W and Plan 450, Part Lot C, 0 Chatham St W	OPA 186	S.20(1)509

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 22, 2024
Second Reading - July 22, 2024
Third Reading - July 22, 2024

BY-LAW NUMBER 125-2024

A BY-LAW TO AMEND BY-LAW 162-2023, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE EAST/WEST ALLEY SOUTH OF CONTINENTAL AND WEST OF THE E.C. ROW EXPRESSWAY WESTBOUND ONRAMP AT HURON CHURCH ROAD AND THE 20.12 METRE HUDSON AVENUE RIGHT-OF-WAY, EAST OF FOURTH STREET AND WEST OF THE E.C. ROW EXPRESSWAY WESTBOUND ONRAMP AT HURON CHURCH ROAD, CITY OF WINDSOR

Passed the 22nd day of July, 2024.

WHEREAS it is deemed expedient to amend By-law 162-2023 adopted on the 11th day of December, 2023, and registered as Instrument No. CE1163672 on title on December 14, 2023:

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

1. By **DELETING** "THAT the Conveyance Cost be set in accordance with Council Resolution CR330/2023" from Section 5 of the By-law, and **INSERTING** the following in its place:

   THAT the Conveyance Cost **BE SET** as follows:

   a. For right-of-way abutting lands zoned MD1.4, $7.00 per square foot without easements plus HST (if applicable) and $3.50 per square foot with easements plus HST (if applicable). Survey costs and deed preparation cost included.

   b. For alley abutting lands zoned MD1.4, $1.00 per square foot plus HST (if applicable) including proportionate share of survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

2. This by-law shall come into force and take effect on the day upon which it is registered in the Land Registry Office for the County of Essex (No.12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 22, 2024
Second Reading - July 22, 2024
Third Reading - July 22, 2024

SCHEDULE "A"

To By-law Number 125-2024

Alley Plan 1154, Sandwich West, abutting Lots 93, 94, 95, Plan 1154, except Part 131, 12R4051; Windsor

Being all of PIN 01262-1157

City of Windsor
County of Essex

SCHEDULE "B"

To By-law Number 125-2024

Hudson Ave, Plan 1154, Sandwich West, abutting Lots 154 to 158, Plan 1154, except Part 127, 12R4051; Windsor

Being all of PIN 01262-1156

City of Windsor
County of Essex

BY-LAW NUMBER 126-2024

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 22ND DAY OF JULY, 2024

Passed the 22nd day of July, 2024.

WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

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

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.

2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.

3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 22, 2024
Second Reading – July 22, 2024
Third Reading - July 22, 2024