

## City Council Meeting Agenda

**Date:** Monday, September 23, 2024

**Time:** 10:00 o'clock a.m.

**Location:** Council Chambers, 1<sup>st</sup> 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.	<b>ORDER OF BUSINESS</b>

2.	<b>CALL TO ORDER - Playing of the National Anthem</b>
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READING OF LAND ACKNOWLEDGEMENT

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

3.	<b>DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF</b>
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4.	<b>ADOPTION OF THE MINUTES</b>
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4.1.	Adoption of the Windsor City Council minutes of its meeting held September 9, 2024. <b>(SCM 284/2024)</b>
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5.	<b>NOTICE OF PROCLAMATIONS</b>
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**Proclamations**

"Brentwood Recovery Home 60<sup>th</sup> Anniversary Celebration" – September 27, 2024

"British Home Children's Day" – September 28, 2024

"Healthy Workplace Month" – October 2024

"International Day of the Girl" – October 11, 2024

**Flag Raising Ceremony**

"Franco-Ontarian Day" – September 25, 2024

"National Day for Truth and Reconciliation" – September 27, 2024

"Iraqi Heritage Month" – October 3, 2024

"International Day of the Girl" – October 11, 2024

## **Illumination**

“Beacons of Light for British Home Children & Child Migrants” – September 27, 2024

“National Day for Truth & Reconciliation” – September 28 – October 1, 2024

## **6. COMMITTEE OF THE WHOLE**

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

- 7.1. Correspondence 7.1.1. through 7.1.7. **(CMC 13/2024)**
- 7.2. Response to CQ 12-2023: Public conduct policy and security screening options for City Hall and other municipal facilities - City-wide **(S 86/2024)**

## **8. CONSENT AGENDA**

- 8.1. CAO By-Law Update - City Wide **(C 110/2024)**
- 8.2. Delegation of Authority Semi-Annual Report for Period January 1, 2024-June 30, 2024 (City Wide) **(C 111/2024)**
- 8.3. Tax Relief 2024 (for 2023 Taxes) - Extreme Poverty and/or Illness - City Wide **(C 114/2024)**
- 8.4. Applications for Tax Reductions under S. 357/358 of the Ontario Municipal Act 2001 - City Wide **(C 115/2024)**
- 8.5. Windsor-Canada Utilities Ltd. – Annual General Meeting – City Wide **(C 120/2024)**  
**Clerk’s Note:** Appendix B available at [www.citywindsor.ca](http://www.citywindsor.ca) due to size
- 8.6. Letter of Support - HART Hubs - City Wide **(C 119/2024)**

### **CONSENT COMMITTEE REPORTS**

- 8.7. Zoning By-Law Amendment Z019-24 (ZNG/7215) - Architectura Inc. Architects – 1098 Albert Rd, Ward 5 **(SCM 269/2024) & (S 105/2024)**
- 8.8. Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133 **(SCM 271/2024) & (S 85/2024)**
- 8.9. Closure of east/west alley located between Church Street and Dougall Avenue, Ward 3, SAA-7138 **(SCM 277/2024) & (S 89/2024)**

- 8.10. Part Closure of east/west alley located between Belleperche Place and Fairview Boulevard, Ward 6, SAA-7135 **(SCM 273/2024) & (S 92/2024)**
- 8.11. Closure of north/south alley, located between Clairview Avenue and Wyandotte Street East; and east/west alley located between Clover Street and Adelaide Avenue; Ward 7, SAA-6767 **(SCM 278/2024) & (S 97/2024)**
- 8.12. Closure of north/south alley located between Millen Street and Girardot Street, Ward 2, SAA-6996 **(SCM 272/2024) & (S 98/2024)**
- 8.13. Ford City CIP Application for 1306 Drouillard Road. Owner: Charbel Semaan (C/O: Maged Basilious) – Ward 5 **(SCM 279/2024) & (S 101/2024)**
- 8.14. Closure of north/south alley located between Wyandotte Street West and Rooney Street, Ward 2, SAA-7032 **(SCM 280/2024) & (S 102/2024)**
- 8.15. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Baird AE Inc. on behalf of Bullet Investments Inc. for 285 Giles Boulevard East (Ward 3) **(SCM 282/2024) & (S 106/2024)**
- 8.16. Minutes of the International Relations Committee of its meeting held July 10, 2024 **(SCM 283/2024) & (SCM 252/2024)**
- 8.17. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held June 13, 2024 **(SCM 234/2024) & (SCM 197/2024)**
- 8.18. Minutes of the Committee of Management for Huron Lodge of its meeting held June 27, 2024 **(SCM 258/2024) & (SCM 223/2024)**
- 8.19. Minutes of the Age Friendly Windsor Working Group of its meeting held June 13, 2024 **(SCM 261/2024) & (SCM 227/2024)**
- 8.20. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held May 9, 2024 **(SCM 262/2024) & (SCM 230/2024)**
- 8.21. Minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table of its meeting held March 21, 2024 **(SCM 263/2024) & (SCM 231/2024)**
- 8.22. Walker Homesite Park – Approval of the Masterplan – Ward 9 **(SCM 264/2024) & (S 109/2024)**
- 8.23. Response to CQ 3/2024 Geese Management - City Wide **(SCM 266/2024) & (S 107/2024)**
- 8.24. Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024 - Pickleball & Squash Courts within the City - City Wide **(SCM 267/2024) & (S 108/2024)**
- 8.25. Windsor Essex – Ontario Health Team (WE-OHT) Annual Report - City Wide **(SCM 265/2024) & (S 110/2024)**

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

**10. PRESENTATIONS AND DELEGATIONS**

- 10.1. Impact of Bill 185 Passed by the Provincial Legislature – City Wide (**SCM 270/2024**) & (**S 103/2024**)

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

- 11.1. Ward Boundary Review - City Wide (**C 116/2024**)
- 11.2. Council Report re Declaration of a Vacant Parcel of Land Municipally Known as 0 Aylmer Avenue Surplus and Authority to Offer for Sale – Ward 3 (**C 117/2024**)
- 11.3. Renaming a Portion of County Road 42 and Division Road - Ward 9 (**C 97/2024**)
- 11.4. Response to CQ 36-2023 – Repurposing Lot 16 - City Wide (**SCM 89/2024**) & (**S 35/2024**)
- 11.5. Extension of the Services Agreement for Parking Enforcement with Canadian Corps of Commissionaires Ottawa Windsor Division – City Wide (**C 100/2024**)
- 11.6. OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9 (**SCM 187/2024**) & (**S 66/2024**)

**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)

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

- 13.1. **By-law 149-2024** - A BY-LAW TO ESTABLISH THE POSITION OF THE CHIEF ADMINISTRATIVE OFFICER FOR THE CORPORATION OF THE CITY OF WINDSOR, See Item 8.1.
- 13.2. **By-law 150-2024** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 23RD DAY OF SEPTEMBER, 2024.

**14. MOVE BACK INTO FORMAL SESSION**

**15. NOTICES OF MOTION**

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

By-law 149-2024 through 150-2024 inclusive.

**17. PETITIONS**

**18. QUESTION PERIOD**

**19. STATEMENTS BY MEMBERS**

**20. UPCOMING MEETINGS**

Environment, Transportation & Public Safety Standing Committee  
Wednesday, September 25, 2024  
4:30 p.m., Council Chambers

Environment, Transportation & Public Safety Standing Committee  
Sitting as the Transit Windsor Board of Directors  
Wednesday, September 25, 2024  
Immediately following the Environment, Transportation & Public Safety Standing  
Committee meeting  
4:30 p.m., Council Chambers

Community Services Standing Committee  
Wednesday, October 2, 2024  
9:00 a.m., Council Chambers

Development & Heritage Standing Committee  
Monday, October 7, 2024  
4:30 p.m., Council Chambers

Windsor Accessibility Advisory Committee  
Tuesday, October 8, 2024  
10:00 a.m., via Zoom

City Council Meeting  
Tuesday, October 15, 2024  
10:00 a.m., Council Chambers

**21. ADJOURNMENT**

**Item No. 4.1**



**Committee Matters: SCM 284/2024**

**Subject: Adoption of the Windsor City Council minutes of its meeting held September 9, 2024.**

**City Council Meeting**

**Date: Monday, September 9, 2024**

**Time: 10:00 o'clock a.m.**

**Members Present:**

**Mayor**

Mayor Drew Dilkens

**Councillors**

Ward 1 – Councillor Fred Francis (arrives at 10:30 o'clock a.m.)

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



## **1. ORDER OF BUSINESS**

## **2. CALL TO ORDER**

Following the playing of the Canadian National Anthem and reading of the Land Acknowledgement, the Mayor calls the meeting to order at 10:00 o'clock a.m.

## **3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None disclosed.

## **4. ADOPTION OF THE MINUTES**

### **4.1. Adoption of the Windsor City Council minutes of its meeting held July 22, 2024**

Moved by: Councillor Renaldo Agostino  
Seconded by: Councillor Fabio Costante

That the minutes of the Meeting of Council held July 22, 2024 **BE ADOPTED** as presented.  
Carried.

Councillor Fred Francis was absent from the meeting when the vote was taken on this matter.

Report Number: SCM 229/2024

## **5. NOTICE OF PROCLAMATIONS**

### **Proclamations**

"Suicide Awareness Month" – September 2024

### **Illuminations**

"Prostate Cancer Awareness Month" – September 9, 2024

"World Suicide Awareness Day" – September 10 – 12, 2024

"Mexican Independence Celebration" – September 13 – 17, 2024

## **6. COMMITTEE OF THE WHOLE**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Gary Kaschak

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

# Minutes

## City Council

Monday, September 9, 2024

Page 3 of 39

- (a) communication items;
- (b) consent agenda;
- (c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
- (d) hearing presentations and delegations;
- (e) consideration of business items;
- (f) consideration of Committee reports;
- (g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and,
- (h) consideration of by-laws 128-2024 through 143-2024 and 146-2024 through 148-2024 (inclusive)

Carried.

Councillor Fred Francis was absent from the meeting when the vote was taken on this matter.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence for Monday, September 9, 2024

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR349/2024

That the following Communication Items 7.1.1 through 7.1.3 and 7.1.5 through 7.1.9 as set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.4 be dealt with as follows:

#### 7.1.4 Request for Endorsement of Municipal Representatives for Essex Region Source Protection Committee.

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Angelo Marignani

Decision Number: CR350/2024

That the letter from the Essex Region Conservation dated July 29, 2024 regarding a request for endorsement of Municipal Representatives for Essex Region Source Protection Committee **BE RECEIVED**; and,

That Council **ENDORSE** the following members to the Essex Region Source Protection Committee:

Kirk Walstedt, Union Water Supply System

Jason Barlow, Municipality of Lakeshore

Antonietta Giofu, Town of Amherstburg

Carried.

Councillor Fred Francis was absent from the meeting when the vote was taken on this matter.

**Minutes**  
**City Council**  
**Monday, September 9, 2024**

Page 4 of 39

No.	Sender	Subject
7.1.1	Town of Tecumseh	<p>Notice of Public Meeting for Proposed Zoning By-Law Amendment regarding a parcel of land located on the north side of South Talbot Road, immediately east of its intersection with Howard Avenue.</p> <p>City Solicitor  City Planner  Chief Building Official  Commissioner, Community &amp; Corporate Services  Commissioner, Economic Development  GM2024  Note &amp; File</p>
7.1.2	Town of Tecumseh	<p>Notice of the Passing of Zoning By-Law 2024-068, regarding a parcel of land located on the west side of Walker Road/County Road 11.</p> <p>City Solicitor  City Planner  Chief Building Official  Commissioner, Community &amp; Corporate Services  Commissioner, Economic Development  GM2024  Note &amp; File</p>
7.1.3	Town of Tecumseh	<p>Notice of the Passing of Zoning By-Law 2024-070, regarding a parcel of land located at the northeast corner of the 8th Concession/North Talbot Road intersection.</p> <p>City Solicitor  City Planner  Chief Building Official  Commissioner, Community &amp; Corporate Services  Commissioner, Economic Development  GM2024  Note &amp; File</p>
7.1.4	Essex Region Conservation Authority (ERCA)	<p>Request for endorsement of Municipal Representatives for Essex Region Source Protection Committee.</p> <p>Commissioner, Infrastructure Services  City Planner  EI/10108  COUNCIL DIRECTION REQUESTED,  Otherwise Note &amp; File</p>

# Minutes

## City Council

Monday, September 9, 2024

Page 5 of 39

7.1.5	Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)	Letter acknowledging Terri Knight Lepain, Manager of Records and Elections, has graduated from AMCTO's Executive Diploma in Municipal Management program.  City Clerk AS2024 Note & File
7.1.6.	City Planner	Application for Zoning By-law Amendment, Architectura Inc. Architects, 1098 Albert Road, to permit a multiple dwelling containing a maximum of four dwelling units.  Z/14833 Note & File
7.1.7	City Planner	Application for Zoning Amendment, Rock and Cari Doire, 4461 Wyandotte Street East, to permit a semi-detached dwelling.  Z/14832 Note & File
7.1.8	Committee of Adjustment	Applications heard by the Committee of Adjustment/ Consent Authority, Thursday, August 29, 2024.  Z2024 Note & File
7.1.9	Deputy City Planner	Recent Site Plan Control (SPC) applications received by the Planning Division: <ul style="list-style-type: none"> <li>• City of Windsor, 350 City Hall Sq. W, New Public Square in Front of City Hall</li> <li>• Baird AE Inc., 3565 Forest Glade Dr., 140 Dwelling Unit Multiple Dwelling</li> <li>• Santec Consulting, 6902 Riverside Dr. E., St. Rose Pumping Station</li> <li>• Karl Tanner, 0 Riverside Dr. W., 27 Storey Mixed Use Building</li> <li>• MMC Architects, 3020 Howard Ave., Demo and Replacement of Parking Area</li> <li>• Progressive Architects, 3841 Howard Ave., 4 Storey Mixed Use Residential &amp; Office</li> <li>• 10000600310 Ont. Inc. (Rio Aiello), 0 Banwell Rd., 6 Storey Mixed Use</li> <li>• ADA, 1913-1949 Devonshire Crt., 4 Storey Multiple Dwelling (23 Units)</li> <li>• SFERA Architects, 2650 Jefferson Blvd., New</li> </ul>

			<div>Business Plaza</div> <div><ul style="list-style-type: none"><li>• J Rauti Homes, 3871 Howard Ave, Two Buildings with Six Residential Units Each</li><li>• Michael Kaye, 185 Randolph Place, 2.5 Storey Multiple Dwelling – 12 Units</li><li>• J.P. Thompson Architects, 0 Central Ave, Medical Centre</li><li>• Roseland Homes Ltd., 9475 Tecumseh Rd. E., 77 Unit Multi Residential Development</li></ul></div> <div>Z2024 Note &amp; File</div>
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Carried.  
Councillor Fred Francis was absent from the meeting when the vote was taken on this matter.

Report Number: CMC 12/2024

7.2. Update of Round 2 of the Arts, Culture and Heritage Fund 2024 – City Wide

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Kieran McKenzie

Decision Number: CR351/2024  
That the report of the Supervisor, Community Programming – Cultural Affairs dated August 15, 2024, entitled “Update of Round 2 of the Arts, Culture and Heritage Fund 2024 – City Wide” **BE RECEIVED** for information.  
Carried.  
Councillor Fred Francis was absent from the meeting when the vote was taken on this matter.

Report Number: C 98/2024  
Clerk’s File: SR2024

7.3. Windsor Canada Utilities Ltd. 1st Quarter 2024 Financial Statements – City Wide

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Kieran McKenzie

Decision Number: CR352/2024  
That the report of the Deputy Treasurer, Taxation, Treasury and Financial Projects dated August 16, 2024, entitled “Windsor Canada Utilities Ltd. 1st Quarter 2024 Financial Statements – City Wide”, attached as Appendix A **BE RECEIVED** for information.  
Carried.

# Minutes

## City Council

Monday, September 9, 2024

Page 7 of 39

Councillor Fred Francis was absent from the meeting when the vote was taken on this matter.

Report Number: C 99/2024

Clerk's File: AF2024

### 7.4 2024 Sale of Lands for Tax Arrears - City Wide

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR353/2024

That the report of the Manager, Revenue and Collections dated August 20, 2024 entitled "2024 Sale of Lands for Tax Arrears - City Wide" **BE RECEIVED** for information.

Carried.

Councillor Fred Francis was absent from the meeting when the vote was taken on this matter.

Report Number: C 102/2024

Clerk's File: APM2024

### 7.5 Update on Provincial Housing Targets & Residential Development in the City of Windsor – City Wide

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR354/2024

That the report of the Research & Policy Analyst dated August 22, 2024 entitled "Update on Provincial Housing Targets & Residential Development in the City of Windsor – City Wide" **BE RECEIVED** for information.

Carried.

Councillor Fred Francis was absent from the meeting when the vote was taken on this matter.

Report Number: C 105/2024

Clerk's File: GM/14845

## 8. CONSENT AGENDA

### 8.1. Amendment of Council Resolution CR839/99 - Signing Officer for Municipal Capital Facility Agreement be replaced with Chief Administrative Officer and City Clerk

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

# Minutes

## City Council

Monday, September 9, 2024

Page 8 of 39

Decision Number: CR355/2024

- I. That Council Resolution CR839/99 adopted July 26, 1999, amended by CR453/2000, adopted on May 9, 2000, **BE AMENDED** as follows:

By **DELETING** the reference to “Mayor” in its entirety and **INSERTING** “Chief Administrative Officer” in its place.

Carried.

Report Number: C 94/2024

Clerk’s File: AF2024

## 8.2. Canada Public Transit Fund (CPTF) Baseline Funding Application - Citywide

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR356/2024

- 1) That Administration **BE DIRECTED** to submit an Expression of Interest (EOI) (stage 1) for the City to participate in the Housing, Infrastructure and Communities Canada (HICC) – Canada Public Transit Fund (CPTF) – Baseline Funding stream, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the Commissioner, Economic Development, and in financial content to the City Treasurer, or designates; and,
- 2) That Administration **BE DIRECTED** to continue discussions with Housing, Infrastructure and Communities Canada (HICC) to further understand all funding requirements as they relate to cost-sharing, high density zoning and net-zero requirements; and,
- 3) That in the event the City receives written confirmation from Housing, Infrastructure and Communities Canada (HICC) that the Expression of Interest (EOI) submitted has been approved, Administration **REPORT BACK** to Council with all required information necessary to submit a Capital Plan Application (stage 2) to the Canada Public Transit Fund (CPTF) – Baseline Funding stream.

Carried.

Report Number: C 101/2024

Clerk’s File: MT/12670

## 8.3. 2024 Second Quarter Operating Budget Variance - City Wide

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR357/2024

That City Council **RECEIVE FOR INFORMATION** the 2024 2nd Quarter Operating Budget Variance Report; and further,

# Minutes

## City Council

Monday, September 9, 2024

Page 9 of 39

That the Chief Administrative Officer and the City Treasurer **BE DIRECTED** to continue to monitor the 2024 Operating Budget's projected variance and to continue to seek further means for offsetting any potential variances that may arise.

Carried.

Report Number: C 108/2024

Clerk's File: AF/14585

### 8.4. Dedicated Locator Model Agreements

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR358/2024

That Council **APPROVE** entering into Dedicated Locator Model Agreements which authorizes locate service providers to locate City owned municipal services on behalf of the City in accordance with the "*Ontario Underground Infrastructure Notification System Act, 2012*"; and,

That Council **AUTHORIZE** the CAO and City Clerk to execute Dedicated Locator Model Agreements, including any subsequent amending agreements, provided all documentation is satisfactory in form to the City Solicitor and in technical content to the Commissioner of Infrastructure Services; and,

That Council **AUTHORIZE** the Commissioner of Infrastructure Services or designate, to approve and/or reject future applications for locate services provided it is in the best interests of the City.

Carried.

Report Number: C 106/2024

Clerk's File: ST2024

### 8.6. Minutes of the Environment & Climate Change Advisory Committee (ECCAC) of its meeting held May 21, 2024

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR359/2024 ETPS 1014

That the minutes of the Environment & Climate Change Advisory Committee (ECCAC) meeting held May 21, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 235/2024 & SCM 195/2024

Clerk's File: MB2024



# Minutes

## City Council

Monday, September 9, 2024

Page 10 of 39

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### 8.7. Minutes of the Active Transportation Expert Panel of its meeting held May 30, 2024

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR360/2024 ETPS 1015

That the minutes of the Active Transportation Expert Panel meeting held May 30, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 236/2024 & SCM 217/2024

Clerk's File: MB2024

### 8.8. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held May 7, 2024

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR361/2024 ETPS 1016

That the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board meeting held May 7, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 237/2024 & SCM 219/2024

Clerk's File: MB2024

### 8.9. Essex Windsor Solid Waste Authority (EWSWA) Annual Report - Essex-Windsor Residential Waste Diversion 2023

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR362/2024 ETPS 1017

That the Essex Windsor Solid Waste Authority (EWSWA) Annual Report – Essex Windsor Residential Waste Diversion 2023 **BE RECEIVED**.

Carried.

Report Number: SCM 238/2024 & SCM 220/2024

Clerk's File: MB2024

# Minutes

## City Council

Monday, September 9, 2024

Page 11 of 39

### 8.10. Bike Parking Policy - City Wide

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR363/2024 ETPS 1018 ETPS 1005

That the report of the Policy Analyst dated November 9, 2023 entitled "Bike Parking Policy – City Wide", **BE RECEIVED** for information; and,

That the existing Policy for Bicycle Parking on Public Property **BE RESCINDED** and **BE REPLACED** with the Bike Parking Policy and associated attachments as appended in report S 75/2023; and,

That administration **REPORT BACK** to the Environment, Transportation and Public Safety Standing Committee on the costs to retro-fit existing facilities, to meet the new Bike Parking Policy requirements, including identifying priorities and funding requirements which would be required for installation and maintenance; and,

That administration **BE DIRECTED** to report back on the opportunity and feasibility to create a bike locker parking service pilot program in the City parking garages in the downtown core.

Carried.

Report Number: SCM 239/2024, S 75/2023 & AI 16/2024

Clerk's File: ST2023

### 8.12. Response to CQ 11-2024 School Safety: Students and Drivers – City Wide

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR364/2024 ETPS 1020

That the report of the Active Transportation Engineer dated July 15, 2024 entitled "Response to CQ 11-2024 School Safety: Students and Drivers – City Wide" **BE RECEIVED** for information; and,

That administration **BE DIRECTED** to meet with the school boards through the City & School Board Liaison Committee regarding alternatives to the Kiss and Ride Program and their pilot project at Queen Victoria School currently being discussed; and,

That administration **BE REQUESTED** to send a letter the local School Boards outlining specific concerns from affected neighbours and the public regarding the Kiss and Ride Program related to safety in school neighbourhoods.

Carried.

Report Number: SCM 241/2024 & S 94/2024

Clerk's File: ME2024 & ACOQ2024

# Minutes

## City Council

Monday, September 9, 2024

Page 12 of 39

### 8.13. Niagara Street (Lincoln Road to Walker Road) Traffic Calming – Ward 4

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR365/2024 ETPS 1021

That Administration **BE DIRECTED** to install speed humps on Niagara Street between Lincoln Road and Walker Road; and,

Whereas on February 2, 2024, the 2024 Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently City Council **SUPPORTS** an expenditure of \$74,950; and further,

That the City Treasurer **BE DIRECTED** to pre-commit \$74,950 in 2025 Pay-As-You-Go funding from the Traffic Calming Initiatives project, OPS-021-07, and make available for immediate use; and,

That a budget issue with regards to annual maintenance of \$5,400 **BE PRESENTED** as part of the 2025 operating budget development process and be considered a priority item based upon approval for the installations.

Carried.

Report Number: SCM 243/2024 & S 95/2024

Clerk's File: ST/13863

### 8.14. Request for Heritage Permit – 567 Church Street, Revell-D'Avignon House (Ward 3)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR366/2024 DHSC 641

- I. That Council **BE INFORMED** of the various roof replacement options explored by the Owner of 567 Church Street as outlined in this report; and,
- II. That a Heritage Permit at 567 Church St, Revell-D'Avignon House, **BE GRANTED** to the Property Owners Xiaoliang Duan & Hao Cui for the repainting of the “fish-scale” shingles at the gable ends, midline band of the bay window, and wood siding of the property per details outlined in Report S 72/2024 Appendix B Heritage Permit Application; and,
- III. That a Heritage Permit at 567 Church St, Revell-D'Avignon House, **BE GRANTED** to the Property Owners Xiaoliang Duan & Hao Cui for the removal and replacement of the existing cedar wood roof material with Timberline HDZ asphalt shingles, subject to further review of scope of work, product information and compatible colour selection to the satisfaction of the City Planner or designate prior to work start; and,

# Minutes

## City Council

Monday, September 9, 2024

Page 13 of 39

- IV. That the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the roof replacement, gable ends, and ornamental strip between the two-storeys.

Carried.

Report Number: SCM 244/2024, S 72/2024 & AI 17/2024

Clerk's File: MBA/2985

### 8.15. Request for Partial Demolition and Removal from Municipal Heritage Register for Heritage Listed Property – 232 Thompson Boulevard, House (Ward 6)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR367/2024 DHSC 642

- I. That Council **BE INFORMED** of the proposed partial demolition at 232 Thompson Boulevard to remove the existing roof, front porch, openings (doors/windows), and brick chimney to construct a second storey addition and new covered front porch; and,
- II. That the property at 232 Thompson Boulevard, identified as House – Arts & Crafts Bungalow, **BE REMOVED** from the Windsor Municipal Heritage Register, due to the existing lack of apparent cultural heritage value or interest in combination with the proposed extent of non-reversible alterations.

Carried.

Report Number: SCM 245/2024 & S 90/2024

Clerk's File: MBA2024

### 8.16. Community Heritage Fund Request – 3069 Alexander Ave, Masson-Deck House (Ward 2)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR368/2024 DHSC 640

- I. That a total grant of 30% of the cost to an upset amount of \$15,126.18 for the cedar roof shingles and the cedar dormer shingles, from the Community Heritage Fund (Reserve Fund 157), **BE GRANTED** to the Owner of the Masson-Deck House at 3069 Alexander Ave, subject to:
- a. Fulfillment of the conditions of Heritage Permit HP 09/2024 issued under delegated authority;
- b. Determination by the City Planner that the work is completed to heritage conservation standards;

- c. Owner's submission of paid receipts for work completed;
- d. That the Community Heritage Fund (Reserve Fund 157) grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: SCM 246/2024 & S 99/2024  
Clerk's File: MBA/3801

**8.17. Zoning By-law Amendment Application for property known as 1920 Grove Avenue; Applicant: Olivia Construction Homes Ltd.; File No. Z-016/24, ZNG/7206; Ward 2**

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Jim Morrison

Decision Number: CR369/2024 DHSC 639

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the north side of Grove Avenue, between Josephine Avenue and Partington Avenue, described as Part Lot 68, Concession 1, PIN 01219-0447 LT, from Residential District 2.1 with a holding prefix (HRD2.1) to Residential District 2.5 (RD2.5) and adding the following site-specific zoning provisions:

**"511 NORTH SIDE OF GROVE AVENUE, BETWEEN JOSEPHINE AVENUE AND PARTINGTON AVENUE**

For the land comprising Part Lot 68, Concession 1, PIN 01219-0447 LT, all permitted uses shall be subject to the following additional provisions:

- |    |  |                |
|----|--|----------------|
| a) | Main Building Height - maximum               | 11.0 m         |
| b) | Front Yard Depth – maximum                   | 20.3 m         |
| c) | Rear Yard Depth – minimum                    | 5.48 m         |
| d) | Loading space – minimum                      | 0              |
| e) | Exterior finish all dwelling types – minimum | 50% face brick |

[ZDM 4; ZNG/7206]"

- II. That the Site Plan Approval Officer **BE DIRECTED** to consider the municipal departments and external agencies' requirements found in Appendix D of this Report in the Site Plan Approval process and incorporate the Engineering Department's requirements and other

# Minutes

## City Council

Monday, September 9, 2024

Page 15 of 39

appropriate/necessary requirements in the Site Plan Agreement for the proposed development on the subject land.

Carried.

Report Number: SCM 247/2024 & S 96/2024

Clerk's File: ZB/13468

### 8.18. Amendment to Sign By-law 250-04 for 2545 Howard Avenue, File No. SGN-001/24 - Ward 10

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR370/2024 DHSC 645

- I. That the application for a Site Specific Amendment to By-law 250-2004, being a by-law respecting signs and other advertising devices in the City of Windsor, as amended (the "Sign By-law"), to allow for the installation of an Electronic Changing Copy Billboard Ground Sign on the private property at 2545 Howard Avenue, **BE APPROVED**; and,

- II. That Schedule "E" – "Special Provisions for Individual Signs" of the Sign By-law **BE AMENDED** by adding the following as a new section E. 22:

**E. 22** Despite the provisions of this By-law, that a BILLBOARD SIGN, that is both a GROUND SIGN and an ELECTRONIC CHANGING COPY SIGN, may be constructed on the property located west of Howard Avenue, east of Doty Place and south of the CP Rail Line underpass, subject to the following conditions:

- a. That the BILLBOARD SIGN does not include FLASHING ILLUMINATION, and that changing of the ELECTRONIC CHANGING COPY does not occur at intervals of less than 10 seconds;
- b. That the manufacturer of the BILLBOARD SIGN confirm compliance with the lighting restrictions in accordance with Section 3 for electronic message signs;
- c. That the BILLBOARD SIGN does not have any animation including scrolling letters, television or video message, or any moving sign message objects;
- d. That the illumination intensity of the BILLBOARD SIGN complies with subsection 3.3.1.(c) of this By-law, and that the brightness of the BILLBOARD SIGN be automatically controlled with an ambient light photo-sensor; and,
- e. That the BILLBOARD SIGN will only be illuminated between the hours of 6am and 11pm; and,

# Minutes

## City Council

Monday, September 9, 2024

Page 16 of 39

- III. That the City Solicitor **BE DIRECTED** to prepare the by-law to amend the Sign By-law.

Carried.

Report Number: SCM 248/2024 & S 88/2024

Clerk's File: SB2024

### 8.19. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Riverside Horizons Inc. for 3251 Riverside Drive East (Ward 5)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR371/2024 DHSC 643

- I. That the request made by Riverside Horizons Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 3251 Riverside Drive East for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. That Administration **BE DIRECTED** to prepare an agreement between Riverside Horizons Inc., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. That the approval to participate in the Brownfield Rehabilitation Grant Programs **EXPIRE** if the agreement is not signed by applicant within two years following Council approval.

Carried.

Report Number: SCM 249/2024 & S 91/2024

Clerk's File: SPL/14202

### 8.20. Downtown CIP Grant Application Amendment made by Fouad Badour (Owner) for 509, 515, 521, 527 Marentette Avenue, Ward 3

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR372/2024 DHSC 644

- I. That Council Resolution 63/2024 adopted on February 12, 2024 **BE AMENDED** as follows:

- i. by **DELETING** Resolutions V., VI., VII., VIII., IX., X., and XI. in their entirety, and **INSERTING** the following in their place:
- “V. That the request made by Fouad Badour for the proposed development at 509, 515, 521, 527 Marentette Avenue as proposed in Report S87/2024, to participate in:
  - a) the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years or until 100% of the eligible costs are repaid pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan; and,
  - b) the New Residential Development Grant Program **BE APPROVED** for \$30,000 towards eligible costs of twelve (12) new residential units (\$2,500 per new residential units) pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- VI. That Administration **BE DIRECTED** to prepare the agreements between the City and Fouad Badour to implement the Building/Property Improvement Tax Increment Grant Programs at 509, 515, 521, 527 Marentette Avenue in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- VII. That the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program agreements at 509, 515, 521, 527 Marentette Avenue to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications.
- VIII. That the City Treasurer **BE AUTHORIZED** to issue payment of \$30,000 for grants under the New Residential Development Grant Program for 509, 515, 521, 527 Marentette Avenue to Fouad Badour upon completion of the twelve (12) new residential units subject to the satisfaction of the City Planner and Chief Building Official.
- IX. That grant funds in the amount of \$30,000 under the New Residential Development Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022) when work is completed.
- X. That the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within two years following Council approval of Report S87/2024.



# Minutes

## City Council

Monday, September 9, 2024

Page 18 of 39

- XI. That should the new residential units not be completed in two (2) years following Council approval of Report S87/2024, City Council **RESCIND** the approval under the New Residential Development Grant Program and the Building/Property Improvement Grant Program and that the funds under the New Residential Development Grant Program be uncommitted and made available for other applications.
- ii. by **INSERTING** the following as a new Resolution XII:
- “XII. That the grants approved in Resolution V under the Building/Property Improvement Tax Increment Grant Program and the New Residential Development Grant Program shall apply to the property legally described in the Property Location section of Report S87/2024, regardless of whether the municipal addresses or roll numbers should change.”

Carried.

Report Number: SCM 250/2024 & S 87/2024  
Clerk's File: SPL2024

### 11.1. Declaration of a Vacant Parcel of Land Municipally Known as 2121 York Street Surplus and Authority to Offer Same for Sale – Ward 3

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR373/2024

I. That the following City of Windsor (the “City”) vacant parcel of land **BE DECLARED** surplus:

- Municipal address: **2121 York Street** – vacant land situate on the west side of York Street;
- Legal Description: Lot 6 on Registered Plan 925 Sandwich West; Windsor
- Approximate Lot size: 30 feet (9.14 m) x 86 feet (26.21 m)
- Approximate Lot area: 2,580 sq ft (239.69 m<sup>2</sup>) (herein the “Subject Parcel”); and,

II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the Subject Parcel identified in Recommendation I for sale at a price to be determined by the Manager of Real Estate Services commensurate with an independent appraisal.

Carried.

Report Number: C 103/2024  
Clerk's File: APM2024

# Minutes

## City Council

Monday, September 9, 2024

Page 19 of 39

### 11.2. Winter Control Maintenance of Municipal Roads – Execution of Contract 14-24 – City Wide

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR374/2024

That City Council **APPROVE** the following award of low tenders in Tender 14-24:

LOW TENDERER – PART “A”: GIP Paving Inc. TENDER NO: 14-24

TOTAL TENDER PRICE: \$2,144,500.00

ACCOUNT CHARGED: 001-2980-320P-02942-0161049

LOW TENDERER – PART “B”: Amico Infrastructures Inc. TENDER NO: 14-24

TOTAL TENDER PRICE: \$1,375,775.00

ACCOUNT CHARGED: 001-2980-320P-02942-0161049

and,

That the CAO and City Clerk **EXECUTE** an agreement with the low bidder for Part “A”, GIP Paving Inc., in the amount of \$2,144,500 excluding HST for the 2026/2027 winter control season, with said contract being satisfactory in form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer; and,

That the CAO and City Clerk **EXECUTE** an agreement with the low bidder for Part “B”, Amico Infrastructures Inc., in the amount of \$1,375,775 excluding HST for the 2026/2027 winter control season, with said contract being satisfactory in form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer; and,

That City Council **SUPPORT** and approve the award of the winter control maintenance contracts totalling \$3,582,232 for the 2026-2027 winter season, along with the associated provisions of the contract; and,

That the City Treasurer **BE DIRECTED** to identify the appropriate contractual expenditure increases as a priority budget increase as part of the future 2026 and 2027 budget processes.

Carried.

Report Number: C 107/2024

Clerk’s File: SW/12344

# Minutes

## City Council

Monday, September 9, 2024

Page 20 of 39

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

**13.17 By-law 144-2024 - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.49 METRE EAST/WEST ALLEY SOUTH OF TECUMSEH ROAD EAST, EAST OF LEONARD LANE, AND WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR62/2024 dated February 12, 2024.**

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR375/2024

That By-law 144-2024 dated February 12, 2024 being "A By-Law to Assume for Subsequent Closure the 5.49 Metre East/West Alley South of Tecumseh Road East, East of Leonard Lane, and West Of George Avenue, City of Windsor" **BE DEFERRED** to a future meeting of City Council to allow for administration to undertake a further review.

Carried.

**13.18 By-law 145-2024 - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.49 METRE EAST/WEST ALLEY SOUTH OF TECUMSEH ROAD EAST, EAST OF LEONARD LANE, AND WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR62/2024 dated February 12, 2024.**

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR376/2024

That By-law 145-2024 dated February 12, 2024 being "A By-Law to Close, Stop Up and Convey the 5.49 Metre East/West Alley South of Tecumseh Road East, East of Leonard Lane, and West Of George Avenue, City Of Windsor" **BE DEFERRED** to a future meeting of City Council to allow for administration to undertake a further review.

Carried.

### 8.5. Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Mark McKenzie

Decision Number: CR377/2024

That the report of the Environment, Transportation and Public Safety Standing Committee dated April 25, 2024 entitled "Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide" **BE DEFERRED** to a future City Council meeting for consideration.

Carried.

# Minutes

## City Council

Monday, September 9, 2024

Page 21 of 39

Report Number: SCM 165/2024, S 46/2024 & AI 14/2024

Clerk's File: ST2024

### **11.3. 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: Keiran McKenzie

Seconded by: Mark McKenzie

Decision Number: CR378/2024 DHSC 629

That the report of the Development and Heritage Standing Committee dated May 31, 2024 entitled "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" **BE DEFERRED** to a future meeting of City Council to allow for further investigation into the possibility of ingress and egress from the 6th Concession. Carried.

At the request of Councillor Jo-Anne Gignac, a recorded vote is taken on this matter.

Aye votes: Councillors Fred Francis, Fabio Costante, Renaldo Agostino, Mark McKenzie, Ed Sleiman, Gary Kaschak, Kieran McKenzie and Mayor Drew Dilkens.

Nay votes: Councillors Angelo Marignani, Jo-Anne Gignac, and Jim Morrison.

Abstain: None.

Absent: None.

Report Number: SCM 211/2024 & S 71/2024

Clerk's File: Z/14781 & Z/14544

## **10. PRESENTATIONS AND DELEGATIONS**

None presented.

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

### **8.11. Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Renaldo Agostino

Decision Number: CR379/2024 ETPS 1019

That the report of the Environment, Transportation and Public Safety Standing Committee dated July 12, 2024 entitled "Response to CQ 10-2024 - Property Owner sign-off on Permit Applications -

# Minutes

## City Council

Monday, September 9, 2024

Page 22 of 39

City Wide" **BE REFERRED** back to administration to allow for further discussion regarding options that will satisfy the identified concerns; and,

That the information **BE FORWARDED** to a future meeting of Council for their consideration.  
Carried.

Report Number: SCM 240/2024 & S 93/2024

Clerk's File: SB2024 & ACOQ2024

## 12. CONSIDERATION OF COMMITTEE REPORTS

### 12.2. Report of the Special Meeting of Council In Camera of its meeting held July 22, 2024 (Session 1)

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR348/2024

That the report of the Special In-Camera (Session 1) meeting held July 22, 2024 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 274/2024

Clerk's File: ACO2024

### 12.3. Report of the In-Camera Striking Committee of its meeting held July 22, 2024

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR380/2024

That the report of the Striking Committee – In-Camera of its meeting held July 22, 2024 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 275/2024

Clerk's File: ACO2024

### 12.4. Report of the Striking Committee of its meeting held July 22, 2024

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR381/2024

That the report of the Striking Committee of its meeting held July 22, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 276/2024

Clerk's File: ACO2024

### **12.5. Report of the Special Meeting of Council – In-Camera of its meeting held July 22, 2024 (Session 2)**

Moved by: Councillor Fabio Costante

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR382/2024

That the report of the Special In-Camera (Session 2) of its meeting held July 22, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 281/2024

Clerk's File: ACO2024

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

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

That the following By-laws No. 128-2024 through 143-2024 and 146-2024 through 148-2024 be introduced and read a first and second time:

**128-2024** A BY-LAW TO AMEND BY-LAW 12417, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE NORTH/SOUTH ALLEY AND PART OF THE EAST/WEST ALLEY NORTH OF PITT STREET EAST, BETWEEN OUELLETTE AND GOYEAU, authorized by CAO 141/2024 dated July 11, 2024.

**129-2024** A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE NORTH/SOUTH ALLEY, AND THE TWO PORTIONS OF 4.27 METRE EAST/WEST ALLEYS NORTH OF HAIG AVENUE, EAST OF PRINCESS AVENUE, SOUTH OF JOINVILLE AVENUE, AND WEST OF WESTMINISTER BOULEVARD, CITY OF WINDSOR, authorized by CR436/2023 dated October 30, 2023.

# Minutes

## City Council

Monday, September 9, 2024

Page 24 of 39

**130-2024** A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE NORTH/SOUTH ALLEY AND THE TWO PORTIONS OF 4.27 METRE EAST/WEST ALLEYS NORTH OF HAIG AVENUE, EAST OF PRINCESS AVENUE, SOUTH OF JOINVILLE AVENUE, AND WEST OF WESTMINSTER BOULEVARD, CITY OF WINDSOR, authorized by CR436/2023 dated October 30, 2023.

**131-2024** A BY-LAW TO AMEND BY-LAW 12027, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE NORTH/SOUTH ALLEY WEST OF PRADO PLACE, FROM EDGAR TO RAYMOND, authorized by CAO 157/2024 dated July 15, 2024.

**132-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR326/2024 dated July 22, 2024.

**133-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR326/2024 dated July 22, 2024.

**134-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by Section 95.5 in Zoning By-law 8600 dated April 22, 2024.

**135-2024** A BY-LAW TO AMEND BY-LAW NUMBER 208-2008, BEING A BY-LAW TO DELEGATE TO ADMINISTRATION THE AUTHORITY TO PROCESS, MAKE DECISIONS ON, AND TO EXECUTE AGREEMENTS FOR CERTAIN MATTERS, authorized by CR311/2024 & CR230/2023 dated July 22, 2024 & May 29, 2023.

**136-2024** A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.57 METRE EAST/WEST ALLEY AND THE 4.57 METRE NORTH/SOUTH ALLEY NORTH OF E.C. ROW, EAST OF ALEXANDRA AVENUE, SOUTH OF NORTHWOOD STREET AND WEST OF ACADEMY DRIVE, CITY OF WINDSOR, authorized by CR416/2023 dated October 16, 2023.

**137-2024** A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE EAST/WEST ALLEY AND THE 4.57 METRE NORTH/SOUTH ALLEY, NORTH OF E.C. ROW, EAST OF ALEXANDRA AVENUE, SOUTH OF NORTHWOOD STREET AND WEST OF ACADEMY DRIVE, CITY OF WINDSOR, authorized by CR416/2023 dated October 16, 2023.

**138-2024** A BY-LAW TO ADOPT AMENDMENT NO. 179 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR325/2024 dated July 22, 2024.

**139-2024** A BY-LAW TO ADOPT AMENDMENT NO. 181 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR333/2024 dated July 22, 2024.

**140-2024** A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS MEADOWBOOK LANE IN THE CITY OF WINDSOR, authorized by CR76/2011 dated February 28, 2011.

# Minutes

## City Council

Monday, September 9, 2024

Page 25 of 39

**141-2024** A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 1196 IN THE CITY OF WINDSOR, authorized by By-law 139-2013 dated August 26, 2013.

**142-2024** A BY-LAW TO AMEND BY-LAW 223-2007, BEING A BYLAW TO CLOSE, DECLARE SURPLUS AND CONVEY THE 4.27 METRE (14 FEET) WIDE NORTH/SOUTH ALLEY AND EAST/WEST ALLEY BETWEEN RANDOLPH AVENUE AND RANKIN AVENUE SOUTH OF TECUMSEH ROAD WEST, SOUTHERLY TO ALGONQUIN STREET, IN THE CITY OF WINDSOR, authorized by CAO 169/2024 dated August 9, 2024.

**143-2024** A BY-LAW TO AMEND BY-LAW 55-2012, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE (14 FEET) WIDE NORTH/SOUTH ALLEY BETWEEN WALKER ROAD AND TURNER ROAD FROM LEDYARD AVENUE SOUTHERLY TO MOXLAY AVENUE, CITY OF WINDSOR, authorized by CAO 170/2024 dated August 16, 2024.

**146-2024** A BY-LAW TO ADOPT AMENDMENT NO. 187 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR289/2024 dated July 8, 2024.

**147-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR289/2024 dated July 8, 2024.

**148-2024** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 9TH DAY OF SEPTEMBER 2024.

Carried.

## 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

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

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

Carried.

## 15. NOTICES OF MOTION

None presented.



# Minutes

## City Council

Monday, September 9, 2024

Page 26 of 39

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

Moved by: Councillor Jim Morrison

Seconded by: Councillor Fred Francis

That the By-laws No. 128-2024 through 143-2024 and 146-2024 through 148-2024 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

### 17. PETITIONS

None presented.

### 18. QUESTION PERIOD

#### 18.3 CQ 36-2024

Moved by: Councillor Fabio Costante

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR383/2024

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

CQ 36-2024:

**Assigned to: Commissioner, Infrastructure Services & City Engineer**

Asks that Administration report back on traffic volumes and public safety at the intersection of Lauzon Parkway and Twin Oaks Drive and propose any mitigation measures that could improve the intersection from both a functionality and public safety standpoint.

Carried.

Clerk's File: ST2024 & ACOQ2024

#### 18.4 CQ 37-2024

Moved by: Councillor Fabio Costante

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR384/2024

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

CQ 37-2024:

**Assigned to: Commissioner, Community & Corporate Services**

Asks that Administration prepare a report for City Council outlining what it would entail from an Administrative & Financial standpoint to potentially have the similar 'Supie Program' at one Park in all 10 Wards starting in the spring/summer of 2026.

The Councillor along with Administration would determine the Ward Park location.

Carried.

Clerk's File: SR2024 & ACOQ2024

## **18.5 CQ 38-2024**

Moved by: Councillor Fabio Costante

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR385/2024

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

CQ 38-2024:

**Assigned to: Commissioner, Community & Corporate Services**

Asks that Administration examine the existing sign bylaw to include provisions for temporary graffiti, applied by paint or power washed to create a reverse graffiti look on municipal sidewalks. Additionally, request the administration allows WIFF to install temporary graffiti on the municipal sidewalks under a right-of-way permit from October 1st to November 4th, 2024, notwithstanding the current sign bylaw.

Carried.

Clerk's File: ACO2024 & ACOQ2024

## **18.6 CQ 39-2024**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR386/2024

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

CQ 39-2024:

**Assigned to: Commissioner, Community & Corporate Services**

Asks Administration for a report on funds that are available for waterfront property that could become parkland. There are two sites in Riverside being brought forward by residents: Shores Park and the former Abars site.

Carried.

Clerk's File: SR2024 & ACOQ2024

## **21. ADJOURNMENT**

Moved by: Councillor Fred Francis  
Seconded by: Councillor Gary Kaschak

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

Accordingly, the meeting is adjourned at 12:14 o'clock p.m.

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Mayor

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City Clerk

Adopted by Council at its meeting held September 9, 2024 (CR348/2024)  
SV/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**July 22, 2024 (Session 1)**

**Meeting called to order at: 10:02 a.m.**

**Members in Attendance:**

Mayor Drew Dilkens  
Councillor Renaldo Agostino (virtually)  
Councillor Fabio Costante  
Councillor Fred Francis  
Councillor Jo-Anne Gignac  
Councillor Gary Kaschak  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Mark McKenzie  
Councillor Jim Morrison  
Councillor Ed Sleiman (virtually)

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services  
Mark Winterton, Acting Commissioner of Infrastructure Services/City Engineer  
David Simpson, Commissioner of Infrastructure Services  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Ray Mensour, Commissioner of Community Services  
Jelena Payne, Commissioner Economic Development  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, City Solicitor  
Matthew Stubbings, Mayor's Chief of Staff  
Anna Ciacelli, Deputy Clerk  
Dana Paladino, Acting Senior Executive Director Corporate Services

**Verbal Motion is presented by Councillor Jo-Anne Gignac, seconded by Councillor Angelo Marignani,**

# Minutes

## City Council

Monday, September 9, 2024

Page 30 of 39

That Rule 3.3(c) of the *Procedure By-law, 98-2011*, BE WAIVED to allow for the Mayor to call a special meeting without 24 hours notice.

**Motion Carried.**

Verbal Motion is presented by Councillor Jo-Anne Gignac, seconded by Councillor Angelo Marignani,  
to move in Camera for discussion of the following item(s):

Item No.	Subject & Section - Pursuant to <i>Municipal Act</i> , 2001, as amended
1	P&C memo – Item 8.11 on regular agenda - Financial information belonging to municipality, Section 239(2)(j)
2	P&C memo – Item 10.1 - legal matter – advice subject to solicitor-client privilege, Section 239(2)(f)
3	P&C memo – Item 11.4 – property/plan matter – disposition of land, Section 239(2)(c)(i)

**Motion Carried.**

### Declarations of Pecuniary Interest:

None declared.

### Discussion on the items of business.

Verbal Motion is presented by Councillor Kieran McKenzie, seconded by Councillor Angelo Marignani,  
to move back into public session.

**Motion Carried.**

Moved by Councillor Kieran McKenzie, seconded by Councillor Angelo Marignani,  
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held July 22, 2024 (Session 1) directly to Council for consideration at the next Regular Meeting.

# Minutes

## City Council

Monday, September 9, 2024

Page 31 of 39

1. That the personal and confidential memo from the Financial Planning Administrator Transit Windsor, Executive Director of Transit Windsor, Acting Commissioner of Infrastructure Services, City Solicitor and Commissioner of Finance/City Treasurer respecting Item 8.11 on the regular agenda **BE RECEIVED FOR INFORMATION.**
2. That the personal and confidential memo from City Solicitor respecting Item 10.1 on the regular agenda **BE RECEIVED FOR INFORMATION.**
3. That the personal and confidential memo from the Manager of Corporate Projects, Executive Director of Engineering/Deputy City Engineer, Acting Commissioner of Infrastructure Services and Commissioner of Finance/City Treasurer respecting Item 11.4 on the regular agenda **BE RECEIVED FOR INFORMATION.**

**Motion Carried.**

**Moved by Councillor Jo-Anne Gignac, seconded by Councillor**

**Fabio Costante,**

**That the special meeting of council held July 22, 2024(Session 1) BE ADJOURNED.**

**(Time: 10:50 a.m.)**

**Motion Carried.**

**STRIKING COMMITTEE – IN CAMERA**  
**July 22 2024**

**Meeting called to order at: 4:48 p.m.**

**Members in Attendance:**

Mayor Drew Dilkens  
Councillor Renaldo Agostino (virtually)  
Councillor Fabio Costante  
Councillor Fred Francis  
Councillor Jo-Anne Gignac  
Councillor Gary Kaschak  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Mark McKenzie  
Councillor Ed Sleiman(virtually)  
Councillor Jim Morrison

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Steve Vlachodimos, City Clerk  
Anna Ciacelli, Deputy Clerk  
Matthew Stubbings, Mayor's Chief of Staff

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

<b>Item No.</b>	<b>Subject &amp; Section - Pursuant to <i>Municipal Act</i>, 2001, as amended</b>
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# Minutes

## City Council

Monday, September 9, 2024

Page 33 of 39

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- 1                      Personal matter – about identifiable individual(s) –  
                         appointment of additional members to the Windsor  
                         Detroit Tunnel Corporation Board of Directors, Section  
                         239(2)(b)

**Motion Carried.**

### **Declarations of Pecuniary Interest:**

None declared.

**Discussion on the items of business.**

Verbal Motion is presented by Councillor Fred Francis, seconded  
by Councillor Mark McKenzie,  
to moved back into public session.

**Motion Carried.**

Moved by Councillor Fred Francis, seconded by Councillor  
Mark McKenzie,  
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s)  
discussed at the In-Camera Striking Committee Meeting held July 22, 2024 directly to  
Council for consideration at the next Regular Public Meeting or Special meeting of Council.

1.                      That the confidential discussions regarding the appointment of additional members to  
the *Windsor Detroit Tunnel Corporation Board of Directors* BE APPROVED (see open report  
of the Striking Committee).

**Motion Carried.**

Moved by Councillor Jo-Anne Gignac, seconded by Councillor  
Angelo Marignani,  
That the special Striking Committee meeting held July 22, 2024 BE ADJOURNED.  
(Time: 4:55 p.m.)

**Motion Carried.**



Adopted by Council at its meeting held September 9, 2024 (CR381/2024)  
SV/bm

**REPORT OF THE STRIKING COMMITTEE**  
**of its meeting held**  
**July 22, 2024**

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**Members in Attendance:**

Mayor Drew Dilkens  
Councillor Renaldo Agostino (virtually)  
Councillor Fabio Costante  
Councillor Jo-Anne Gignac  
Councillor Gary Kaschak  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Mark McKenzie  
Councillor Jim Morrison  
Councillor Ed Sleiman (virtually)  
Councillor Fred Francis

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Steve Vlachodimos, City Clerk  
Matthew Stubbings, Mayor's Chief of Staff  
Anna Ciacelli, Deputy Clerk

**Declarations of Pecuniary Interest:**

None declared.

Your Committee submits the following recommendation:

# Minutes

## City Council

Monday, September 9, 2024

Page 35 of 39

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(1) That the membership on the Windsor Detroit Tunnel Corporation Board of Directors (Windsor Detroit Border Link Limited) **BE INCREASED** by 2

citizen members, and further that Dr. Ira Cohen and Mike Burnett **BE APPOINTED** to the Board for the term expiring November 14, 2026 or until successors are appointed.

MAYOR

CITY CLERK

Adopted by Council at its meeting held September 9, 2024 (CR382/2024)  
SV/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**July 22, 2024 (Session 2)**

**Meeting called to order at: 3:17 p.m.**

**Members in Attendance:**

Mayor Drew Dilkens  
Councillor Renaldo Agostino (virtually)  
Councillor Fabio Costante  
Councillor Fred Francis  
Councillor Jo-Anne Gignac  
Councillor Gary Kaschak  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Mark McKenzie  
Councillor Jim Morrison  
Councillor Ed Sleiman (virtually)

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services (Items 1-5, 7)  
Mark Winterton, Acting Commissioner of Infrastructure Services/City Engineer (Items 1-5, 7)  
David Simpson, Commissioner of Infrastructure Services (Items 1-5, 7)  
Janice Guthrie, Commissioner of Finance/City Treasurer (Items 1-5, 7)  
Ray Mensour, Commissioner of Community Services  
Jelena Payne, Commissioner Economic Development  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, City Solicitor  
Matthew Stubbings, Mayor's Chief of Staff  
Anna Ciacelli, Deputy Clerk (Items 1-5, 7)  
Dana Paladino, Acting Senior Executive Director Corporate Services  
James Chacko, Executive Director of Parks and Facilities (Item 1)  
Stacey McGuire, Executive Director of Engineering (Item 4)  
Mike Cholubko, Manager End User Support (Item 4)  
Sebastian Pirrone, Director Corporate Security (Item 4)  
Josie Liburdi, Project Coordinator (Item 4)

# Minutes

## City Council

Monday, September 9, 2024

Page 37 of 39

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Colleen Middaugh, Manger of Corporate Projects (Item 4)  
Vito Grammatico, Senior Economic Development Officer (Item 5)  
Greg Atkinson, Deputy City Planner (Item 5)  
Matthew Johnson, Executive Director, Economic Development (Item 5)  
Vincenza Mihalo, Executive Director Human Resources (Item 6)

**Verbal Motion is presented by Councillor Fabio Costante, seconded by Councillor Kieran McKenzie,**  
**that Rule 3.3 (c) of the *Procedure By-law, 98-2011*, BE WAIVED to add the following Agenda items:**

- 6. Personal/legal Matter – about an identifiable individual – update;**
- 7. Personal matter – about an identifiable individual – update.**

**Motion Carried.**

**Verbal Motion is presented by Councillor Fabio Costante, seconded by Councillor Kieran McKenzie,**  
**to move in Camera for discussion of the following item(s), adding Items 6 and 7:**

Item No.	Subject & Section - Pursuant to <i>Municipal Act</i> , 2001, as amended
1	Position/plan – negotiations update, Section 239(2)(k)
2	Property matter/plan – update, Sections 239(2)c)(i)(k)
3	Property matter – expropriation, Section 239(2)(c)
4	Property matter – security of the property of the Corporation, Section 239(2)(a)
5	Property matter – economic development update, Section 239(2)(c)(i)(k)
6	Personal/legal matter – about an identifiable individual – update, Section 239(2)(b)(e) – verbal report - ADDED

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Item No.	Subject & Section - Pursuant to <i>Municipal Act</i> , 2001, as amended
7.	Personal matter – about an identifiable individual – update, Section 239(2)(b) – ADDED

**Motion Carried.**

**Declarations of Pecuniary Interest:**

Councillor Renaldo Agostino declares an interest and abstains from voting on Item 2 as a family member works at potential employer of development

**Discussion on the items of business.**

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

**Motion Carried.**

**Moved by Councillor Angelo Mariginani, seconded by Councillor Fred Francis,**  
**THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held July 22, 2024 (Session 2) directly to Council for consideration at the next Regular Meeting.**

4. That the recommendation contained in the in-camera report from the Executive Director of Parks and Facilities, City Solicitor, Commissioner of Community and Corporate Services and Commissioner of Finance/City Treasurer respecting a position/plan – negotiations update **BE APPROVED.**

5. That the recommendation contained in the in-camera report from the Manager of Development Engineering, Executive Director of Engineering, Acting Commissioner of Infrastructure Services, City Solicitor and Commissioner of Finance/City Treasurer respecting a property matter/plan - update **BE APPROVED.**

**Councillor Renaldo Agostino declares an interest and abstains from voting on this matter.**

# Minutes

## City Council

Monday, September 9, 2024

Page 39 of 39

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6. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, City Solicitor, Acting Senior Executive Director of Corporate Services, Commissioner of Community and Corporate Services, Executive Director of Engineering, Acting Commissioner of Infrastructure Services and Commissioner of Finance/City Treasurer respecting a property matter – expropriation **BE APPROVED**.

7. That the recommendation contained in the in-camera report from the Executive Director of Engineering, Purchasing Manger, Acting Senior Executive Director of Corporate Services, Acting Commissioner of Infrastructure Services, Commissioner of Community and Corporate Services and Commissioner of Finance/City Treasurer respecting a property matter – security of the property of the Corporation **BE APPROVED**.

8. That the recommendation contained in the in-camera report from the Senior Economic Development Officer, Executive Director of Economic Development, Commissioner of Economic Development, City Solicitor, Commissioner of Infrastructure Services, Commissioner of Finance/City Treasurer respecting a property matter – economic development update **BE APPROVED**.

**Councillors Fabio Costante and Kieran McKenzie voting nay.**

9. That the confidential verbal report from the Commissioner of Economic Development respecting a personal/legal matter about an identifiable individual – update **BE RECEIVED**.

10. That the confidential verbal report from the City Treasurer regarding a personal matter about an identifiable individual – update **BE RECEIVED**.

**Motion Carried.**

**Moved by Councillor Jo-Anne Gignac, seconded by Councillor**

**Angelo Marignani,**

**That the special meeting of council held July 22, 2024 (Session 2) BE ADJOURNED.**

**(Time: 4:41 p.m.)**

**Motion Carried.**



## Correspondence Report: CMC 13/2024

### ATTACHMENTS

#### Subject: Correspondence for Monday, September 23, 2024 City Council Meeting

No.	Sender	Subject
7.1.1	Brian Masse, Member of Parliament, Windsor West	Letter regarding the decision by the Michigan Department of Transportation (MDOT) to allow additional hazardous materials on the Ambassador Bridge.  Commissioner, Community & Corporate Services City Solicitor Fire Chief GF2024 Note & File
7.1.2	Town of Tecumseh	Notice of Public Meeting for Proposed Official Plan Amendment to incorporate the Tecumseh Hamlet Secondary Plan into the Tecumseh Official Plan.  City Solicitor City Planner Chief Building Official Commissioner, Community & Corporate Services Commissioner, Economic Development GM2024 Note & File
7.1.3	City Planner	Application for Zoning By-law Amendment, Farhi Holdings Corp., 8565 McHugh Street, to apply a site specific provision to the Commercial District 2.2 to permit an increase in maximum building height and reduce the minimum amenity area per dwelling for the construction of a six storey mixed use building.  Z/14848 Note & File

7.1.4	City Planner	<p>Application for Zoning By-law Amendment, Andi Shallvari, 3170-3178 California Avenue, to permit two new semi-detached dwellings as an additional permitted use, where only an existing semi-detached dwelling is permitted.</p> <p style="text-align: right;">Z/14849 Note &amp; File</p>
7.1.5	City Planner	<p>Application for Zoning By-law Amendment, 2312205 Ontario Ltd. (Mariusz Buchcic),, 0 Windsor Avenue &amp; 1140 Goyeau Street, to permit a multi-unit residential building.</p> <p style="text-align: right;">Z/14850 Note &amp; File</p>
7.1.6	City Planner	<p>Application for Zoning By-law Amendment and Draft Plan of Subdivision/Condominium, Olivia Construction Homes Inc., 3990 Loon Street, to permit a townhome dwelling on the subject land so as to facilitate the development of a residential subdivision containing 4 townhome dwellings with a total of 28 townhome dwelling units on the property.</p> <p style="text-align: right;">Z/14851 &amp; Z/14853 Note &amp; File</p>
7.1.7	Committee of Adjustment	<p>Agenda for the Committee of Adjustment/Consent Authority, scheduled to be heard Thursday, September 26, 2024.</p> <p style="text-align: right;">Z2024 Note &amp; File</p>



**Brian Masse**

Member of Parliament  
(Windsor West)



**Ottawa**

1000 Valour Bldg.  
House of Commons  
Ottawa ON, K1A 0A6  
[brian.masse@parl.gc.ca](mailto:brian.masse@parl.gc.ca)

Right Honourable Justin Trudeau  
Prime Minister of Canada  
House of Commons  
Ottawa, ON K1A 0A6

September 6, 2024

Honourable Pablo Rodriguez  
Minister of Transport  
House of Commons  
Ottawa, ON K1A 0A6

Dear Prime Minister Trudeau and Minister Rodriguez,

I am writing today regarding the State of Michigan's Department of Transportation (MDoT) [approving the Ambassador Bridge to transport additional hazardous materials](#) across this international border crossing into my riding of Windsor West. My community and I have opposed allowing further hazardous materials to cross into our community and to be transported through our neighbourhoods. We know this has been on the Ambassador Bridge agenda for over twenty years [with much opposition on the Canadian side of the border](#). I will continue to object to this allowance of additional hazardous materials until your government can provide, and make public, any studies and reports that were done confirming that this change to the regulations does not pose a threat to public safety, environment, and economy. This decision appears to be rather suspicious given we are mere months away from the Gordie Howe International Bridge being open and that will have the highest standards to deal with these substances.

Back in December 2020, as soon as I learned that MDoT was considering opening the Ambassador Bridge to increased hazardous materials, I wrote to then Minister of Transport, Marc Garneau, who immediately investigated and discussed the proposal with authorities in Michigan. He indicated that he "*...directed Transport Canada officials to prioritize their analysis of this issue with the goal of determining the consequences that any potential lifting of prohibitions on the American side would have on the Canadian transportation system, and to identify options to mitigate any safety or security risks.*" If this was done, it was not shared with me or my constituents, and to date, we remain unaware of any such consequences to our community. This is unacceptable.

In 2023, when MDoT called for [public comments](#) on this proposal, [I submitted an opposition letter](#) alongside the City of Windsor, the University of Windsor and other concerned residents and business associations. Yet, the Government of Canada, nor the Province of Ontario made submissions. In fact, I have not been able to locate any comments, studies, or reports by the Government of Canada either in support or opposition to this change.

At the same time, I called on your government to extend the funding to the Windsor-Detroit Truck Ferry so that they could continue operating until the new Gordie Howe Bridge opens in 2025. This has traditionally been the safest and most reliable mode of transport for hazardous materials, and without the funding, they had to close. The decision to not keep this operational for the safety of the public, environment and economy was negligence at the highest levels.

As you can see in the [MDoT study](#), a significant amount of work went into mapping the routes of the hazardous waste transport and the potential impacts to public safety should an accident occur on the American side of the border. However, it states right in the “summary” that MDoT would be consulting with “Canadian authorities” on the FHWA routing guidelines. I call on you to the release of all documents, emails, and meetings as this was done with taxpayer-funded resources and they deserve the right to know what they paid for and how it was used. I would like confirmation that this consultation and study took place, and please indicate whether a report was done on behalf of the Canadian federal government to ensure the safety of residents. If a study report was done, I would like an unredacted copy of this report made available to me. Please include the transportation routes that were studied, and which were approved as the selected routes so that residents and businesses in my riding can be made aware of them like their Michigan counterparts are informed on routes. Further, will these hazmat trucks be inspected on or off-site, and if off-site, what route will they be taking as this traditionally includes trucks traveling through populated residential neighbourhoods.

We often hear your Government claim that it’s important to keep our trade corridors open and keep the just-in-time deliveries moving for the economy. I fail to see the benefit of adding more congestion, and mixed hazardous material at a crossing that was never designed for, nor has the best facilities to deal with any small, medium, or large-scale incident.

As we saw with the past illegal blocking of the Ambassador Bridge in February 2022, there were billions of dollars lost to the economy and a requirement of local resources still carried by local taxpayers to this day. This not only jeopardizes day to day operations, but increased truck traffic will require special escorts creating logistical challenges. I would also like to know if any national security analysis has been done to evaluate risk assessment from all the crossings that transport this material and how they all compare. All of us support the free movement of goods and people across the border and it benefits our city, our automotive industry, and workers immensely. However, we need our ports of entry better equipped with increased staffing, functioning equipment and safety protocols for this to be efficient and protect our residents properly. Unfortunately, the understaffing issues at the Ambassador Bridge these past months have resulted in local taxpayers footing the bill from a deadbeat province and federal government when it comes to supporting this international connection. We have also been made aware that some of our equipment has been moved from our port of entry to the Port of Montreal.

At times, including the day of the Microsoft outage on the US side of the border, we had only one border officer at this point of entry causing serious backups at the border resulting in the Windsor Police Service stepping in again to direct traffic. It should not be up to the taxpayers of this municipality to bail out a negligent provincial and federal government for not supporting one of the most important economic and potentially at-risk corridors in the world.

To add this additional new option of carrying hazmat, which will require escort vehicles to the trucks, will only further increase strains on municipal resources that already have to respond

including the Windsor Fire Services. To this specific point, please advise what additional funding, equipment and training will be provided to the City of Windsor and what official evaluations or studies have been done to prepare for minor, medium and high levels of containment that might be required in the case of accident or spillage? If action is required by our first responders, what additional support and training will be provided to these workers and the City of Windsor? Just this week we saw the [Blue Water bridge in Sarnia closed](#) for hours due to a transport truck fuel leak on a bridge that is equipped for hazmat issues.

It is unfortunate that your government continues supporting a company that continues to buy and board up homes, leaving neighbourhoods in disarray, leverages political donations to influence political decisions, and shows very little community stewardship. There is little to no public accountability, and yet, your government approved their former 2017 Order in Council approving a twin span which has now expired, and now your consideration of this hazardous material regulation. That alone should trigger a comprehensive assessment that does not rely on a foreign government to assess the risk of our shared water resource and neighbourhoods. Why are you ceding our sovereignty?

Respectfully, I cannot support a decision without a full public consultation like Michigan held, including an open comment period, studies and report by Transport Canada and Public Safety Canada. Please take the time to share the requested documents, unredacted, with the Canadian public. Our country, province, and communities deserve transparency and answers. Thank you in advance for your time and attention to this matter and I look forward to your response and receiving these documents.

Yours truly,



Brian Masse MP  
Windsor West  
NDP Industry, Border and Great Lakes Critic  
Vice-Chair, CAN-US Inter-parliamentary Group

CC: Honourable Sean Fraser, Minister of Public Safety Canada  
Jagmeet Singh MP, NDP Leader  
Mayor Drew Dilkens, City of Windsor  
Mark Weber, National President Customs Immigration Union  
Alistair MacGregor MP, NDP Public Safety



SEP 04 2024

**TOWN OF TECUMSEH  
NOTICE OF PUBLIC MEETING  
PROPOSED OFFICIAL PLAN AMENDMENT  
(TECUMSEH HAMLET SECONDARY PLAN)**

**RECEIVED**

**TAKE NOTICE** that the Council of the Corporation of the Town of Tecumseh will hold a public meeting **Tuesday, September 24, 2024 at 5:30 p.m.** in the Town Municipal Office Council Chambers at 917 Lesperance Road to consider a proposed amendment to the Tecumseh Official Plan, 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.

The purpose of the public meeting is to seek stakeholder and public comments on the proposed Official Plan amendment required to incorporate the Tecumseh Hamlet Secondary Plan (THSP) into the Tecumseh Official Plan (*Application/File: D08 TEC*).

The purpose of the THSP is to establish a detailed planning framework for the development of lands that are currently designated "Future Development" in the Tecumseh North Settlement Area of the Official Plan. The lands subject to the THSP are generally delineated by County Road 22 to the north, County Road 19/Manning Road to the east, County Road 42 to the south and Banwell Road to the west and are situated between the City of Windsor to the west and the Municipality of Lakeshore to the east (see Key Map on reverse). These lands are a composite of primarily large undeveloped lands that are currently farmed. In addition, there are a number of natural heritage areas and existing homes.

The THSP is intended to ensure the orderly, efficient and appropriate development of the subject lands and includes a Vision Statement, Guiding Principles, an Area Structure Plan, Land Use Policies, Urban Design Guidelines and Municipal Services policies. It also proposes to place the subject lands into specific urban land use designations and provide an Open Space Framework, Pedestrian Framework and Cycling Framework. One of its main goals will be to deliver a complete, walkable and diverse community, comprising sustainable neighbourhoods through the provision of a wide variety of land uses and a diversity of housing types, supported and enhanced by quality private development and public spaces and amenities.

**ANY PERSON** may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Official Plan amendment.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the Town of Tecumseh and County of Essex (the Approval Authority for Official Plan amendments) to the Ontario Land Tribunal but the 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 Official Plan amendment is adopted, the person or public body is not entitled to appeal the decision.

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 Official Plan amendment is adopted, 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 the Public Meeting

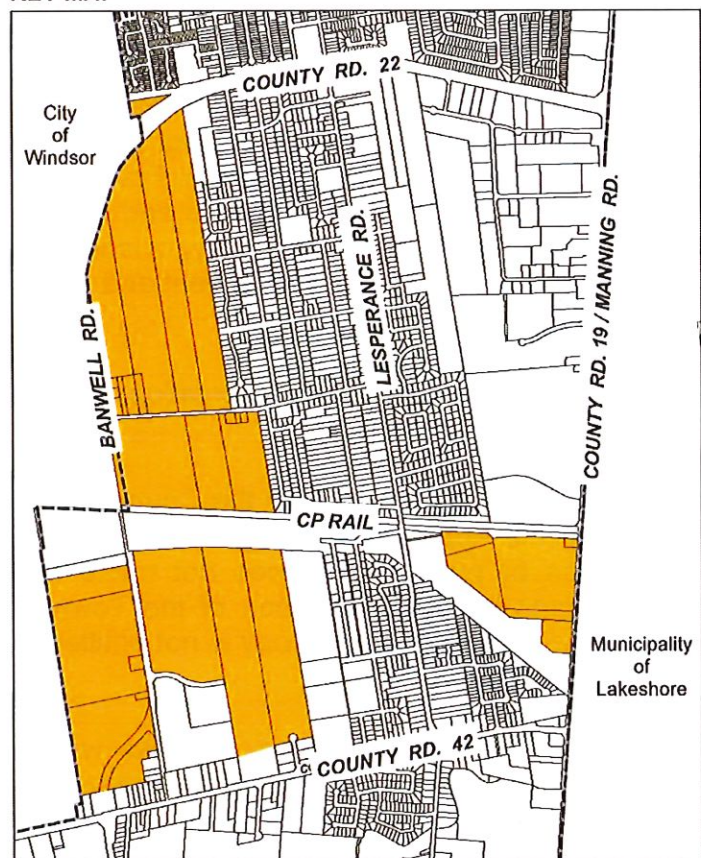
Public Meetings are being held at the Town Municipal Office Council Chambers and live-streamed on the Town's website. Any person who wishes to **make oral submissions** at the Public Meeting **must register as a delegate**. To register as a delegate, persons may use the online registration form on the Town's website at [www.tecumseh.ca/delegations](http://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, September 24, 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, September 19, 2024**.

If you wish to be notified of the decision of the Council of the Corporation of Town of Tecumseh and the County of Essex (the Approval Authority for Official Plan amendments) on the proposed Official Plan 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.

**FOR MORE INFORMATION** about this matter, including information about appeal rights, contact the Corporation of the Town of Tecumseh, c/o Robert Auger, Director Legislative Services & Clerk, at [rauger@tecumseh.ca](mailto:rauger@tecumseh.ca) or directly at the Town Municipal Office at 917 Lesperance Road.

The Public Meeting Agenda regarding this application will be available on the Town's website (<https://calendar.tecumseh.ca/meetings>) on Friday, September 20, 2024.

KEY MAP



DATED AT THE TOWN OF TECUMSEH  
THIS 29<sup>TH</sup> DAY OF AUGUST, 2024.

ROBERT AUGER  
DIRECTOR LEGISLATIVE SERVICES &  
CLERK

TOWN OF TECUMSEH  
917 LESPERANCE ROAD  
TECUMSEH, ONTARIO, N8N 1W9

----- Municipal Boundary



Lands Subject THSP and Proposed Official Plan Amendment

ed, Official Plan Amendment - Monday, September 23, 2024

**PLANNING DEPARTMENT – DEVELOPMENT DIVISION**

# Memo

**To:** City Clerk

**From:** City Planner/Executive Director

**Date:** September 6, 2024

**Subject:** TRANSMITTAL OF NEW FILE

**Our File Number: Z-020/24 [ZNG/7216]**

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

Applicant: FARHI HOLDINGS CORP.

Location: 8565 McHUGH STREET

Description: Application to amend Zoning By-law 8600 to apply a site specific provision to the Commercial District 2.2 that would permit an increase in the maximum height from 14.0 m to 28.0 and reduce of the minimum amenity area from 12.0 m<sup>2</sup> per dwelling unit to 8.0 m<sup>2</sup> per dwelling unit.. This would result in the construction of a six storey mixed use building.

The ZONING AMENDMENT application submitted by FARHI HOLDINGS CORP. for 8565 McHUGH STREET have been deemed as complete on JULY 31, 2024.

Enclosures:

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

Nail Roberts

Neil Robertson, MCIP, RPP  
City Planner, Executive Director

/nm

August 30, 2024

Dillon Consulting Ltd.  
c/o Amy Farkas  
3200 Deziel Dr., Suite 608  
Windsor, ON N8W 5K8

Dear Applicant,

**Re: ZONING BYLAW AMENDMENT APPLICATION**  
**APPLICANT: FARHI HOLDINGS CORP.**  
**LOCATION: 8565 MCHUGH STREET**  
**FILE NO.: Z020/24 [ZNG/7216]**

This is to acknowledge receipt of the application for a rezoning amendment which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided, therefore the application was deemed COMPLETE on July 31, 2024, and processing has begun.

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

Please email me at [jabbs@citywindsor.ca](mailto:jabbs@citywindsor.ca), if you have any questions.

Sincerely,



Jim Abbs  
Planner III – Development Review

JA/nm

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

**Verify that you are using the most current application form.**

- Section 1: Before this application can be submitted, you must complete both Stage 1 and Stage 2 Planning Consultation Applications.
- Section 2: During the Stage 2 process, any required studies must be completed and submitted for review and comment. The final studies for Stage 2 must be included with this application and the proposal must remain unchanged.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application. Please note that an application to amend the Official Plan or an application for Plan of Subdivision/Condominium are the only applications that will be accepted for processing concurrently with a Zoning Amendment.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan.
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Please refer to the Stage 2 Planning Consultation letter for details regarding the fees needing to be paid.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E.

Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

The type of amendment is stated in the Stage 2 Consultation letter.

#### Minor Zoning Amendment:

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

**Major Zoning Amendment:** Any other amendment not listed as minor.



# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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

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

## CONTACT INFORMATION

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Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PLANNING CONSULTATION – Completion of Stage 2

Planning Consultation (Stage 2 Application) must be completed before this application can be submitted.

Has the Planning Consultation Stage 2 Application been completed? NO ☐ YES ☐ File Number: PC-\_\_\_\_\_

*Staff Use Only*

Signature of Staff Planner

Date of Consultation

- |  |  |  |  |
|--|--|--|--|
| <input type="checkbox"/> Jim Abbs      | <input type="checkbox"/> Kevin Alexander | <input type="checkbox"/> Tracy Tang    | <input type="checkbox"/> Frank Garardo |
| <input type="checkbox"/> Brian Nagata  | <input type="checkbox"/> Justina Nwaesei | <input type="checkbox"/> Simona Simion | <input type="checkbox"/> Laura Strahl  |
| <input type="checkbox"/> Adam Szymczak | <input type="checkbox"/> _____           |  |  |

## 2. REQUIRED SUPPORTING INFORMATION as Identified in the Planning Consultation Stage 2 Process:

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

The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

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

*Staff Use Only*

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

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

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

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

### Applicant

Name: Farhi Holdings Corporation Contact: Jim Bujouves  
*Name of Contact Person*

Address: 484 Richmond Street

Address: Suite 200, London ON Postal Code: N6A 3E6

Phone: (519) 645-6666 Fax: \_\_\_\_\_

Email: jimb@fhc.ca

### Registered Owner ☒ Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

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

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

Address: 3200 Deziel Drive

Address: Suite 608 Postal Code: N8W 5K8

Phone: (519) 991-2942 Fax: (519) 948-5054

Email: afarkas@dillon.ca

## 4. COMPANION APPLICATIONS

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

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

Please note that if a development proposal requires site plan approval, that application can only be submitted after the zoning amendment has been considered by City Council and the appeal period has concluded.

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address 8565 McHugh Street

Legal Description Block 43, Plan 12M-678

Assessment Roll Number 3739-070-720-00193-0000

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

Frontage (m) 78.98 (Darfield Road) Depth (m) Irregular Area (sq m) 10,943.00

Official Plan Designation Mixed Use Corridor (formerly Commercial Corridor via OPA 159)

Current Zoning Commercial District 2.2 (CD2.2)

Existing Uses Vacant

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

Previous Uses Vacant

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

N/A

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

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

N/A

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

An application for a Plan of Subdivision or Consent: NO ☐ YES ☒ File: SDN002/19-1

An application for an amendment to a Zoning By-law: NO ☐ YES ☒ File: Z-004/19 [ZNG/5772]

An application for approval of a Site Plan: NO ☒ YES ☐ SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO ☒ YES ☐ OR#: \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

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Amendment to Zoning By-law from: Commercial District 2.2 (CD2.2)

to: Site specific Commercial District 2.2 (CD2.2)

Proposed uses of subject land: One (1) six (6)-storey mixed use building. The building totals 119 residential dwelling units, and approximately 1,200 ft<sup>2</sup> of ground floor commercial space and associated parking.

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

A site specific Zoning By-law Amendment is being sought to rezone the Subject Site from Commercial District 2.2 (CD2.2) to a site specific Commercial District 2.2 in order to permit an increase in the maximum height from 14.0 m to 28.0 and a reduction of the minimum amenity area from 12.0 m<sup>2</sup> per dwelling unit to 8.0 m<sup>2</sup> per dwelling unit.

Why is this amendment or these amendments being requested?

The amendment is being requested to permit the development of one (1) six (6)-storey mixed use building with a total of 119 dwelling units, and approximately 1,200 ft<sup>2</sup> of ground floor commercial space.

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report

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

☐ See Planning Rationale Report

☐ See Official Plan Amendment

N/A

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# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

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

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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

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

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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

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

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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

- ☒ Publicly owned & operated piped water system
- ☐ Privately owned & operated individual well
- ☐ Privately owned & operated communal well
- ☐ Other \_\_\_\_\_

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

- ☒ Publicly owned & operated sanitary sewage system
- ☐ Privately owned & operated individual septic system - See Note below
- ☐ Privately owned & operated communal septic system - See Note below
- ☐ Other \_\_\_\_\_

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

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

- ☒ Sewers                      ☐ Ditches                      ☐ Swales                      ☐ Other \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

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

## 12. APPLICATION FEE & OTHER FEES

The amendment type and corresponding application fees are identified in the Planning Consultation Stage 2 process.

Fees may be subject to change and are not refundable once the application is deemed complete. Method of payment: Cash, Mastercard, Visa or Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### APPLICATION FEE

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

The following fees are provided for information purposes. They are not due at this time but may be assessed depending on the type(s) of applications associated with the development proposal

### OTHER FEES

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



# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

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

☒ Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

☐ Open House

☐ Website

☐ Other

## 14. SWORN DECLARATION OF APPLICANT

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

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




Signature of Applicant

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

Dillon Consulting Limited in the City of Windsor

Location of Applicant at time of declaration

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

Declared before me  at the Dillon Consulting Limited in the City of Windsor

Signature of Commissioner

Location of Commissioner

this 20 day of June, 20<sup>24</sup>

day

month

year

PLACE AN IMPRINT OF YOUR STAMP BELOW

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

**READ & COMPLETE SCHEDULES A & E IN FULL & SIGN**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

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

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

I, Farhi Holding Corporation c/o Jim Bujouves, am the registered owner of the land that is  
*Name of Registered Owner*

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

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



Signature of Registered Owner

June 20, 2024

Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, Farhi Holding Corporation c/o Jim Bujouves,  
*Name of Registered Owner*

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



Signature of Registered Owner

June 20, 2024

Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

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

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

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

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

#### Species at Risk

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

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

Additional information can be found at:

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

or by contacting MECP at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)

#### Acknowledgement

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



---

Signature of Applicant or Agent

June 20, 2024

---

Date

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

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

### Previous Use of Property

- |                                       |  |  |  |
|---------------------------------------|--|--|--|
| <input type="checkbox"/> Residential  | <input checked="" type="checkbox"/> Industrial | <input type="checkbox"/> Commercial        | <input type="checkbox"/> Institutional |
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Parkland              | <input checked="" type="checkbox"/> Vacant | <input type="checkbox"/> Other _____   |

- a) If previous use of the property is Industrial or Commercial, specify use:  
Industrial, a Record of Site Condition was registered in 2021 (RC#227723)
- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?  
☐ Yes ☒ No ☐ Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?  
☐ Yes ☒ No ☐ Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
☐ Yes ☒ No ☐ Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
☐ Yes ☒ No ☐ Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?  
☐ Yes ☒ No ☐ Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?  
☐ Yes ☒ No ☐ Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?  
☐ Yes ☒ No ☐ Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
☐ Yes ☒ No ☐ Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*
- ☒ Yes ☐ No ☐ Unknown The Subject Site has been remediated (RSC #227723).
- \* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*
- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

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

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

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

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

Farhi Holding Corporation c/o Jim Bujouves

Name of Applicant (print)

Signature of Applicant



June 20, 2024

Date

Dillon Consulting Limited c/o Amy Farkas

Name of Agent (print)

Signature of Agent



June 20, 2024

Date

**END OF SCHEDULE E**

# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- |   |   |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS)   | <input type="checkbox"/> Brian Nagata (BN)    |
| <input type="checkbox"/> Frank Garardo (FG)   | <input type="checkbox"/> Tracy Tang (TT)      |
| <input type="checkbox"/> Jim Abbs (JA)        | <input type="checkbox"/> Justina Nwaesei (JN) |
| <input type="checkbox"/> Kevin Alexander (KA) | <input type="checkbox"/> Laura Strahl (LS)    |
| <input type="checkbox"/> Simona Simion (SS)   | <input type="checkbox"/> _____                |

### Complete Application

This application is deemed complete on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Delegated Authority

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP<br>Manager of Urban Design | <input type="checkbox"/> Greg Atkinson, MCIP, RPP<br>Manager of Development | <input type="checkbox"/> Thom Hunt, MCIP, RPP<br>City Planner & Executive Director |
|---|---|--|

### Internal Information

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

Payment Type: ☐ Cash ☐ Certified Cheque ☐ Credit Card ☐ Personal Cheque

NEW Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Previous Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Related OPA File No. OPA/ \_\_\_\_\_ OPA \_\_\_\_\_

Other File Numbers: \_\_\_\_\_

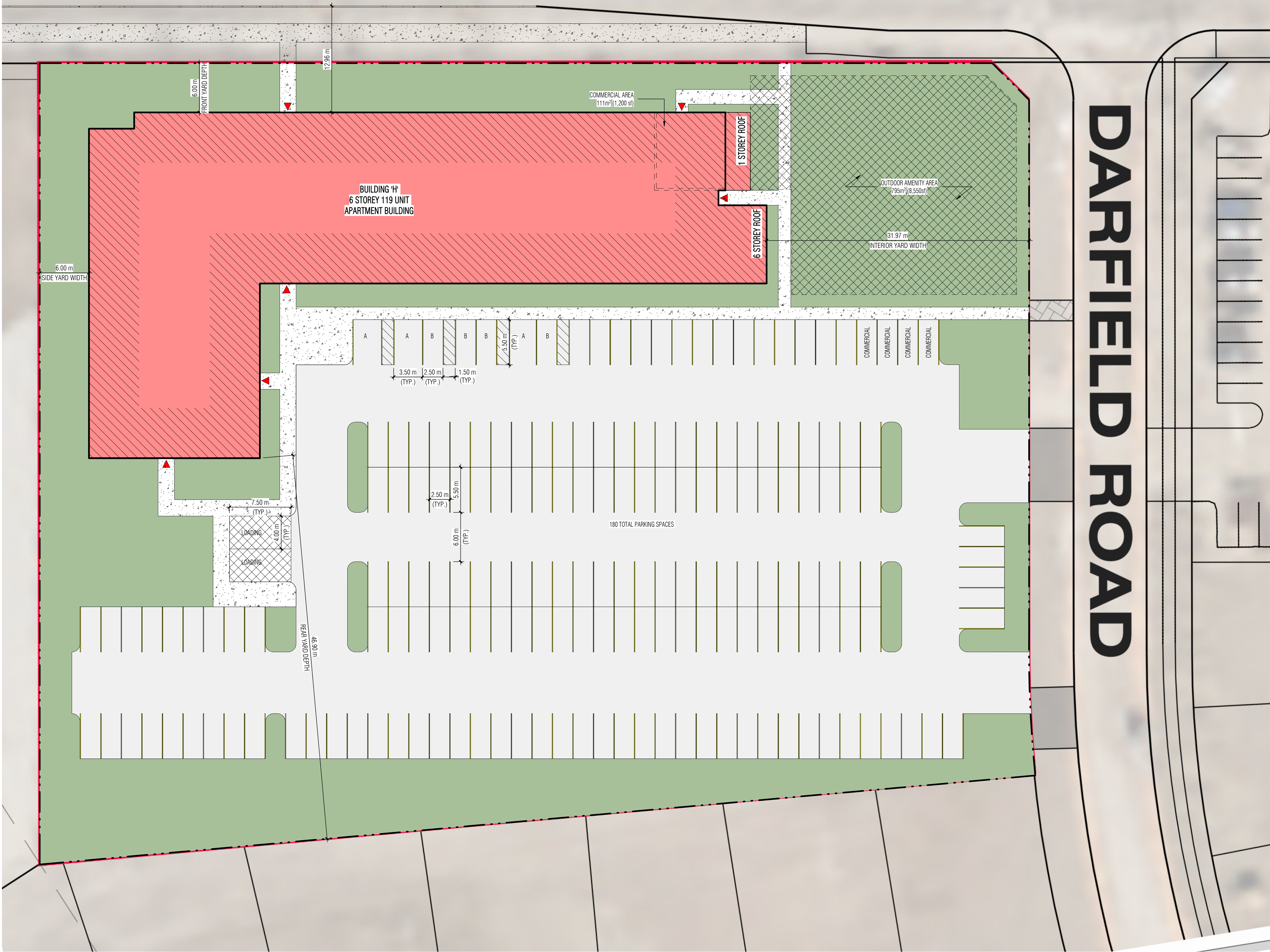
Notes: \_\_\_\_\_

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**



McHUGH STREET

DARFIELD ROAD



**SITE PLAN CONCEPT**  
SCALE: 3/64" = 1'-0"

SITE DATA:			
EXISTING SITE ZONING:	COMMERCIAL DISTRICT ZONE 2.2 (CD2.2)		
PERMITTED USE:	DWELLING UNITS IN A COMBINED USE BUILDING, AMONGST OTHER USES PERMITTED IN COMMERCIAL DISTRICT ZONE 2 (CD2.2)		
PROPOSED SITE ZONING:	COMMERCIAL DISTRICT ZONE 2.2 (CD2.2)		
PROPOSED USE:	MULTIPLE UNIT DWELLING BUILDING IN A COMBINED USE BUILDING, AMONGST OTHER USES PERMITTED IN COMMERCIAL DISTRICT ZONE 2 (CD2.2)		
DESCRIPTION:	REQUIRED:	PROVIDED:	ZONING COMPLIANCE:
MIN. LOT AREA:	N/A	11,104m <sup>2</sup> (119,523 sf)	N/A
MAX LOT COVERAGE:	N/A	2,093m <sup>2</sup> (22,523 sf) = 18.8%	N/A
MIN. LANDSCAPE OPEN SPACE:	N/A	4,103 m <sup>2</sup> (44,168 sf) = 37.0%	N/A
MAX. BUILDING HEIGHT:	14.00m (45.9 ft)	28.00m (91.9 ft)	RELIEF REQUESTED
MIN. AMENITY AREA (1.2x2 PER DWELLING UNIT):	119 DWELLING UNITS = 1,428m <sup>2</sup> (15,371 sf)	153m <sup>2</sup> (1,640 sf) BUILDING AMENITY 795m <sup>2</sup> (8,550sf) OUTDOOR AMENITY 948m <sup>2</sup> (10,204 sf) TOTAL AMENITY	RELIEF REQUESTED
MAX. GROSS FLOOR AREA (BAKERY OR CONFECTIONARY):	550m <sup>2</sup> (595.69 sf)	N/A	N/A
COMMERCIAL FLOOR AREA:	N/A	111m <sup>2</sup> (1,200 sf)	N/A
MIN. FRONT YARD DEPTH (NORTH):	N/A	6.00m (19.7 ft)	N/A
MIN. INTERIOR YARD WIDTH (EAST):	N/A	31.97m (104.9 ft)	N/A
MIN. SIDE YARD WIDTH (WEST):	N/A	6.00m (19.7 ft)	N/A
MIN. REAR YARD DEPTH (SOUTH):	N/A	46.90m (153.9 ft)	N/A
TOTAL DWELLING PARKING <sup>(OBC, 8000 - 24.20.3)</sup> :	1.25 SPACES/ UNIT = 149 SPACES REQ.	1.48 SPACES/ UNIT = 176 (7 B.F.) SPACES PROV.	COMPLIES
TOTAL COMMERCIAL PARKING <sup>(OBC, 8000 - 24.20.3)</sup> :	1 SPACES/ 36m <sup>2</sup> = 4 SPACES REQ.	1 SPACES/ 36m <sup>2</sup> = 4 SPACES PROV.	COMPLIES
MIN. BARRIER FREE PARKING <sup>(OBC, 8000 - 24.24.1)</sup> : 101 TO 200 TOTAL PARKING SPACES TYPE A = 1.5% OF PARKING SPACES TYPE B = 0.5 SPACE + 1.5% OF PARKING SPACES	7 SPACES REQ. TYPE A = 2.7 = 3 SPACES REQ. TYPE B = 3.2 = 4 SPACES REQ.	7 SPACES PROV. TYPE A = 3 SPACES REQ. TYPE B = 4 SPACES REQ.	COMPLIES
MIN. LOADING SPACES <sup>(OBC, 8000 - 24.40.1)</sup> :	2 SPACES REQ.	2 SPACES PROV.	COMPLIES
LOT / BUILDING INFO:		OBC REFERENCE	
PROJECT DESCRIPTION:	<input checked="" type="checkbox"/> NEW <input type="checkbox"/> 2ND STORY ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> CHANGE OF USE	<input checked="" type="checkbox"/> PART 3 <input type="checkbox"/> PART 9 <input type="checkbox"/> PART 11	
6 STOREY - 119 UNIT APARTMENT BUILDING	RESIDENTIAL	BUILDING CLASSIFICATION:	
BUILDING USE AND OCCUPANCY:		GROUP C, UP TO 6 STOREYS, SPRINKLERED, NONCOMBUSTIBLE CONSTRUCTION (OBC 3.2.2.43)	
EXISTING TOTAL LOT AREA:	11,104m <sup>2</sup> (119,523 sf)		
PROPOSED TOTAL LOT AREA:	11,104m <sup>2</sup> (119,523 sf)		
TOTAL BUILDING GROSS FLOOR AREA:	12,651m <sup>2</sup> (136,174 sf)		
GROUND FLOOR:	2,121m <sup>2</sup> (22,835 sf)		
SECOND TO SIXTH FLOOR (PER FLOOR):	2,106m <sup>2</sup> (22,668 sf)		
NO. OF STOREYS / BUILDING HEIGHT:	6 STOREYS / 28.0m (91.9 ft)		
TOTAL PARKING SPACES INCLUDING BARRIER FREE:	180 TOTAL SPACES (7 B.F.)		
NOTE: 1. ALL EXTERIOR PATHS OF TRAVEL SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 80.23 OF ONTARIO REGULATION 191/11 TO THE ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT AND SECTIONS 3.8.1.3 AND 3.8.3.2 OF THE ONTARIO BUILDING CODE. 2. ALL CURB RAMPS SHALL BE CONSTRUCTURED IN ACCORDANCE WITH SECTION 80.26(1) OF THE ONTARIO REGULATION 191/11 TO THE ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT AND SECTION 3.8.3.18 OF THE ONTARIO BUILDING CODE. 3. ALL FIRE DEPARTMENT SIGNAGE TO BE COMPLETED AFTER CONSTRUCTION IN COORDINATION WITH FIRE DEPARTMENT. 4. ALL ACCESSIBLE PARKING SPACES TO HAVE RB-938 AND RB-93 SIGNS INSTALLED. 5. GARBAGE DISPOSAL UNIT LOCATED ON SITE IN REFUSE ROOM WITHIN BUILDING FOR PRIVATE SERVICE PICK UP. 6. ALL LIGHTING TO BE DARK SKY COMPLIANT. 7. FIRE ROUTE TO BE IN COMPLIANCE WITH OBC REQUIREMENTS.			

BAIRDIAE

architecture + engineering

27 Princess Street, Unit 102 Leamington ON N8H 2X6  
1590 Provincial Road, Unit 700 Windsor ON N6A 5W1  
1740 Lakeshore Drive, Unit 204 London ON N6A 3S6  
519-385-6100  
www.bairdiae.com

PARTNER / CONSULTANTS

SUBMISSION RECORD

NO.	DESCRIPTION	DATE
01	SUBMITTED FOR ZBA	2024.06.17

NO. DESCRIPTION DATE

REVISIONS

REVISIONS

Drawn by: BS PRELIMINARY

Checked by: PW CONSTRUCTION

Approved by: PW RECORD

PROJECT TITLE

ROSEWATER ESTATES APARTMENT H

FHC

3565 MCHUGH ST. WINDSOR, ON

SHEET TITLE

SIT PLAN CONCEPT

JOB NUMBER

ZBA-1

SHEET NUMBER

23-025

City Council Meeting Agenda - Monday, September 23, 2024  
Page 72 of 778



**PLANNING DEPARTMENT – DEVELOPMENT DIVISION**

# Memo

**To:** City Clerk

**From:** City Planner/Executive Director

**Date:** September 6, 2024

**Subject:** TRANSMITTAL OF NEW FILE

**Our File Number: Z-024/24 [ZNG/7227]**

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

Applicant: ANDI SHALLVARI

Location: 3170-3178 CALIFORNIA AVENUE

Description: Application to amend Zoning By-law 8600 to permit two new semi-detached dwellings as an additional permitted use, where only an existing semi-detached dwelling is permitted.

The ZONING AMENDMENT application submitted by ANDI SHALLVARI for 3170-3178 CALIFORNIA AVE. has been deemed as complete on AUGUST 28, 2024.

Enclosures:

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

Nail Roberts

Neil Robertson, MCIP, RPP  
City Planner, Executive Director

NR/nm



September 3, 2024

Pillon Abbs Inc.  
c/o Tracey Pillon-Abbs  
23669 Prince Albert Rd.  
Chatham, ON N7M 5J7

Dear Applicant,

**Re: ZONING BYLAW AMENDMENT APPLICATION**  
**APPLICANT: ANDI SHALLVARI**  
**LOCATION: 3170-3178 CALIFORNIA AVE.**  
**FILE NO.: Z024/24 [ZNG/7227]**

This is to acknowledge receipt of the application for a rezoning amendment which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided, therefore the application was deemed COMPLETE on August 28, 2024, and processing has begun.

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

Please email me at [bnagata@citywindsor.ca](mailto:bnagata@citywindsor.ca), if you have any questions.

Sincerely,



---

Brian Nagata  
Planner II – Development Review

BN/nm

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

**Verify that you are using the most current application form.**

- Section 1: Before this application can be submitted, you must complete both Stage 1 and Stage 2 Planning Consultation Applications.
- Section 2: During the Stage 2 process, any required studies must be completed and submitted for review and comment. The final studies for Stage 2 must be included with this application and the proposal must remain unchanged.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application. Please note that an application to amend the Official Plan or an application for Plan of Subdivision/Condominium are the only applications that will be accepted for processing concurrently with a Zoning Amendment.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan.
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Please refer to the Stage 2 Planning Consultation letter for details regarding the fees needing to be paid.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E.

Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

The type of amendment is stated in the Stage 2 Consultation letter.

#### Minor Zoning Amendment:

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

**Major Zoning Amendment:** Any other amendment not listed as minor.

# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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

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

## CONTACT INFORMATION

---

Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PLANNING CONSULTATION – Completion of Stage 2

Planning Consultation (Stage 2 Application) must be completed before this application can be submitted.

Has the Planning Consultation Stage 2 Application been completed? NO ☐ YES ☒ File Number: PC-054/24

*Staff Use Only*

Signature of Staff Planner

Date of Consultation

- |  |  |  |  |
|--|--|--|--|
| <input type="checkbox"/> Jim Abbs      | <input type="checkbox"/> Kevin Alexander | <input type="checkbox"/> Tracy Tang    | <input type="checkbox"/> Frank Garardo |
| <input type="checkbox"/> Brian Nagata  | <input type="checkbox"/> Justina Nwaesei | <input type="checkbox"/> Simona Simion | <input type="checkbox"/> Laura Strahl  |
| <input type="checkbox"/> Adam Szymczak | <input type="checkbox"/> _____           |  |  |

## 2. REQUIRED SUPPORTING INFORMATION as Identified in the Planning Consultation Stage 2 Process:

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

The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

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

*Staff Use Only*

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

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

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

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

### Applicant

Name: Andi Shallvari Contact: \_\_\_\_\_  
Name of Contact Person

Address: 3504 Klondike Ave

Address: Windsor, ON Postal Code: N8W 5V5

Phone: 647-998-6441 Fax: \_\_\_\_\_

Email: andi.shallvari@gmail.com

### Registered Owner ☐ Same as Applicant

Name: Hani Yacoub Contact: c/o Andi Shallvari  
Name of Contact Person

Address: 2550 Everts Ave

Address: Windsor, ON Postal Code: N9E 2T7

Phone: 647-998-6441 Fax: \_\_\_\_\_

Email: andi.shallvari@gmail.com

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

Name: Pillon Abbs Inc Contact: c/o Tracey Pillon-Abbs  
Name of Contact Person

Address: 23669 Prince Alber Rd

Address: Chatham, ON Postal Code: N7M 5J7

Phone: 226-340-1232 Fax: \_\_\_\_\_

Email: tracey@pillonabbs.ca

## 4. COMPANION APPLICATIONS

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

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

Please note that if a development proposal requires site plan approval, that application can only be submitted after the zoning amendment has been considered by City Council and the appeal period has concluded.

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address 3170 - 3178 California Ave  
Windsor, ON

Legal Description LT 1291 PL 1023 Sandwich West; LT 1292 PL 1023 Sandwich West;  
Lt 1293 PL 1023 Sandwich West; LT 1294 PL 1023 Sandwich West;

Assessment Roll Number City of Windsor  
3739-080-190-14000-0000

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

Frontage (m) 36.576 m Depth (m) 31.394 m Area (sq m) 1,148.266 m2

Official Plan Designation Residential, Schedule D - Land Use Plan

Current Zoning Residential District 1.4 (RD1.4) category  
Map 8

Existing Uses Currently vacant

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

Previous Uses Residential use, previously

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

None

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

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

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

An application for a Plan of Subdivision or Consent: NO ☐ YES ☐ File: \_\_\_\_\_

An application for an amendment to a Zoning By-law: NO ☐ YES ☐ File: \_\_\_\_\_

An application for approval of a Site Plan: NO ☐ YES ☐ SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO ☐ YES ☐ OR#: \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: Residential District 1.4 (RD1.4)  
to: Residential District 1.4 (RD1.4 - S.20(1)(XXX))  
Proposed uses of subject land: Proposed to use the land for residential

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

Proposed to further amend the existing zoning to permit a semi-detached dwelling as an additional permitted use in the RD1.4 zone category.

Why is this amendment or these amendments being requested?

The amendment is requested to allow for infilling and intensification or order to provide a new housing choice in an existing built up area which has access to existing infrastructure and community facilities.

Two semi-detached dwellings are proposed in total with ADUs.

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

☒ See Planning Rationale Report \_\_\_\_\_

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

☒ See Planning Rationale Report \_\_\_\_\_

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

☒ See Planning Rationale Report ☐ See Official Plan Amendment

# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

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

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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

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

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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

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

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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

- ☒ Publicly owned & operated piped water system
- ☐ Privately owned & operated individual well
- ☐ Privately owned & operated communal well
- ☐ Other \_\_\_\_\_

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

- ☒ Publicly owned & operated sanitary sewage system
- ☐ Privately owned & operated individual septic system - See Note below
- ☐ Privately owned & operated communal septic system - See Note below
- ☐ Other \_\_\_\_\_

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

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

- ☒ Sewers                      ☐ Ditches                      ☐ Swales                      ☐ Other \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

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

## 12. APPLICATION FEE & OTHER FEES

The amendment type and corresponding application fees are identified in the Planning Consultation Stage 2 process.

Fees may be subject to change and are not refundable once the application is deemed complete. Method of payment: Cash, Mastercard, Visa or Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### APPLICATION FEE

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

The following fees are provided for information purposes. They are not due at this time but may be assessed depending on the type(s) of applications associated with the development proposal

### OTHER FEES

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

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

- ☒ Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
- ☒ Open House      ☒ Website      ☐ Other \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## 14. SWORN DECLARATION OF APPLICANT

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

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

X Andi Shallvari


Signature of Applicant

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

Windsor, ON

Location of Applicant at time of declaration

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

Declared before me  at the Municipality of Chatham-Kent

*Signature of Commissioner* *Location of Commissioner*

this 5th day of August, 2024

*day month year*

PLACE AN IMPRINT OF YOUR STAMP BELOW

Tracey Lynn Cecilia Pillon-Abbs, a Commissioner, etc.,  
Province of Ontario, for Pillon Abbs Inc  
Expires August 4, 2026

**READ & COMPLETE SCHEDULES A & E IN FULL & SIGN**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

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

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

I, Hani Yacoub, am the registered owner of the land that is  
*Name of Registered Owner*

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

Pillon Abbs Inc. to make this application on my behalf.  
*Name of Agent*

X *H Yacoub*  
Signature of Registered Owner

August 5, 2024  
Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, Hani Yacoub,  
*Name of Registered Owner*

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

X *H Yacoub*  
Signature of Registered Owner

August 5, 2024  
Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

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

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

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

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

#### Species at Risk

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

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

Additional information can be found at:

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

or by contacting MECP at SAROntario@ontario.ca

#### Acknowledgement

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

X *Andi Shallvare*

Signature of Applicant or Agent

August 5, 2024

Date

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

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

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### Previous Use of Property

- |   |                                     |                                     |  |
|---|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial | <input type="checkbox"/> Institutional |
| <input type="checkbox"/> Agricultural           | <input type="checkbox"/> Parkland   | <input type="checkbox"/> Vacant     | <input type="checkbox"/> Other _____   |

- a) If previous use of the property is Industrial or Commercial, specify use:  
\_\_\_\_\_
- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?  
☐ Yes      ☒ No      ☐ Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?  
☐ Yes      ☒ No      ☐ Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
☐ Yes      ☒ No      ☐ Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
☐ Yes      ☒ No      ☐ Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?  
☐ Yes      ☒ No      ☐ Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?  
☐ Yes      ☒ No      ☐ Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?  
☐ Yes      ☒ No      ☐ Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
☐ Yes      ☒ No      ☐ Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*
- ☐ Yes      ☒ No      ☐ Unknown
- \* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*
- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

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

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

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

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

Andi Shallvari

Name of Applicant (print)

X *Andi Shallvari*

Signature of Applicant

August 5, 2024

Date

Tracey Pillon-Abbs

Name of Agent (print)



Signature of Agent

August 5, 2024

Date

END OF SCHEDULE E

# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- |   |   |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS)   | <input type="checkbox"/> Brian Nagata (BN)    |
| <input type="checkbox"/> Frank Garardo (FG)   | <input type="checkbox"/> Tracy Tang (TT)      |
| <input type="checkbox"/> Jim Abbs (JA)        | <input type="checkbox"/> Justina Nwaesei (JN) |
| <input type="checkbox"/> Kevin Alexander (KA) | <input type="checkbox"/> Laura Strahl (LS)    |
| <input type="checkbox"/> Simona Simion (SS)   | <input type="checkbox"/> _____                |

### Complete Application

This application is deemed complete on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Delegated Authority

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP<br>Manager of Urban Design | <input type="checkbox"/> Greg Atkinson, MCIP, RPP<br>Manager of Development | <input type="checkbox"/> Thom Hunt, MCIP, RPP<br>City Planner & Executive Director |
|---|---|--|

### Internal Information

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

Payment Type: ☐ Cash ☐ Certified Cheque ☐ Credit Card ☐ Personal Cheque

NEW Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Previous Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Related OPA File No. OPA/ \_\_\_\_\_ OPA \_\_\_\_\_

Other File Numbers: \_\_\_\_\_

Notes: \_\_\_\_\_

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**



## PLANNING DEPARTMENT – DEVELOPMENT DIVISION

# Memo

**To:** City Clerk

**From:** City Planner/Executive Director

**Date:** September 6, 2024

**Subject:** TRANSMITTAL OF NEW FILE

**Our File Number: Z-001/24 [ZNG/7164]**

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

Applicant: 2312205 ONTARIO LTD.

Location: 0 WINDSOR AVENUE & 1140 GOYEAU STREET

Description: Application to amend Zoning By-law 8600 to permit a multi-unit residential building.

The ZONING AMENDMENT application submitted by 2312205 ONTARIO LTD. for 0 WINDSOR AVENUE & 1140 GOYEAU STREET have been deemed as complete on AUGUST 9, 2024.

Enclosures:

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

Nail Roberts

Neil Robertson, MCIP, RPP  
City Planner, Executive Director

/nm

August 30, 2024

Lassaline Planning Consultants  
c/o Jackie Lassaline  
1632 County Rd. 31, P.O. Box 52  
St. Joachim, ON N0R 1S0

Dear Agent,

**Re: ZONING BYLAW AMENDMENT APPLICATION**  
**APPLICANT: 2312205 ONTARIO LTD.**  
**LOCATION: 0 WINDSOR AVENUE & 1140 GOYEAU STREET**  
**FILE NO.: Z001/24 [ZNG/7164]**

This is to acknowledge receipt of the application for a rezoning amendment which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided, therefore the application was deemed COMPLETE on August 9, 2024, and processing has begun.

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

Please email me at [dradulescu@citywindsor.ca](mailto:dradulescu@citywindsor.ca), if you have any questions.

Sincerely,



Diana Radulescu  
Planner II – Development Review

DR/nm

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

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**Verify that you are using the most current application form.**

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

Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

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

#### Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

#### Major Zoning Amendment

- Any other amendment not listed as minor.

# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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

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

## CONTACT INFORMATION

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Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PRE-SUBMISSION CONSULTATION

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

Valid Pre-Submission Letter? NO ☐ YES ☒ File Number: PS- 052-21

*Staff Use Only*

Signature of Staff Planner		Date of Consultation	
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Kevin Alexander	<input type="checkbox"/> Greg Atkinson	<input type="checkbox"/> Frank Garardo
<input type="checkbox"/> Brian Nagata	<input type="checkbox"/> Justina Nwaesei	<input type="checkbox"/> Simona Simion	<input type="checkbox"/> Laura Strahl
<input type="checkbox"/> Adam Szymczak	<input type="checkbox"/> _____		

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

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

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

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

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

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

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

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

### Applicant

Name: 2312205 Ontario Ltd. Contact: Alta Nota - Mariusz Buchcic  
Name of Contact Person  
Address: 888 Old Tecumseh Road, Belle River N0R 1A0  
Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Phone: 519-818-1833 Fax: \_\_\_\_\_  
Email: altanota@live.com

### Registered Owner ☒ Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
Name of Contact Person  
Address: \_\_\_\_\_  
Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

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

Name: Lassaline Planning Consultants Contact: Jackie Lassaline  
Name of Contact Person  
Address: P.O. Box 52, 1632 County Road 31, St. Joachim ON N0R 1S0  
Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Phone: 519-563-8814 Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

## 4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO ☒ YES ☐  
Are you submitting a companion Plan of Subdivision/Condominium application? NO ☒ YES ☐  
Are you submitting a companion Site Plan Control application? NO ☒ YES ☐

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address 1140 Goyeau and 0 Windsor

Legal Description 1140 Goyeau: Lot 183 Plan 1303 Windsor; Pt Lot 182 Plan 1303 Windsor as in R263602; Windsor

Assessment Roll Number 040-350-03005 and 040-340-05700

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

Frontage (m) 55 m Goyeau Depth (m) \_\_\_\_\_ Area (sq m) 3884 m2

Official Plan Designation 'Residential'

Current Zoning 'Commercial District (CD1.5)'

Existing Uses vacant lands

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

Previous Uses \_\_\_\_\_

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

N/A

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

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

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

An application for a Plan of Subdivision or Consent: NO ☒ YES ☐ File: \_\_\_\_\_

An application for an amendment to a Zoning By-law: NO ☒ YES ☐ File: \_\_\_\_\_

An application for approval of a Site Plan: NO ☒ YES ☐ SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO ☒ YES ☐ OR#: \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

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Amendment to Zoning By-law from: 'Commercial District (CD1.5)'

to: a site specific 'Residential District 3.3 Exception # (RD3.3 #)'

Proposed uses of subject land: a residential development with 54 residential units and 80 parking spaces

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

The ZBA will change the applicable regulatory framework from commercial to a site specific  
'Residential District 3.3 Exception # (RD3.3-#)' to apply residential use regulations; a site specific  
provision to recognize 28% landscaped open space and to add a regulation connecting the building lot  
and parking lot.

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Why is this amendment or these amendments being requested?

The ZBA purports to add residential regulatory framework to support the proposed development with  
54 unit multi-unit building

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report  ☐ See Official Plan Amendment

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# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

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

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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

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

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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

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

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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

- ☒ Publicly owned & operated piped water system
- ☐ Privately owned & operated individual well
- ☐ Privately owned & operated communal well
- ☐ Other \_\_\_\_\_

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

- ☒ Publicly owned & operated sanitary sewage system
- ☐ Privately owned & operated individual septic system - See Note below
- ☐ Privately owned & operated communal septic system - See Note below
- ☐ Other \_\_\_\_\_

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

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

- ☒ Sewers                      ☐ Ditches                      ☐ Swales                      ☐ Other \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

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

## 12. APPLICATION FEE & OTHER FEES

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

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard, Visa or Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### APPLICATION FEE

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

### OTHER FEES

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

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

☒ Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

☒ Open House      ☐ Website      ☐ Other \_\_\_\_\_

## 14. SWORN DECLARATION OF APPLICANT

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

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

JM Lassaline

Signature of Applicant

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

Municipality of Lakeshore

Location of Applicant at time of declaration

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

Declared before me [Signature] at the Tilbury, Ontario

Signature of Commissioner

Location of Commissioner

this 15<sup>th</sup> day of December, 2023  
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

**WILLIAM ANTHONY GOOD,**

a Commissioner, etc.,

Province of Ontario,

while a Barrister and Solicitor.

LSO #698230

**READ & COMPLETE SCHEDULES A & E IN FULL & SIGN**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

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

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

I, Mariusz Buchcic, 2312205 Ontario Ltd., am the registered owner of the land that is  
*Name of Registered Owner*

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

Jackie Lassaline, Lassaline Planning Consultants to make this application on my behalf.  
*Name of Agent*

  
Signature of Registered Owner

December 14, 2023

Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, Mariusz Buchcic, 2312205 Ontario Ltd.,  
*Name of Registered Owner*

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

  
Signature of Registered Owner

December 14, 2023

Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

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

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

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

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

#### Species at Risk

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

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

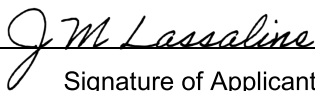
Additional information can be found at:

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

or by contacting MECP at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)

#### Acknowledgement

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



Signature of Applicant or Agent

December 14, 2023

Date

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

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

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### Previous Use of Property

- |                                       |                                     |  |  |
|---------------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Residential  | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial        | <input type="checkbox"/> Institutional |
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Parkland   | <input checked="" type="checkbox"/> Vacant | <input type="checkbox"/> Other _____   |

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

subject lands were location of parking lot/landscaped front yard

b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?

- ☐ Yes ☒ No ☐ Unknown

c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?

- ☐ Yes ☒ No ☐ Unknown

d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?

- ☐ Yes ☒ No ☐ Unknown

e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

- ☐ Yes ☒ No ☐ Unknown

f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?

- ☐ Yes ☒ No ☐ Unknown

g) Have the lands or adjacent lands ever been used as a weapons firing range?

- ☐ Yes ☒ No ☐ Unknown

h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?

- ☐ Yes ☒ No ☐ Unknown

i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?

- ☐ Yes ☒ No ☐ Unknown

j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*

- ☐ Yes ☒ No ☐ Unknown

Please refer to attached Wood Environmental Clearance

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

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

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

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

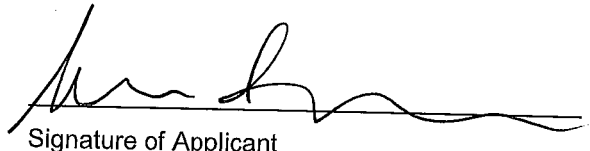
I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition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

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

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

MARIUSZ BUCHCIC, 2312205 ONT. LTD.

Name of Applicant (print)

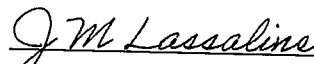
  
Signature of Applicant

December 14, 2023

Date

Jackie Lassaline, Lassaline Planning Consultants

Name of Agent (print)

  
Signature of Agent

December 14, 2023

Date

**END OF SCHEDULE E**



# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- |   |   |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS)   | <input type="checkbox"/> Brian Nagata (BN)    |
| <input type="checkbox"/> Frank Garardo (FG)   | <input type="checkbox"/> Greg Atkinson (GA)   |
| <input type="checkbox"/> Jim Abbs (JA)        | <input type="checkbox"/> Justina Nwaesei (JN) |
| <input type="checkbox"/> Kevin Alexander (KA) | <input type="checkbox"/> Laura Strahl (LS)    |
| <input type="checkbox"/> Simona Simion (SS)   | <input type="checkbox"/> _____                |

### Complete Application

This application is deemed complete on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Delegated Authority

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

### Internal Information

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

Payment Type: ☐ Cash ☐ Certified Cheque ☐ Credit Card ☐ Personal Cheque

NEW Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Previous Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Related OPA File No. OPA/ \_\_\_\_\_ OPA \_\_\_\_\_

Other File Numbers: \_\_\_\_\_

Notes: \_\_\_\_\_

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**

**PLANNING DEPARTMENT – DEVELOPMENT DIVISION**

**Memo**

**To:** City Clerk  
**From:** City Planner/Executive Director  
**Date:** September 6, 2024  
**Subject:** TRANSMITTAL OF NEW FILE

**Our File Number: Z 018-24 [ZNG-7211]  
SDN 003-24 [SDN-7212]**

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

Applicant: OLIVIA CONSTRUCTION HOMES INC.

Location: 3990 LOON STREET

Description: Application to amend Zoning By-law 8600 to permit a townhome dwelling on the subject land so as to facilitate the development of a residential subdivision containing 4 townhome dwellings with a total of 28 townhome dwelling units on the property.

The ZONING AMENDMENT & SUBDIVISION applications submitted by OLIVIA CONSTRUCTION HOMES INC. for 3990 LOON STREET have been deemed as complete on SEPTEMBER 3, 2024.

Enclosures:

- (X) 1 copy of Application Forms
- ( ) 1 copy of Drawings
- (X) 1 copy of Site Plan or/and Draft Plan



Neil Robertson, MCIP, RPP  
City Planner, Executive Director

/nm

September 6, 2024

Pillon Abbs Inc.  
Attn: Tracey Pillon-Abbs  
23669 Prince Albert Road  
Chatham, ON N7M 5J7

Dear Agent,

**Re: ZONING BYLAW AMENDMENT & SUBDIVISION APPLICATIONS**  
**APPLICANT: OLIVIA CONSTRUCTION HOMES INC.**  
**LOCATION: 3990 LOON STREET**  
**FILE NO.: Z 018/24 [ZNG/7211] & SDN 003/24 [SDN-7212]**

This is to acknowledge receipt of the applications for a rezoning amendment and subdivision which have been assigned the above-referenced file numbers. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided, therefore the applications were deemed COMPLETE on September 3, 2024, and processing has begun.

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

Please email me at [jnwaesei@citywindsor.ca](mailto:jnwaesei@citywindsor.ca), if you have any questions.

Sincerely,



Justina Nwaesei  
Planner III – Development Review

JN/nm

## SUBDIVISION/CONDOMINIUM APPLICATION

### INSTRUCTIONS

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**Verify that you are using the most current application form.**

This application is valid for: Plan of Subdivision, Plan of Condominium, Condominium Conversion, Extension of Draft Approval, Amendment to Draft Approval, Final Approval & Registration, Amendment to Agreement, or Amalgamation of Condominium Corporation. Discuss with a staff Planner to determine what must be completed for the application type.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application. Read Pages 2 to 4 before submitting this application and other documents.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, registered owner, agent, and Ontario Land Surveyor. For a corporation, provide full corporate name. Include the full name of a contact person. For more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are resubmitting a previous or earlier plan and if yes, provide the file number.
- Section 5: Provide information about the Subject Land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate if the plan is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan and the appropriate Zoning By-law. If an Official Plan Amendment and/or Zoning By-law Amendment is required, you must have already submitted those applications, or must submit them with this application, otherwise this application will be returned.
- Section 7: Complete this section if you are applying for approval of a Plan of Condominium. New construction applies to buildings that were recently built, under construction, or not yet under construction. Conversion applies to existing buildings that contain residential rental units that are being converted to Condominium Status. To be considered for an exemption from Section 9(3) of the Condominium Act, you must formally request such exemption. Submit all the documents indicated in Section 7 with this application.
- Section 8: Provide the number of lots, blocks, units or dwellings, the number of hectares, the density measured as units per hectare and the number of parking spaces for the proposed land use for all applications. For Plan of Condominium applications also provide the date of construction and the floor coverage in square metres.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal and storm drainage. Submit all required documents indicated in Section 10 with this application.
- Section 11: Provide a description of the existing land use, buildings & infrastructure, vegetation, topography & drainage of the subject land or check the box beside "See Planning Rationale Report" if described in the report.
- Section 12: Provide a description of what measures have been or will be taken to mitigate adverse environmental effects from the proposed development on the surrounding areas and from the surrounding areas on the proposed development or check the box beside "See Planning Rationale Report" if described in the report.
- Section 13: Explain your proposed strategy for consulting with the public.
- Section 14: Check the appropriate application fee box based on the pre-submission consultation with the Planner.
- Section 15: Print you name in full and sign the sworn declaration in the presence of a Commissioner for Taking Affidavits.

**DATE RECEIVED STAMP**

Schedules: Read, complete in full, and sign Schedules A & E.

Submit application form, supporting information, & application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

# SUBDIVISION/CONDOMINIUM APPLICATION

## PLAN REQUIREMENTS

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### A. NUMBER OF COPIES REQUIRED

The Planning Act, R.S.O. 1990, c. P.13, requires that copies of the draft plan as required by the Minister must accompany all applications.

A1. Submit six (6) full size paper copies of the draft plan; AND

A2. A digital copy of the CAD files of the draft plan in DWG, PDF, and JPG formats.

File names should be logical and clearly indicate the nature of the file and include either the SDN or CDM file number (SDN 000-00 or CDM 000-00) or the name of the applicant and site location.

For example, "SDN000-00 draft plan.dwg" or "Applicant Name-Site Location-Draft Plan.dwg".

If further copies are required, we will notify you. To submit drawings on an alternate device, please discuss with the assigned Planner.

### B. DRAFT PLAN REQUIREMENTS

All plans and measurements must be in metric. Draft plans must be drawn to scale and indicate all items as required by Section 51(17) of the Planning Act and the City of Windsor as follows:

- B1. Boundaries of the land to be subdivided, certified by an Ontario Land Surveyor, and based on NAD83, Zone 17.
- B2. Locations, widths and names of proposed roads, streets, highways and rights-of-way within the proposed subdivision and existing roads, streets, highways, and rights-of-way abutting the proposed subdivision;
- B3. On a small key plan, with a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which such land forms the whole or part;
- B4. Purpose for which the proposed lots are to be used;
- B5. Existing uses of all adjoining lands;
- B6. Approximate dimensions and layout of the proposed lots and/or blocks;
- B7. If any affordable housing units are being proposed, the shape and dimensions of each proposed affordable housing unit and the approximate location of each proposed affordable housing unit in relation to other proposed residential units;
- B8. Natural and artificial features such as buildings or other structures or installations, railways and rail yards, highways, roads, streets and recreational trails, hydro lines and other public utilities, watercourses, drainage ditches, wetlands and wooded areas, archaeological or heritage features, and significant plant and wildlife habitat (including ESAs & ANSIs) within or adjacent to the land proposed to be subdivided;
- B9. Availability and nature of domestic water supplies;
- B10. Nature and porosity of the soil;
- B11. Existing contours or elevations as may be required to determine the grade of the streets, roads and highways and the drainage of the land proposed to be subdivided;
- B12. Municipal services available or are to be available to the land proposed to be subdivided;
- B13. Nature and extent of any restrictions affecting the land proposed to be subdivided including restrictive covenants, easements, or the Airport Operating Area; and
- B14. Floodplains, flood ways, flood prone areas, and flood elevations

### C. CONDOMINIUM DRAFT PLAN REQUIREMENTS

In addition to the above requirements, draft plans proposing condominium ownership must include:

- C1. Proposed exclusive use areas of the common element such as backyards and parking;
- C2. Roadways and pedestrian access to proposed private units.

# SUBDIVISION/CONDOMINIUM APPLICATION

## APPLICATION PROCESSING

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The applicant or their agent is responsible for researching and evaluating the site and the proposal to ensure that the development will conform to the interests of the health, safety, and welfare of existing and future residents, and for filling in the application and for supplying all documents necessary to constitute a complete application. Supporting studies must be conducted prior to the submission of the application. This information will be used to review and assess the application.

Section 51(24) of the Planning Act and Section 11.4.2.3 of the City of Windsor Official Plan list the criteria that are used in evaluating a draft plan. Where additional copies of the plan or supporting documents are subsequently requested by staff or review agencies, the applicant is responsible for supplying them at their cost.

Timelines in the Planning Act have been suspended during the State of Emergency. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. The application will be terminated without notice after 60 days of inactivity. Direct all questions about the application to the assigned Planner. The procedure generally encompasses the following steps:

1. Within 30 days of receiving this application, the City Planner, or their designate, will review the application to determine if it is or is not complete. If deemed incomplete, the application, supporting documents, and fee may be returned for completion, correction, or clarification, or the applicant may be requested to submit additional or revised supporting information. Administration, the Development & Heritage Standing Committee (DHSC), and City of Windsor Council reserve the right to request additional information any time during the processing of the application.
2. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. Mandatory public notice of the DHSC meeting is advertised in the Windsor Star at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to all property owners and/or tenants within 120 metres of the subject land. The DHSC meeting is the public meeting required by the Planning Act. The staff report is provided to the applicant and DHSC members, and is made available to the public, 10 days before the DHSC meeting.
6. At the DHSC meeting, a staff planner may introduce the application and review the recommendation in the staff report. The applicant and other interested parties are given an opportunity to make verbal or written submissions. The DHSC may ask questions of the staff planner, the applicant and their representatives and any party that made verbal or written submissions. The DHSC may choose to recommend draft approval, denial or deferral of the application. It may also modify the recommendation of the Planning Department.
7. If recommended for draft approval or denial, the staff report and the minutes of the DHSC meeting are forwarded to City of Windsor Council for consideration at a future date. Planning staff have no control over the placement of an application on a Council Meeting agenda. Council Services will forward the date and time of the Council Meeting to the contacts in Section 3. Call 311 or contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)
8. The City Council meeting, the applicant and the other parties may make verbal or written submissions. If the applicant concurs with the recommendation of DHSC, and there is no opposition to the application, Council may place the application on the Consent Agenda, a part of the Council meeting containing items that are grouped together and passed with one motion. Council may choose to draft approve, deny, or defer the application.
9. Applications may be referred, or the decision of Council may be appealed, to the Ontario Land Tribunal (OLT). Appeals are filed with Council Services. Contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)
10. If City Council approves the draft plan and no appeals are received, an agreement is prepared for signature and registration on title.
11. The conditions of draft approval must be fulfilled prior to the expiry of draft approval. It is the responsibility of the property owner or applicant to obtain confirmation from agencies and departments that the conditions of draft approval have been fulfilled. Some agencies may require that a copy of the completed subdivision agreement be forwarded to them prior to notifying the City that the conditions have been fulfilled.

# SUBDIVISION/CONDOMINIUM APPLICATION

## FINAL APPROVAL & REGISTRATION REQUIREMENTS

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When you are ready to obtain final approval and register the plan, the following must be submitted:

1. Fee for Final Approval & Registration – see Section 14 - Fees on page 13;
2. One (1) mylar copy of the plan to be registered;
3. Five (5) paper copies of the plan to be registered, one of which has the AOLS Plans Submission Form attached to it; and
4. One digital file transfer device containing geo-referenced CAD files of the plan to be registered.

## OTHER INFORMATION

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Read the staff report, draft approval, final approval, and agreements carefully and take note of all conditions and expiry dates in these documents.

Other municipal departments and external agencies may have their own requirements, fees and approvals in addition to the requirements, fees and approvals listed in this application form.

The City of Windsor does not send reminders regarding conditions and expiry dates. It is the responsibility of the property owner to complete all conditions or obtain approval from City Council or the delegated approval authority to extend draft approval, prior to the expiry date.

When submitting an extension to draft approval, you must allow for sufficient time to process the application and to obtain approval of the extension. Submission, or acceptance, of an application for an extension to draft approval does not automatically extend the expiry date. It is the responsibility of the property owner to be aware of all conditions and expiry dates.

Planning legislation, regulations, fees, and processes are subject to change.

## CONTACT INFORMATION

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Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# SUBDIVISION/CONDOMINIUM APPLICATION

## 1. PRE-SUBMISSION CONSULTATION

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

Valid Pre-Submission Letter? NO ☐ YES ☒ File Number: PS- 123-21

*Staff Use Only*

Signature of Staff Planner

Date of Consultation

☐ Jim Abbs

☐ Justina Nwaesei

☐ \_\_\_\_\_

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

If you do not have a valid Pre-submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All documents submitted are made available for public review.

Unless otherwise indicated, for each document, provide one paper copy and one digital copy. Draft Plans shall be provided in DWG, PDF & JPG format. Other drawings shall be provided in letter size (8.5 by 11 inches) in JPG and PDF format. All other documents shall be provided in Word and PDF format. PDF documents shall be flattened with no layers.

If you are submitting a companion planning application (official plan or rezoning), you need only submit one set of the required supporting information. Include checked supporting information with this application:

- |   |  |   |   |
|---|--|---|---|
| <input checked="" type="checkbox"/> Deed and/or Offer to Purchase | <input checked="" type="checkbox"/> Topographic Plan of Survey | <input checked="" type="checkbox"/> Draft Plan (6 copies + digital Files) | <input type="checkbox"/> Conceptual Site Plan                             |
| <input type="checkbox"/> Structural Integrity Report              | <input type="checkbox"/> Rent Roll                             | <input type="checkbox"/> Section 9(3) Exemption Request                   | <input type="checkbox"/> Approved Site Plan                               |
| <input checked="" type="checkbox"/> Planning Rationale Report     | <input type="checkbox"/> Noise Study                           | <input type="checkbox"/> Vibration Study                                  | <input type="checkbox"/> Site Plan Agreement                              |
| <input type="checkbox"/> Watershed/ Subwatershed Plan             | <input type="checkbox"/> Master Drainage Plan                  | <input checked="" type="checkbox"/> Sanitary and/or Storm Sewer Study     | <input type="checkbox"/> Building Permit                                  |
| <input type="checkbox"/> Hydrogeological Report                   | <input type="checkbox"/> Servicing Option Report               | <input checked="" type="checkbox"/> Stormwater Management Plan            | <input type="checkbox"/> Micro-Climature Study                            |
| <input type="checkbox"/> Transportation Impact Study              | <input type="checkbox"/> Transportation Impact Statement       | <input type="checkbox"/> Environmental Evaluation Report                  | <input checked="" type="checkbox"/> Tree Inventory and Preservation Study |
| <input type="checkbox"/> Environmental Site Assessment            | <input type="checkbox"/> Record of Site Condition (RSC)        | <input type="checkbox"/> Lighting Study                                   | <input type="checkbox"/> Market Impact Assessment                         |
| <input type="checkbox"/> Archaeological Assessment                | <input type="checkbox"/> Built Heritage Impact Study           | <input type="checkbox"/> Urban Design Study                               | <input type="checkbox"/> Guideline Plan                                   |
| <input type="checkbox"/> Conservation Plan                        | Other Required Information: <u>SARS and Fisheries</u>          |   |   |



# SUBDIVISION/CONDOMINIUM APPLICATION

## 3. CONTACT INFORMATION

Provide in full the name of the applicant & contact person, registered owner, agent, & Ontario Land Surveyor and mailing address, phone & fax number and email address. If the case of a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application. All communication regarding the application will be with the Agent authorized by the Owner to file the application. If there is no Agent, all communication will be with the Applicant.

### Applicant

Name: Olivia Construction Homes Inc. Contact: Ashraf Botros  
Name of Contact Person

Address: 1797 South Cameron Blvd

Address: Windsor, ON Postal Code: N9B 3P6

Phone: 519-969-7557 Fax: \_\_\_\_\_

Email: ashrafbotros@icloud.com

### Registered Owner ☒ Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
Name of Contact Person

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Agent Authorized by the Owner to File the Application (If applicable, complete Section A1 in Schedule A)

Name: Pillon Abbs Inc Contact: Tracey Pillon-Abbs, RPP  
Name of Contact Person

Address: 2369 Princess Albert Rd

Address: Chatham, ON Postal Code: N7M 5J7

Phone: 226-340-1232 Fax: \_\_\_\_\_

Email: tracey@pillonabbs.ca

### Ontario Land Surveyor

Name: Verhaegen Contact: Andrew Mantha  
Name of Contact Person

Address: 944 Ottawa St.,

Address: Windsor, ON Postal Code: N8X 2E1

Phone: 519-258-1772 Fax: \_\_\_\_\_

Email: \_\_\_\_\_

# SUBDIVISION/CONDOMINIUM APPLICATION

## 4. RESUBMISSION OF A PREVIOUS PLAN?

No ☒ Yes ☐ Previous Plan/File No. \_\_\_\_\_ Do Not Know ☐

## 5. SUBJECT LAND INFORMATION *(attach additional sheets as required)*

Municipal Address 3990 Loon Street

Legal Description PART LOT 105, CONCESSION 2, SANDWICH EAST, DESIGNATED AS PART 1, PLAN 12R-26347; CITY OF WINDSOR and PART BLOCK 21 PLAN 12M417 WINDSOR BEING PARTS 4, 5, & 6 PLAN 12R27878; SUBJECT TO AN EASEMENT OVER PART 4 PLAN 12R27878 AS IN LT242766; SUBJECT TO AN EASEMENT OVER PART 6 PLAN 12R27878 AS IN LT242767; CITY OF WINDSOR

Assessment Roll Number 070-310-00504-0000

Frontage (m) 15.24 m Depth (m) irregular Area (sq m) 10,599.99 m2

Official Plan Designation Residential, Schedule D

Current Zoning Residential District 2.1 (RD2.1), Map 11, By-law 8600

Existing Uses Vacant

Previous Uses Unknown

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

None

Are there any easements or restrictive covenants affecting the subject land? No Yes ☒

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

Infrastructure

Is the subject land located in an area of high archaeological potential? No ☒ Yes ☐

Will the plan permit development on land that has high archaeological potential? No ☐ Yes ☐ N/A

If YES, submit: An Archaeological Assessment prepared by a person who holds a licence that is effective with respect to the subject land, issued under Part VI (Conservation of Resources of Archaeological Value) on the Ontario Heritage Act; and a Conservation Plan for any archaeological resources identified in the Archaeological Assessment.

Has the subject land ever been subject of: *(leave blank if unknown)*

An application for a plan of subdivision/condominium or consent? No ☐ Yes ☐ File: \_\_\_\_\_

An application for a zoning by-law amendment or a minor variance? No ☐ Yes ☐ File: \_\_\_\_\_

An application for approval of a site plan? No ☐ Yes ☐ File: \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation)? No ☐ Yes ☐ OR#: \_\_\_\_\_

*Ontario Regulation*

# SUBDIVISION/CONDOMINIUM APPLICATION

## 6. PLANNING CONFORMITY

If an Official Plan Amendment and/or a Zoning By-law Amendment is required, the Planning Division must have already received it or it must be submitted with this application, otherwise this application will be returned as incomplete.

Is the plan consistent with Provincial Policy Statement? No ☐ Yes ☒

Does the plan conform to the Official Plan? No ☐ Yes ☒

If No, you must submit a companion application for an Amendment to the Official Plan.

Does the plan conform to the Zoning By-law? No ☐ Yes ☒ - subject to ZBA

If No, you must submit a companion application for an Amendment to the Zoning By-law.

## 7. PLAN OF CONDOMINIUM INFORMATION

### New Construction

Has the City approved a Site Plan? No ☐ Yes ☐ If Yes, attach the approved Site Plan.

Site Plan Agreement registered? No ☐ Yes ☐ If Yes, attach the Site Plan Agreement.

Has a Building Permit been issued? No ☐ Yes ☐ If Yes, attach the Building Permit.

Status of Building: Not Under Construction ☐ Under Construction ☐ Completed ☐

Date Completed: \_\_\_\_\_

Are any units occupied? No ☐ Yes ☐ If Yes, number of units: \_\_\_\_\_

### Conversion of a Building Containing Residential Rental Units (Condominium Conversion)

Is this an application to convert a building containing residential units to condominium status?

No ☐ Yes ☐ If Yes, submit a Structural Integrity Report

Does the building contain any residential rental units?

No ☐ Yes ☐ If Yes, attach a Rent Roll with the names of all tenants, the rent paid by each tenant and their apartment number.

How many rental units are to be converted: \_\_\_\_\_ units

Are tenants willing to purchase units if converted to condominium?

No ☐ Yes ☐ If Yes, attach documentation signed by tenants. Do Not Know ☐

### Exemption from Section 9(3) of the Condominium Act

Are you applying for an exemption pursuant to Section 9(3) of the Condominium Act?

No ☐ Yes ☐ If Yes, attach a request for such exemption signed by the owner or agent.

# SUBDIVISION/CONDOMINIUM APPLICATION

## 7. PROPOSED LAND USES

Indicate the intended uses of the land in the proposal. Complete this section in full.

All Applications						Condominium Only	
Proposed Use	Number of Lots or Blocks	Number of Units or Dwellings	Hectares (ha)	Density (units/ ha)	Number of Parking Spaces	Date of Construction	Floor Coverage
Detached Residential					Condo Only		
Semi-detached Residential					Condo Only		
Multiple Attached Residential	4	28	1.06	26.415			
Apartment Residential							
Seasonal Residential							
Mobile Home							
Other Residential							
Commercial							
Industrial							
Institutional (specify)							
Park or Open Space							
Roads	<del>XX</del>						
Other (specify)	2 (easements and reserve)						
TOTAL	6	28	1.06	26.415			

# SUBDIVISION/CONDOMINIUM APPLICATION

## 9. ACCESS TO SUBJECT LAND

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

- ☐ Provincial Highway      ☒ Municipal Road      ☐ Another Public Road or a Right-Of-Way
- ☐ Water - If access to the subject land is by water only, describe the parking and docking facilities uses or to be used and provide the approximate distance of these facilities from the subject land and the nearest public road:
- 
- 

## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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

- ☒ Publicly owned & operated piped water system      ☐ Other \_\_\_\_\_
- ☐ Privately owned & operated individual well      ☐ Privately owned/operated communal well

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

- ☒ Publicly owned & operated sanitary sewage system      ☐ Other \_\_\_\_\_
- ☐ Privately owned & operated individual septic system      ☐ Privately owned & operated communal septic system

Submit a Servicing Options Report and a Hydrogeological Report if any of the following apply:

- More than five lots or units on privately owned & operated individual or communal wells;
- Five or more lots or units on privately owned & operated individual or communal septic systems; or
- Less than five lots or units on privately owned & operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed;

Submit a Hydrogeological Report if the plan would permit development of less than five lots or units on privately owned & operated individual or communal septic systems, and 4,500 litres of effluent or less would be produced per day as a result of the development being completed.

**Storm Drainage** - Indicate whether storm drainage will be provided by:

- ☒ Sewers      ☐ Ditches      ☐ Swales      ☐ Other \_\_\_\_\_

# SUBDIVISION/CONDOMINIUM APPLICATION

## 11. SITE APPRAISAL AND EVALUATION

Give a brief description of the existing land use, buildings and infrastructure, vegetation, topography and drainage of the subject land:

☒ See Planning Rationale Report \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 12. MITIGATION OF ENVIRONMENTAL EFFECTS

What measures (such as buffering, berms, setbacks, barriers, etc.) have been or will be taken to mitigate adverse environmental effects (such as traffic, noise, odours, pollution of nearby water bodies, etc.) from the proposed development on the surrounding areas and to mitigate adverse effects from the surrounding areas on the proposed development? In agricultural areas, refer to the Agricultural Code of Practice.

Where potential adverse environmental effects (species-at-risk, wetland protection, floodplains, etc.) are foreseen, consultation with the Ministry of Natural Resources and Forestry, the Ministry of Environment, Conservation and Parks, and/or the Essex Region Conservation Authority is recommended.

☒ See Planning Rationale Report \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

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

☒ Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

☐ Open House      ☒ Website      ☐ Other \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# SUBDIVISION/CONDOMINIUM APPLICATION

## 14. FEES

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard, Visa, or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### ☒ Plan of Subdivision - Draft Approval

Code 53007	Base Fee: <u>4</u> lots/blocks at \$684.00 per lot/block	\$ <u>2,736</u>
Code 63024	GIS Fee	+ \$ 50.00
Code 53023	Essex Region Conservation Authority Fee	+ \$ 300.00
Code 53010	Legal Fee - Agreement Preparation	+ \$ 2,184.78
Code 53010	Legal Variable Fee: <u>4</u> lots/blocks at \$50.00 per lot/block	+ \$ <u>200</u>
Plan of Subdivision (Draft Approval) Total Fee		= \$ <u>5,473.78</u>

### ☐ Plan of Condominium - Draft Approval - New Building

Code 53007	Base Fee: _____ lots/units at \$185.00 per lot/unit	\$ _____
Code 63024	GIS Fee	+ \$ 50.00
Code 53023	Essex Region Conservation Authority Fee	+ \$ 300.00
Code 53010	Legal Fee – Agreement Preparation	+ \$ 1,714.98
Code 53010	Legal Variable Fee: _____ lots/units at \$50.00 per lot/unit	+ \$ _____
Plan of Condominium (Draft Approval) Total Fee		= \$ _____

### ☐ Condominium Conversion - Draft Approval - Existing Building

Code 53000	Base Fee	\$ 7,575.00
Code 53007	Base Fee per Unit: _____ units at \$71.40 per unit	+ \$ _____
Code 63024	GIS Fee	+ \$ 50.00
Code 53023	Essex Region Conservation Authority Fee	+ \$ 300.00
Code 53010	Legal Fee – Agreement Preparation	+ \$ 1,714.98
Code 53010	Legal Variable Fee: _____ units at \$50.00 per unit	+ \$ _____
Condominium Conversion (Draft Approval) Total Fee		= \$ _____

A Building Services Inspection Fee for an inspection and report preparation will be invoiced separately. Contact Building Services at 519-255-6267 for additional information.

Fees Continued on Next Page



# SUBDIVISION/CONDOMINIUM APPLICATION

## 14. FEES (continued)

☐ **Plan of Subdivision/Condominium – Extension of Draft Approval**

Code 53035

Total Fee = \$ 3,329.60

☐ **Plan of Subdivision/Condominium – Amendment to Draft Approval**

Code 53007

Base Fee \$ 3,646.30

Code 63024

GIS Fee + \$ 50.00

Amendment to Draft Approval Total Fee = \$ 3,696.30

☐ **Plan of Subdivision/Condominium – Final Approval & Registration**

Payment of this fee is per registration and is required prior to final approval and registration of every draft approved Plan of Subdivision, Plan of Condominium, and Condominium Conversion.

Code 71130

Per Registration = \$ 519.60

☐ **Plan of Subdivision/Condominium – Amendment to Agreement**

Code 71102

Base Fee \$ 3,048.00

Code 53010

Legal Fee - Agreement Preparation + \$ 857.49

Amendment to Agreement Total Fee = \$ 3,905.49

☐ **Plan of Condominium – Amalgamation of Condominium Corporation**

Code 53009

Total Fee = \$ 1,863.00

☐ **Re-notification of Public Notice/Applicant Request for Deferral Fee**

Required when an applicant requests a deferral after notice of a public meeting has been given.

Code 53016

Total Fee = \$ \$2,258.40

**Ontario Land Tribunal (OLT) Appeal Fee - \$1,100.00**

An appeal is made through Council Services (519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information.

**Engineering Review Fee** – The Office of the City Engineer will collect a fee equal to 4% of total municipal infrastructure construction costs excluding water, hydro, telecommunication, and gas infrastructure. The fee is payable at the time construction drawings are submitted to the City Engineer for signature. The total value of construction will be confirmed based on an estimate provided by the developer's Consulting Engineer. Contact Patrick Winters, Development Engineer, at 519-255-6100 ext 6462 or [pwinters@citywindsor.ca](mailto:pwinters@citywindsor.ca) for additional information.



# SUBDIVISION/CONDOMINIUM APPLICATION

## 15. SWORN DECLARATION OF APPLICANT

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

I, **Ashraf Botros**

, solemnly declare that the information required under Schedule 1 to Ontario Regulation 544/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

X



Signature of Applicant

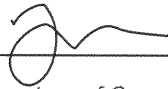
*Sign in the presence of a Commissioner  
For Taking Affidavits*

**Municipality of Chatham-Kent**

Location of Applicant at time of declaration

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

Declared before me



Signature of Commissioner

at the

**Municipality of Chatham-Kent**

Location of Commissioner

this **2nd** day of **February**, 20**23**  
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

Tracey Lynn Cecilia Pillon-Abbs, a Commissioner, etc.,  
Province of Ontario, for Pillon Abbs Inc.  
Expires ~~August 4, 2023~~ **August 4, 2026**

**COMPLETE SCHEDULES A & E IN FULL & SIGN**

# SUBDIVISION/CONDOMINIUM APPLICATION

## SCHEDULE A – Authorizations & Acknowledgement

---

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

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

I, Ashraf Botros,  
*name of registered owner*

am the registered owner of the land that is subject of this application and I authorize

Pillon Abbs Inc. to make this application on my behalf.  
*name of agent*

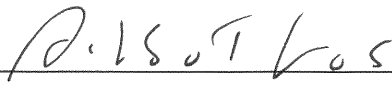
X   
Signature of Registered Owner

February 2, 2023  
Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

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

X   
Signature of Registered Owner

February 2, 2023  
Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# SUBDIVISION/CONDOMINIUM APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - Continued

### A3. Acknowledgements

#### Receipt & Review, Fees & Termination, Other Requirements & Expiry Dates, and Freedom of Information

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

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

I further acknowledge that other municipal departments and external agencies may have their own requirements, fees and approvals in addition to the requirements, fees and approvals described throughout this application form, in any staff reports, and in any agreements, and that it is my responsibility to read the staff report, draft approval, final approval and agreements and to note any expiry dates in any of these documents.

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

#### Species at Risk

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

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

Additional information can be found at:

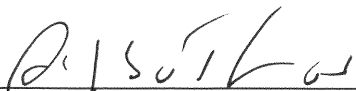
<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

#### Acknowledgement

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

x



Signature of Applicant or Agent

February 2, 2023

Date

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

# SUBDIVISION/CONDOMINIUM APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

---

### Previous Use of Property

- |                                       |                                     |  |  |
|---------------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Residential  | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial        | <input type="checkbox"/> Institutional |
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Parkland   | <input checked="" type="checkbox"/> Vacant | <input type="checkbox"/> Other _____   |

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

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

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

# SUBDIVISION/CONDOMINIUM APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire - Continued

### Environmental Site Screening Questionnaire Acknowledgement Clause

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

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

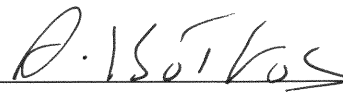
I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

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

Ashraf Botros

Name of Applicant (print)

x



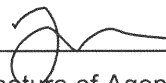
Signature of Applicant

February 2, 2023

Date

Tracey Pillon-Abbs

Name of Agent (print)



Signature of Agent

February 2, 2023

Date

**END OF SCHEDULE E**

# SUBDIVISION/CONDOMINIUM APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- ☐ Jim Abbs (JA) ☐ Justina Nwaesei (JN)
- ☐ \_\_\_\_\_

### Complete Application

This application is deemed complete on \_\_\_\_\_  
Date

Signature of Delegated Authority

- ☐ Neil Robertson, MCIP, RPP  
Manager of Urban Design
- ☐ Michael Cooke, MCIP, RPP  
Manager of Planning Policy
- ☐ Thom Hunt, MCIP, RPP  
City Planner & Executive Director

### Internal Information

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

Payment Type: ☐ Cash ☐ Certified Cheque ☐ Credit Card ☐ Personal Cheque

NEW File No. SDN/ \_\_\_\_\_ Previous File No. SDN/ \_\_\_\_\_

NEW File No. CDM/ \_\_\_\_\_ Previous File No. CDM/ \_\_\_\_\_

Related ZNG File No. ZNG/ \_\_\_\_\_ Related OPA File No. OPA \_\_\_\_\_

Other File Numbers: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

---

**Verify that you are using the most current application form.**

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

Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

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### DATE RECEIVED STAMP

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

#### Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

#### Major Zoning Amendment

- Any other amendment not listed as minor.

# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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

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

## CONTACT INFORMATION

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Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)



# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PRE-SUBMISSION CONSULTATION

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

Valid Pre-Submission Letter? NO ☐ YES ☒ File Number: PS- 123-21

*Staff Use Only*

Signature of Staff Planner

Date of Consultation

<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Kevin Alexander	<input type="checkbox"/> Greg Atkinson	<input type="checkbox"/> Frank Garardo
<input type="checkbox"/> Brian Nagata	<input type="checkbox"/> Justina Nwaesei	<input type="checkbox"/> Simona Simion	<input type="checkbox"/> Laura Strahl
<input type="checkbox"/> Adam Szymczak	<input type="checkbox"/> _____		

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

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

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

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

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

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

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

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

### Applicant

Name: Olivia Construction Homes Inc. Contact: Ashraf Botros  
Name of Contact Person

Address: 1797 South Cameron Blvd

Address: Windsor, ON Postal Code: N9B 3P6

Phone: 519-969-7557 Fax: \_\_\_\_\_

Email: ashrafbotros@icloud.com

### Registered Owner ☒ Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
Name of Contact Person

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

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

Name: Pillon Abbs Inc Contact: Tracey Pillon-Abbs, RPP  
Name of Contact Person

Address: 23669 Prince Albert Rd

Address: Chatham, ON Postal Code: N7M 5J7

Phone: 226-340-1232 Fax: \_\_\_\_\_

Email: tracey@pillonabbs.ca

## 4. COMPANION APPLICATIONS

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

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

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address	3990 Loon Street		
Legal Description	PART LOT 105, CONCESSION 2, SANDWICH EAST, DESIGNATED AS PART 1, PLAN 12R-26347; CITY OF WINDSOR and PART BLOCK 21 PLAN 12M417 WINDSOR BEING PARTS 4, 5, & 6 PLAN 12R27878; SUBJECT TO AN EASEMENT OVER PART 4 PLAN 12R27878 AS IN LT242766; SUBJECT TO AN EASEMENT OVER PART 6 PLAN 12R27878 AS IN LT242767; CITY OF WINDSOR		
Assessment Roll Number	070-310-00504-0000		
If known, the date the subject land was acquired by the current owner:	2019		
Frontage (m)	15.24 m	Depth (m)	irregular
		Area (sq m)	10,599.99 m2
Official Plan Designation	Residential, Schedule D		
Current Zoning	Residential District 2.1 (RD2.1), Map 11, By-law 8600		
Existing Uses	Vacant		
If known, the lengths of time that the existing uses have continued:	Unknown		
Previous Uses	Unknown		

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

None

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

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

Infrastructure

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

An application for a Plan of Subdivision or Consent: NO ☐ YES ☐ File: \_\_\_\_\_

An application for an amendment to a Zoning By-law: NO ☐ YES ☐ File: \_\_\_\_\_

An application for approval of a Site Plan: NO ☐ YES ☐ SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO ☐ YES ☐ OR#: \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: RD2.1

to: RD2.2

Proposed uses of subject land: Proposed to use the Site for residential. A total of 28 units in the form of four 7-unit townhome dwellings.

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

To permit the proposed townhome dwellings.

Why is this amendment or these amendments being requested?

The Site is not capable of being developed for single unit detached dwellings.

The proposed development supports infilling and intensification.

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report

☐ See Official Plan Amendment

# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

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

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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

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

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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

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

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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

- ☒ Publicly owned & operated piped water system
- ☐ Privately owned & operated individual well
- ☐ Privately owned & operated communal well
- ☐ Other \_\_\_\_\_

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

- ☒ Publicly owned & operated sanitary sewage system
- ☐ Privately owned & operated individual septic system - See Note below
- ☐ Privately owned & operated communal septic system - See Note below
- ☐ Other \_\_\_\_\_

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

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

- ☒ Sewers                      ☐ Ditches                      ☐ Swales                      ☐ Other \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

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

## 12. APPLICATION FEE & OTHER FEES

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

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard, Visa or Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### APPLICATION FEE

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

### OTHER FEES

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

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

☒ Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

☐ Open House ☒ Website ☐ Other \_\_\_\_\_

## 14. SWORN DECLARATION OF APPLICANT

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

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

X A. Botros

Signature of Applicant

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

Municipality of Chatham-Kent

Location of Applicant at time of declaration

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

Declared before me [Signature] at the Municipality of Chatham-Kent

*Signature of Commissioner*

*Location of Commissioner*

this 2nd day of February, 2023  
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

Tracey Lynn Cecilia Pillon-Abbs, a Commissioner, etc.,  
Province of Ontario, for Pillon Abbs Inc.  
Expires ~~August 4, 2023~~ **August 4, 2026**

**READ & COMPLETE SCHEDULES A & E IN FULL & SIGN**



# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

---

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

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

I, Ashraf Botros, am the registered owner of the land that is  
*Name of Registered Owner*

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

Pillon Abbs Inc. to make this application on my behalf.  
*Name of Agent*

A. Botros  
Signature of Registered Owner

February 2, 2023

Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, Ashraf Botros,  
*Name of Registered Owner*

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

A. Botros  
Signature of Registered Owner

February 2, 2023

Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

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

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

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

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

#### Species at Risk

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

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

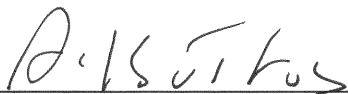
Additional information can be found at:

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

or by contacting MECP at SAROntario@ontario.ca

#### Acknowledgement

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



Signature of Applicant or Agent

February 2, 2023

Date

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

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

---

### Previous Use of Property

- |                                       |                                     |  |  |
|---------------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Residential  | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial        | <input type="checkbox"/> Institutional |
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Parkland   | <input checked="" type="checkbox"/> Vacant | <input type="checkbox"/> Other _____   |

- a) If previous use of the property is Industrial or Commercial, specify use:  
\_\_\_\_\_
- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?  
☐ Yes ☒ No ☐ Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?  
☐ Yes ☒ No ☐ Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
☐ Yes ☒ No ☐ Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
☐ Yes ☒ No ☐ Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?  
☐ Yes ☒ No ☐ Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?  
☐ Yes ☒ No ☐ Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?  
☐ Yes ☒ No ☐ Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
☐ Yes ☒ No ☐ Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*
- ☐ Yes ☒ No ☐ Unknown
- \* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*
- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

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

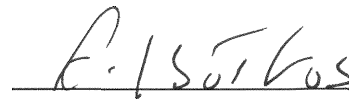
I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition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

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

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

Ashraf Botros

Name of Applicant (print)



Signature of Applicant

February 2, 2023

Date

Tracey Pillon-Abbs

Name of Agent (print)



Signature of Agent

February 2, 2023

Date

END OF SCHEDULE E

# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- |   |   |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS)   | <input type="checkbox"/> Brian Nagata (BN)    |
| <input type="checkbox"/> Frank Garardo (FG)   | <input type="checkbox"/> Greg Atkinson (GA)   |
| <input type="checkbox"/> Jim Abbs (JA)        | <input type="checkbox"/> Justina Nwaesei (JN) |
| <input type="checkbox"/> Kevin Alexander (KA) | <input type="checkbox"/> Laura Strahl (LS)    |
| <input type="checkbox"/> Simona Simion (SS)   | <input type="checkbox"/> _____                |

### Complete Application

This application is deemed complete on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Delegated Authority

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

### Internal Information

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

Payment Type: ☐ Cash ☐ Certified Cheque ☐ Credit Card ☐ Personal Cheque

NEW Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Previous Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Related OPA File No. OPA/ \_\_\_\_\_ OPA \_\_\_\_\_

Other File Numbers: \_\_\_\_\_

Notes: \_\_\_\_\_

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**



KEY PLAN  
NORTH ARROW

DRAFT PLAN OF SUBDIVISION  
OF  
PART OF BLOCK 21,  
PLAN 12M 417  
AND  
PART OF LOT 105,  
CONCESSION 2  
MUNICIPALITY OF SANDWICH EAST  
CITY OF WINDSOR  
VERHAEGEN LAND SURVEYORS  
SCALE = 1:300

"METRIC" DIMENSIONS AND COORDINATES SHOWN ON THIS PLAN  
ARE IN METERS AND DECIMAL METERS. DIMENSIONS  
SHOWN IN PARENTHESES ARE IN FEET AND INCHES.  
BY 10:00 AM ON 01/01/2024

Part 6,  
Plan 12R 3343  
P.N. 01360 0136

TOURANGEAU ROAD

ALLYSON AVENUE

SURVEYOR'S CERTIFICATE

CERTIFY THAT

THE DIMENSIONS OF THE LOTS TO BE SUBDIVIDED AND THE RELATIONSHIP

TO THE ADJACENT LOTS HAVE BEEN MEASURED AND FOUND TO BE CORRECT.

DATE: JUL 10, 2024

ANDREW S. VERHAEGEN

ONTOARIO LAND SURVEYOR



OWNER'S CERTIFICATE

REQUIRED UNDER SECTION 11(1) OF THE PLANNING ACT, R.S.O. 1990

(B) AS SHOWN ON PLAN

(C) TO BE SHOWN ON PLAN

(D) TO BE SHOWN ON PLAN

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(O) TO BE SHOWN ON PLAN

ADDITIONAL INFORMATION

REQUIRED UNDER SECTION 11(1) OF THE PLANNING ACT, R.S.O. 1990

(B) AS SHOWN ON PLAN

(C) TO BE SHOWN ON PLAN

(D) TO BE SHOWN ON PLAN

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(P) TO BE SHOWN ON PLAN

(Q) TO BE SHOWN ON PLAN

INTEGRATION DATA

ADDITIONAL INFORMATION

REQUIRED UNDER SECTION 11(1) OF THE PLANNING ACT, R.S.O. 1990

(B) AS SHOWN ON PLAN

(C) TO BE SHOWN ON PLAN

(D) TO BE SHOWN ON PLAN

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(Q) TO BE SHOWN ON PLAN

(R) TO BE SHOWN ON PLAN





**Council Report: S 86/2024**

**Subject: Response to CQ 12-2023: Public conduct policy and security screening options for City Hall and other municipal facilities - City-wide**

**Reference:**

Date to Council: September 23, 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

Samantha Magalas

Executive Initiatives Coordinator, Community Services

519-253-2300 ext. 2730

smagalas@citywindsor.ca

Administration

Report Date: July 4, 2024

Clerk's File #: ACO2024

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

**Recommendation:**

THAT City Council **RECEIVE** Report S 86/2024, "Response to CQ 12-2023: Public conduct policy and security screening options for City Hall and other municipal facilities," **FOR INFORMATION**.

**Executive Summary:**

N/A

**Background:**

At its May 29, 2023, meeting, City Council directed Administration to respond to the following Council Question posed by Councillor Mark McKenzie:



## **CQ 12-2023**

Asks Administration develop new policies and provide report back to tamp down on “frivolous, dangerous and unreasonable” behaviour at City Hall and other City owned facilities, similar to Essex County Council. Also, report back on feasibility of installing metal detectors at City Hall and WFCU Centre.

This report responds to that question.

On May 3, 2023, the County of Essex implemented a Public Conduct Policy to establish guidelines for members of the public when interacting with members of County government, County employees, or other members of the public. The policy was brought forward after the April 5 meeting of Essex County Council was cancelled due to the disruptive behaviour of members of the public in attendance. The Essex policy is intended to address situations where individual's behaviour and actions are unreasonable, frivolous, or vexatious and may be considered disruptive to democratic processes or impede conducting County business.

Metal detectors are a type of security screening device that can help security staff identify someone attempting to enter a secured area with prohibited metal items on their person. While several municipal premises, including City Hall and WFCU Centre, are protected by on-site security or police officers, metal detectors are not currently used at City Hall or WFCU Centre for security screening purposes.

Actions taken by governments in Canada must not unreasonably infringe or take away from individuals' rights under the *Canadian Charter of Rights and Freedoms*. Those rights are not absolute and can be limited, provided those limits:

- are set out in law;
- pursue an important goal that is justified in a free and democratic society; and,
- are reasonable, proportionate, and minimally infringing.

### **Discussion:**

Administration explored what could be done in terms of developing policies and procedures in response to the Council question.

### **On addressing unacceptable behaviour in public facilities**

Public facilities are where people access resources, like sports fields, and services, like marriage licensing, as well as the workplaces for the City employees that deliver them. As the owner or operator of public facilities, the City establishes policies, by-laws, and operational procedures that guide staff responses to different types of behaviour that could be encountered in public facilities. Together, these by-laws, policies and procedures allow for a tiered approach when addressing unacceptable behaviour at public facilities when it interferes with City business or impacts the ability of others to access or enjoy them. This approach ensures the City's responses to unacceptable behaviour are consistent, reasonable, proportionate, and minimally infringing on individuals' Charter rights.

## ***Existing City policies and by-laws***

### **Respectful Workplace Policy (CR192/2019)**

Under the *Occupier's Liability Act*, R.S.O. 1990, c 0.2 and the *Occupational Health and Safety Act*, R.S.O. 1990, c 0.1, the City has a duty to protect its employees and keep the people and things in public facilities reasonably safe. The City's Respectful Workplace Policy (CR192/2019) was established to bring all workplace policies related to violence, harassment, or discrimination together into one consistent framework.

The policy confirms the City's zero-tolerance approach to discriminatory, harassing, or violent behaviour in all public facility workplaces, whether between employees or involving an employee, an official (elected or appointed) or a customer of the Corporation. It applies to all City workplaces and the conduct of all people in them.

Responding to an incident covered by this policy requires responsible staff to act in accordance with the seriousness and immediacy of the issue. Under this policy, members of the public who engage in unacceptable behaviour towards City staff or in public facilities may have reasonable limitations placed on how they access a service, such as only communicating over email if in-person conversations cannot be had appropriately. In more severe circumstances, an individual may be prohibited from accessing a service for a period and/or trespassed from one or more public facilities if the limitations applied do not resolve the unacceptable behaviour exhibited.

### **Notice of Trespass Policy (CR98/2013)**

Ontario's *Trespass to Property Act*, R.S.O. 1990, T.21 (the "Act") empowers all property owners to instruct someone to leave their property immediately and prohibit them from returning in the future. The City's Notice of Trespass Policy (the "Trespass Policy") provides a mechanism for City staff to prohibit individuals from public facilities while complying with the Act and the Charter. This policy governs how the City prohibits individuals from public facilities when their behaviour is disruptive or threatening. When someone's behaviour is disruptive or threatening, "authorized persons" under the Trespass Policy, which includes a person currently employed with the City in a supervisory position, may verbally instruct the person to leave the facility immediately and prohibit them from returning for the rest of the day. When appropriate, the City Solicitor may be requested to issue a written Notice of Trespass to the individual, prohibiting the individual from one or more City facilities for certain time periods in accordance with the Trespass Policy and law. If the trespasser refuses to leave, or if the trespasser has caused property damage, the police may be called to lay a charge. Notices of Trespass can be appealed by a written letter to the Chief Administrative Officer, whose decision is final. All active Notices of Trespass are reviewed every twelve months to confirm they should remain in effect.

When a written Notice of Trespass is issued, staff working in facilities an individual is trespassed from are provided with a separate notice to be posted in a staff-only area. This document contains the individual's name and the conditions applied to them, but does not include sensitive information, including the reason the individual was trespassed, in order to maintain confidentiality and privacy of both the trespassed individual and any persons impacted or targeted by their unacceptable behaviour.

## **Council Procedure By-law 98-2011**

Section 238 of the *Municipal Act, 2001*, S.O. 2001, c. 25 requires municipalities to pass a by-law to govern their meetings. In accordance with this requirement, the City's Procedure By-law 98-2011 (the "Procedure By-law") lays out the rules for how Council and Standing Committee meetings operate, including the behaviour expected of all people in attendance. The Procedural By-Law also gives the person in charge of a meeting (the "Chair") powers to address public outbursts, shouting, or other actions intended to disrupt debate, discussion, or the meeting's proceedings in general.

If someone registered as a delegate for a meeting and does not adhere to the rules prescribed in the Procedure By-law, referred to as maintaining decorum, the Chair can instruct the person to correct their behaviour and may end their right to speak on the matter. Additionally, Sections 10.17 and 10.30 of the Procedural By-law allows the Chair to instruct anyone whose behaviour is disruptive to the business at hand, delegate or otherwise, to vacate the Council Chambers or meeting room.

The Chair may unilaterally suspend the meeting until order is restored in the Council Chambers or meeting room. If warranted, individuals whose behaviour is threatening or continues to disrupt City business can also be issued a Notice of Trespass.

### ***Additional administrative responses***

#### **Customer Service and Code of Conduct Policy**

Administration researched how other municipalities and institutions address public behaviour issues in their facilities. This research found that although few municipalities have policies on public behaviour in general, some (including Essex County) have created policies to standardize staff responses to resource-intensive customers. Work is underway to draft a policy to guide City staff interacting with resource-intensive customers. Once completed and approved, the policy will harmonize existing approaches across departments and provide guidance when developing procedures suitable for their services and clients.

#### **Operational adaptations**

Following the May 29, 2023 meeting of City Council when this question was asked, Administration took steps to block off the first three rows of seating in Council Chambers and reserve them for City staff and authorized media personnel only. This arrangement ensures a few seats distance' of physical space between members of Council and the public functions as a buffer to noises and actions that may distract or disrupt the meeting's proceedings. It also gives observers greater freedom to quietly discuss proceedings and express themselves without disrupting the meeting's order, much like the galleries in the legislative buildings at other levels of government.

Because municipal government is the most accessible level of government for most people, individuals attending a Standing Committee or Council Meeting may be doing so with limited experience with the rules of order or decorum required for public meetings to run efficiently and lawfully. Improving education and awareness on decorum offers a proactive approach to mitigate frivolous or unreasonable behaviour, avoid escalation to disruptive behaviour, and improve public engagement and trust in democratic processes. Options currently under consideration include:

- Additional signage in and outside of Council Chambers
- An informational slide deck to be projected prior to meetings
- “Plan your visit” information on the City’s website

### **On security screening devices at City Hall and WFCU Centre**

Some large Canadian cities like Toronto and Calgary have implemented security screening technologies at their municipal buildings. As of September 2015, all visitors to Calgary’s Council Chambers must pass through a metal detector and have all bags, backpacks and purses inspected. Toronto implemented comparable procedures in February 2020. Similar measures are used at the Ontario Legislature, and advanced screening measures have recently begun at Windsor Regional Hospital.

To determine how often security screening devices are used at buildings like WFCU Centre, Administration reached out to other Ontario Hockey League (OHL) venues. Of the twenty OHL teams contacted, twelve provided information. Of those responding, only four use walk-through metal detectors. An additional three venues use security wands only. Two of the three teams currently using security wands only are considering additional security screening devices.

### ***Technology Option 1: Security Guards with Wands***

This option would require security guards at each of a subject facility’s public entrances to screen individuals for metal objects as they enter. When entering, guards will ask individuals to pause while the guard moves the device near the individual’s body. Any metal objects present will disrupt the magnetic field the wand generates, alerting the operator. Each device is powered by a battery that must be charged before use, which requires a secure location to store and charge them but otherwise allows deployment at any location where pedestrian traffic can be appropriately controlled.

Preliminary research indicates security wands can range in purchase price from \$300 to \$400 per device. At least two guards each equipped with a wand are required for each entrance being monitored to perform scans safely. Additional wands should also be kept in case a device malfunctions.

### ***Technology Option 2: Portable Security Metal Detectors***

This option would require individuals entering a subject facility to empty their pockets, allow a search of any bags they may be carrying, and pass one at a time through a portable archway that alerts security personnel when a metal object disrupts the magnetic field it produces. These devices can be located (or relocated) to any suitable spot pedestrian traffic can be appropriately controlled where electrical power, either from a standard electrical outlet or supplemental battery packs, and Wi-Fi access are available.

Preliminary research indicates basic portable units can be purchased for approximately \$10,500 each including delivery and set up costs. At least one portable unit, a table for personal objects, and a metal detector wand would be required for each entrance to be monitored. Each unit also requires at least three security guards to operate: one to oversee the device, one to search bags, and one to conduct secondary searches using

a wand when an individual triggers the device or alternative screening for those who cannot pass through it for medical reasons.

### ***Technology Option 3: Advanced Security Scanners***

This option would see advanced security scanners installed at entrances to subject facilities. These units use low-frequency radio waves, similar to those in retail anti-theft devices, to scan individuals, then process those scans using artificial intelligence (AI) to identify potential prohibited items like weapons without requiring people to empty their pockets or remove metal objects like their keys or phone. If a suspicious object is detected, security personnel are discretely alerted on a laptop or tablet. Like the portable metal detectors described in Technology 2, only one person can pass through the device at a time, but processing time is shortened because emptying one's pockets is not required. These units are not portable, however, and need to be permanently installed in a location where electrical power and wi-fi are available.

Preliminary research indicates that advanced security scanners are usually rented, rather than purchased, at an estimated cost of \$65,000 per unit annually including delivery and set up costs. Only two staff – one to monitor the device and one to perform secondary searches – are needed to operate advanced security scanners, as the guard searching bags and pocket contents is not required. Like portable metal detectors, at least one wand per entrance is still needed for secondary searches or as backup in case of malfunction.

### **Risk Analysis:**

There are no risks associated with receiving this report for information.

There is inherent risk associated with operating public spaces which must be tolerated, but can be mitigated.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

Should Council wish to move forward with any options noted in this report, a funding source for capital and operating costs will need to be identified in future budgets.

Pricing to deliver security screening varies widely depending on the scope of screening and the type of screening used. The values provided in the tables below are estimates based on staff research and informal quotes where possible but may increase due to inflationary pressures, overtime labour hours, and/or higher events number.

Annual costs for the various technology options generally include staffing, maintenance, supplies and other recurring expenses. One-time costs could include purchase price of the equipment in addition to delivery and/or installation set up costs, and contingency. Annual operating costs for portable metal detectors could be higher if units must be moved frequently.

### **Screening for public meetings at City Hall**

The values below have been calculated based on estimates of visitor attendance at public meetings held in chambers at 350 City Hall Square W. Staffing and resources could be adjusted as needed, depending on anticipated attendance for particular meetings.

Table 1: Estimated yearly costs for security screening at City Hall during public meetings

<b>Screening Technology</b>	<b>Annual Cost</b>	<b>One-Time Cost</b>	<b>Total</b>
Option 1: Guards with wands	\$12,240	\$1,760	\$14,000
Option 2: Portable metal detectors	\$18,360	\$12,430	\$30,790
Option 3: Advanced AI scanners	\$20,240	\$77,880	\$98,120

### **Screening during major events at WFCU Centre**

The values below have been calculated based on estimates of visitor traffic during major events in the main bowl of the WFCU Centre.

Table 2: Estimated yearly costs for security screening at major WFCU Centre events

<b>Screening Technology</b>	<b>Annual Cost</b>	<b>One-Time Cost</b>	<b>Total</b>
Option 1: Guards with wands	\$149,760	\$6,160	\$155,920
Option 2: Portable metal detectors	\$224,640	\$72,380	\$297,020
Option 3: Advanced AI scanners	\$197,760	\$465,080	\$662,840

### **Consultations:**

Muhammad Masri, Financial Planning Administrator

Kate Tracey, Senior Legal Counsel

Cory Elliott, Manager, Arena and Recreation Facilities

Katherine Donaldson, Corporate Policy Coordinator

Lori Boston, Customer Service Coordinator

OHL Member teams

**Conclusion:**

The City has policies in place to address dangerous and inappropriate behaviour at municipal facilities and continues to take actions to ensure conduct at City facilities is safe and respectful for everyone. If Council wishes to implement security screening devices at either City Hall or WFCU Centre, additional information regarding parameters and funding should be returned as part of the City's Corporate Security Plan.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Sebastian Pirrone	Director, Corporate Security
Jude Malott	Executive Initiatives Coordinator, Corporate Services
Samantha Magalas	Executive Initiatives Coordinator, Community Services
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Wira Vendrasco	City Solicitor
Dana Paladino	Senior Executive Director, Corporate Services (A)
Ray Mensour	Commissioner, Community & Corporate Services
Lorie Gregg	On behalf of Commissioner, Finance/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**



## Council Report: C 110/2024

### Subject: CAO By-Law Update - City Wide

#### Reference:

Date to Council: September 23, 2024

Author: Rania Toufeili

Executive Initiatives Coordinator

519-255-6100 ext. 6479

rtoufeili@citywindsor.ca

CAO Office

Report Date: September 4, 2024

Clerk's File #: ACO2024

To: Mayor and Members of City Council

#### Recommendation:

**THAT** City Council **PASS** By-Law XX-2024 which establishes the position of Chief Administrative Officer for The Corporation of the City of Windsor and sets out their responsibilities and authorities in accordance with the Municipal Act, 2001, as amended.

#### Executive Summary:

N/A

#### Background:

By-Law Number 218-2002 established the position of the Chief Administrative Officer (CAO) for The Corporation of the City of Windsor. This by-law outlines the critical aspects of the CAO's role including duties, governance, and authority.

#### Discussion:

The impetus for amending the CAO by-law is to bring it into compliance with a number of amendments to the Municipal Act, 2001.

Most notably, Strong Mayors legislation allows the head of Council to exercise special powers and duties as set out in Part VII of the Municipal Act. This includes statutorily being assigned the powers of the CAO (s.284.5), and statutorily being assigned responsibility for the organizational structure of the municipality (s.284.6(1)). This latter provision includes the power to hire, dismiss or exercise other prescribed employment powers with respect to the head of any division or head of any other part of the organizational structure (s.284.6(2)). The new CAO By-Law reflects these provisions. Additionally, this by-law contains provisions that provide direction in the event that the head of Council chooses not to implement some of these Strong Mayor's powers.



Matters in By-law 218-2002 not impacted by the Municipal Act, 2001 amendments, have been retained. This includes the CAO responsibility to implement Council's decisions and establish administrative practises and procedures to carry out Council's decisions, among others.

Additionally, some of the wording throughout the by-law was changed to limit repetition and ensure efficiency. This includes rearranging sections for better flow and changing terminology for clarification.

All the above-mentioned items have been incorporated into the new CAO by-law, which is included in the agenda for this meeting of Council.

### **Risk Analysis:**

No critical or significant risks are associated with the administrative recommendations in this report. Updating the CAO By-Law will bring the City into compliance with existing provincial legislation.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

N/A

### **Consultations:**

### **Conclusion:**

The current CAO By-Law is over 20 years old and no longer compliant with amendments to the Municipal Act, 2001. An up-to-date CAO by-law is necessary to ensure that the CAO's duties are clearly outlined for Council, municipal staff and the public. Administration recommends that Council pass the new CAO by-law.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Rania Toufeili	Executive Initiatives Coordinator, Office of the CAO
Wira Vendrasco	City Solicitor

<b>Name</b>	<b>Title</b>
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**



**Council Report: C 111/2024**

**Subject: Delegation of Authority Semi-Annual Report for Period January 1, 2024-June 30, 2024 (City Wide)**

**Reference:**

Date to Council: 9/23/2024  
Author: Pina Ciotoli  
Executive Administrative Assistant  
Suite 520, 350 City Hall Square West  
(519) 255-6100 x 6609  
CAO Office  
Report Date: 9/5/2024  
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, 2024 through June 30, 2024 **BE RECEIVED** for information; and,

THAT City Council **APPROVE** an amendment to Grant Applications (Section 3.25 of the Delegation of Authority By-law 208-2008) if any said grant application is approved and no further direction from Council is required pursuant to Section 3.25 to provide the Chief Administrative Officer or their delegate the authority to sign any agreements, declarations, approvals and any other such documents as may be required as a result of receiving the grant funding, provided they are satisfactory in legal form to the City Solicitor, in technical content to the appropriate Executive Director, and in financial content to the City Treasurer; and,

THAT City Council **APPROVE** an amendment to the Delegation of Authority By-law 208-2008 by removing the following sections that have been incorporated into regular business processes per CR 230/2023 approved by City Council on May 29, 2023:

- (a) Section 1.9 Sidewalk Sales
- (b) Section 1.33 Sewer Agreements
- (c) Section 3.2 Approval of legal encroachments within the terms of Council's established policy; 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.

## **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**

City Council occasionally approves items to be added or removed from the DOA By-law during regular Council business.

On May 29, 2023, City Council approved through CR 230/2023 the deletion of the following sections from the DOA By-law:

#### **Section 1.9: Sidewalk Sales**

Sidewalk sales are requested by the Business Improvement Associations (BIAs) a few times per year and have increased recently due to the pandemic, in an effort to bring the community together. The review process for a sidewalk sale is very similar to a sidewalk café permit application, which no longer requires CAO approval as per By-law 64-2016, May 16, 2016 and has not had any issues since eliminating this section from the DOA. The current process to receive approval for a sidewalk sale takes 4 to 6 weeks.

#### **Section 1.33: Sewer Agreements**

Sewer Agreements are completed as per By-law 4921. Currently, a report is created to obtain a CAO Approval Number in order to authorize the execution of the agreement. A sewer permit is issued immediately by the Right-of-Way Division per By-law 25-2010, as the property owners' plumbing may not be functioning, and there is a Request for Proposal (RFP) issued to the approved contractors. There is little to no risk in removing this item from the DOA By-law as the agreement is standardized and eliminating the requirement for a CAO

approval will allow the Right-of-Way Division to deliver these services faster, as per By-law 4921 and By-law 25-2010.

### **Section 3.2: Approval of Legal Encroachments within the Terms Of Council's Established Policy**

The encroachment agreement process is very lengthy, with an average timeline of approximately 5 to 6 months to complete. Removing this section from the DOA By-law and incorporating it into regular business processes will expedite the timeline to less than a month. This new process will be similar to the encroachment agreement renewal process that was previously approved under CAO-3648 in August 2016. This process reduced encroachment renewals from four (4) to six (6) months down to two (2) or three (3) weeks. If Administration cannot recommend a proposed encroachment or if it requires a broader consultation, then Council will receive a report for decision.

As a housekeeping measure, these items will now be removed from the updated DOA By-law and incorporated into regular business processes.

### **Amendment to Current Items**

#### **Section 3.25: Grant Applications**

Often times, grant applications are time sensitive, and Section 3.25 authorizes the CAO to submit grant applications subject to certain criteria. However, sometimes along with the submission of a grant application and an award of grant funding there is also a requirement to sign various documents for grant eligibility that, depending on the grant, can be one time in nature, or repeated. Section 3.24 of the DOA By-law gives the CAO some authority to executive onetime or infrequent processes or agreements, but not the repeated type of documents that are the requirements of some grants. Adding this provision to Section 3.25 of the DOA By-law allows the CAO to submit grant applications without obtaining further Council approval for the signing of subsequent related documents where it is not otherwise necessary to go to Council.

With approval of this recommendation, Section 3.25 regarding Grant Applications would be amended as follows:

*“Authority for the Chief Administrative Officer or their designate to approve and submit grant applications when at least one of the following criteria are met:*

- a) Grant applications submitted by the City for existing approved programs where either there is no City funding required, or funding is available within existing budgets;*
- b) Grant applications submitted by the City for new programs, subject to providing City Council with notification of the application prior to the point when withdrawal from the program is impossible;*

c) *Grant applications for any project, or portion of a project, previously approved by City Council for a grant submission, contingent upon the following:*

- I. the project meets the criteria for the grant(s) being sought;*
- II. the funding source for City's portion, as previously approved by City Council, is still available for use and/or;*
- III. there is approved funding available for the City's matching portion or;*
- IV. there is no financial commitment until the grant has been awarded and an agreement has been executed, which would allow for a report to be provided to City Council to seek approval of the required City funding prior to execution of said agreement.*

*And further, if any said application is approved and no further direction from Council is required pursuant to Section 3.25 of the DOA By-law, the CAO or their delegate will then have the authority to sign any agreements, declarations, approvals and any other such documents as may be required as a result of receiving the grant funding, provided they are satisfactory in legal form to the City Solicitor, in technical content to the appropriate Executive Director, and in financial content to the City Treasurer."*

### **Reporting Results for January 1, 2024 to June 30, 2024**

During the above noted time period, a total of 227 reports were processed under "Delegation of Authority". The top three (3) types of DOA reports approved between January 1, 2024 to June 30, 2024 were:

- reports authorized by the Purchasing By-law (37.4%),
- reports pertaining to City as Lessor; Grantor; Grantee (18.5%) and
- reports pertaining to staffing matters through CAO By-law 218-2002 (14.9%).

A summary listing all approved administrative reports under delegated authority during January 1, 2024 to June 30, 2024 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. Administration in the CAO's Office review each report to ensure if the value is in excess of \$150,000 that the departmental Financial Planning Advisor has included the relevant Council Resolution or Budget Resolution number. This does not include Requests for Proposals (RFPs) which still require City Council approval for amounts greater than \$150,000.

### **Climate Change Risks**

Individual CAO reports are required to acknowledge if there were climate risks associated within them. This semi-annual report is a summary of individual CAO Reports approved during a specified timeframe and therefore this report does not contain any climate risks.

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

While some delegation of authority items have financial matters, the semi-annual report is a summary of CAO Reports approved during a specified timeframe and therefore this report does not contain any financial matters for consideration.

### **Consultations:**

Dawn LaMontagne, Purchasing Supervisor  
Adam Pillon, Manager of Right of Way, Engineering  
Karina Richters, Supervisor, Environmental Sustainability & Climate Change

### **Conclusion:**

This report, for the period of January 1, 2024 to June 30, 2024, is provided to City Council to fulfill an ongoing commitment to submit a summary report 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:**

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

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - Spreadsheet by Type and Jurisdiction Jan 2024-Jun 2024
- 2 Appendix B - Listing of Reports Approved Under DOA Jan 2024-Jun 2024
- 3 Appendix C - DOA Chart Jan 2024-Jun 2024



Spreadsheet by Type and Jurisdiction  
For Period January 1, 2024 to June 30, 2024

DELEGATION OF AUTHORITY ITEM	1	2	3	4	5	6	7	8	9	10	City Wide	Combined	Grand Total
Administrative Matters (delegated by CR232/2012)	3	2	2	0	0	1	1	0	0	0	21	2	32
Administrative Matters (formerly CR1413/87)	0	0	0	0	0	1	0	0	0	0	0	0	1
By-Law Amendments	0	1	1	0	0	0	0	0	0	0	0	1	3
CAO By-Law	2	0	0	0	0	0	0	0	0	0	32	0	34
City as Lessor; Grantor; Grantee	3	7	4	2	15	1	0	0	7	2	0	1	42
Energy Initiative Projects	0	0	0	0	0	0	1	0	0	0	2	0	3
EnWIN Hydro Connection Agreements	0	0	0	0	0	1	0	0	0	0	0	0	1
Grant Application	2	0	1	0	0	0	2	0	0	0	6	1	12
Issuance of Correcting or Quit Deed Claims	0	0	1	1	1	1	0	0	0	1	0	0	5
Purchasing By-Law	4	8	3	2	3	2	5	2	4	4	42	6	85
Special Event / Road Closure	0	1	0	0	0	0	0	0	0	0	0	0	1
Student and Youth Employment Opportunities Programs	0	0	0	0	0	0	0	0	0	0	2	0	2
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
West Nile Larviciding Requirements	0	0	0	0	0	0	0	0	0	0	0	1	1
Grand Total	14	19	12	5	19	7	9	2	11	7	109	13	227

\*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 185/2024, CAO 10/2024, CAO 13/2024, CAO 16/2024, CAO 24/2024, CAO 25/2024, CAO 28/2024, CAO 33/2024, CAO 37/2024, CAO 38/2024, CAO 39/2024, CAO 40/2024, CAO 41/2024, CAO 42/2024, CAO 46/2024, CAO 46/2024, CAO 52/2024, CAO 56/2024, CAO 56/2024, CAO 57/2024, CAO 71/2024, CAO 75/2024, CAO 87/2024, CAO 89/2024, CAO 98/2024, COA 100/2024, CAO 101/2024, CAO 102/2024, CAO 108/2024, CAO 111/2024, CAO 114/2024, CAO 120/2024, CAO124/2024, CAO 125/2024, CAO 133/2024, CAO 143/2024
- 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 54/2024, CAO67/2024, CAO 83/2024, CAO 127/2024

## APPENDIX B

### Listing of Reports Approved under Delegation of Authority January 1, 2024 – June 30, 2024

#### Ward 1

CAO*	Description	Status	Delegation of Authority Item
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)	Amendment Approved March 20, 2024	Purchasing By-Law
CAOP 3/2024	Agreement between City and ProResp Inc for 3 years for providing oxygen therapy services for residents of Huron Lodge Type: RFP 142-23 Financials: N/A	Approved January 23, 2024	Purchasing By-Law
CAO 4/2024	P&C: Legal Matter Financials: N/A	Approved January 9, 2024	City as Lessor; Grantor: Grantee
CAOP 32/2024	Consultation Agreement between City and Amanda Elghaname for professional wound care services at Huron Lodge Type: Exempt from Purchasing By-Law Financials: \$100 per in-person consultation and \$90 per telephone/virtual consultation	Approved April 4, 2024	Purchasing By-Law
CAOP 48/2024	Agreement between City and GIP Paving Inc for Cold milling and asphalt paving of Ojibway Parkway between Broadway St and Morton Dr Type: RFT 20-24 Financials: \$3,517,900 excluding HST (B28/2021)	Approved April 25, 2024	Purchasing By-Law
CAO 49/2024	Grant Application: Ontario Health West for one-time funding allotment to purchase specialized equipment for Huron Lodge residents	Approved March 6, 2024	Grant Application

	Financial Revenue: \$14,050 excluding HST		
CAO 58/2024	P&C: Legal Matter Financials: N/A	Approved March 19, 2024	City as Lessor; Grantor: Grantee
CAO 72/2024	Agreement between City and Ontario Health to amend term of Long-Term Care Home Service Accountability Agreement (LSAA) Term: March 31, 2024 to March 31, 2025 Financials: N/A	Approved April 9, 2024	Administrative Matters (delegated by CR232/2012)
CAO 75/2024	P&C: Personnel Matter Financials: N/A	Approved April 12, 2024	CAO By-Law
CAO 90/2024	Agreement between City and Ontario Health West for one-time funding allotment to purchase specialized equipment for Huron Lodge residents Financials: \$3,420 excluding HST	Approved May 2, 2024	Grant Application
CAO 106/2024	Agreement between City and George Durocher & Sons Inc Location: 4365 Sandwich St Term: May 1, 2024 - April 30, 2025 Financial Revenue: \$2,000.11/annually excluding HST	Approved May 15, 2024	City as Lessor; Grantor: Grantee
CAO 113/2024	Agreement between City and Kelly Tremblay for dental hygienist services at Huron Lodge Financials: No cost to City; residents pay for service	Approved May 16, 2024	Administrative Matters (delegated by CR232/2012)
CAO 114/2024	P&C: Personnel Matter Financials: N/A	Approved May 21, 2024	CAO By-Law
CAO 136/2024	Agreement between City and PointClickCare Technologies Inc to add additional modules to existing contract with Huron Lodge Financials: \$34,471.12 excluding HST	Approved June 20, 2024	Administrative Matters (delegated by CR232/2012)

## Ward 2

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 172/2023	Agreement amendment between City and Archon Architects Inc for upgrades to Administration area at Lou Romano Pollution Control Plant Type: RFP 98-21 Financials: revised contract value \$227,340 excluding HST (CR393/2021)	Approved January 4, 2024	Purchasing By-Law
CAOP 8/2024	Agreement between City and D.C. McCloskey Engineering Ltd to proceed with design drawings and tender ready documents for construction of weigh scales at Lou Romano Water Reclamation Plant Type: RFP 143-23 Financials: \$183,455 excluding HST (B27/2024)	Approved February 2, 2024	Purchasing By-Law
CAOP 13/2024	Agreement between City and Sterling Ridge Infrastructure Inc for Sunset Ave Phase 3, Wyandotte St to College Ave Type: RFT 140-23 Financials: \$4,286,623.63 excluding HST (CR 125/2024)	Approved April 8, 2024	Purchasing By-Law
CAO 18/2024	Agreement between City and Atura Power for donation of College Avenue Bike Trail Solar Lights System Financials: \$35,000 excluding HST	Approved February 20, 2024	Administrative Matters (delegated by CR232/2012)
CAOP 20/2024	Agreement between City and PowerServe Inc. to construct and install pathway lighting at Assumption North Park Type: RFT 19-24 Financials: \$161,780 excluding HST (B14/2021)	Approved March 14, 2024	Purchasing By-Law
CAO 23/2024	Agreement amendment between City and Italian Canadian Handicapable Association (CR 839/99) Location: Novelletto Rosati Complex, 3939 Carmichael Rd Term: July 1999 - July 2024; 25 years with two 25-year options thereafter Financials: \$1/annually excluding HST	Approved April 2, 2024	City as Lessor; Grantor: Grantee

CAO 30/2024	Agreement between City and Windsor Endowment for the Arts (WEA) for use of Mackenzie Hall for 2024 Windsor Mayor's Arts Awards, including funding to WEA Financials: \$5,000 excluding HST	Approved February 15, 2024	Special Event/Road Closure
CAO 31/2024	Agreement between City and Patrick Hansor Location: 3277 Sandwich St, Unit 9 Term: March 1, 2024 to February 28, 2026 Financial Revenue: \$3,142.52/annually excluding HST	Approved February 20, 2024	City as Lessor; Grantor: Grantee
CAOP 33/2024	Agreement between City and Novelletto Machine for refurbishment of back-up Live Bottom Unloader Device in Lour Romano Water Reclamation Plant Dewatering Truck Bay Type: RFQ Financials: \$122,296.20 excluding HST	Approved April 5, 2024	Purchasing By-Law
CAO 35/2024	Agreement between City and Corporation of Town of LaSalle for permanent utility easement for wastewater infrastructure at Lou Romano Water Reclamation Plant Consent to Enter: Lou Romano Water Reclamation Plant Term: March 4, 2024 to October 31, 2024 Financial Revenue: \$347 excluding HST	Approved March 12, 2024	City as Lessor; Grantor: Grantee
CAOP 42/2024	Agreement between City and Vollmer Inc for replacement of Centrifuge Level Make up Air Level - Lou Romano Water Reclamation Plant Type: Sole Source Financials: \$316,581 excluding HST (B28/2021, B5/2023 & B28/2024)	Approved April 12, 2024	Purchasing By-Law
CAO 43/2024	Agreement amendment between City and Windsor Athletic Association Location: Malden Park Yard Term: March 1, 2024 to February 28, 2025 Financial Revenue: \$1,647/annually excluding HST	Approved March 8, 2024	City as Lessor; Grantor: Grantee

CAOP 50/2024	Agreement between City and ES Fox Ltd to replace original valves with pre-purchased valves at Lou Romano Water Reclamation Plant Type: RFT 50-24 Financials: \$202,539 excluding HST (B6/2021, B28/2021 and B28/2024)	Approved May 2, 2024	Purchasing By-Law
CAOP 63/2024	Agreement between City and R.C. White Ltd for additional cost of concrete repairs of tunnels-Lou Romano Water Reclamation Plant Type: RFT 13-23 Financials: \$8,560.27 excluding HST	Approved May 16, 2024	Purchasing By-Law
CAO 64/2024	Agreement Amendment between City and Windsor Minor Football Association Location: Building located in Mic Mac Park Term: April 1, 2024 to March 31, 2025 Financial Revenue: \$1,683.45/annually excluding HST	Approved March 28, 2024	City as Lessor; Grantor: Grantee
CAO 80/2024	Agreement between City and Windsor Athletic Association Location: Mic Mac Park Term: March 1, 2024 to February 28, 2025 Financial Revenue: \$1/annually excluding HST	Approved April 17, 2024	City as Lessor; Grantor: Grantee
CAO 83/2024	P&C: Legal Matter Financials: N/A	Approved April 12, 2024	Administrative Matters (delegated by CR232/2012)
CAO 94/2024	Agreement between City and Big Brothers Big Sisters Windsor Essex Location: 3277 Sandwich St, Rm 30 and Studio 2 Term: May 1, 2024 - April 30, 2025 Financial Revenue: \$28,300.08/annually excluding HST	Approved May 10, 2024	City as Lessor; Grantor: Grantee
CAO 123/2024	Amendment Alley Closing By-Law 162-2023 Financials: N/A	Approved June 19, 2024	By-Law Amendments

### Ward 3

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 339/2023	Grant Application: Experience Ontario 2024 for Bright Lights project Financials: N/A	Approved January 8, 2024	Grant Application
CAO 340/2023	Agreement between City and Windsor Aquatic Club Location: Windsor International Aquatic Training Centre, Rm 232, 401 Pitt St W Term: February 1, 2024 to January 31, 2025 Financial Revenue: \$1,129.75/annually plus HST	Approved January 4, 2024	City as Lessor; Grantor: Grantee
CAO 2/2024	Agreement between City and Windsor Essex Swim Team Inc Location: Windsor International Aquatic Training Centre, Rm 231, 401 Pitt St W Term: February 1, 2024 to January 31, 2025 Financial Revenue: \$1,129.75/annually excluding HST	Approved January 4, 2024	City as Lessor; Grantor: Grantee
CAO 5/2024	Agreement between City and The Canadian Museum of History for "Hockey" to be displayed in Chimczuk Museum Term: February 8, 2025 to May 4, 2025 Financials: \$45,118 excluding HST	Approved January 17, 2024	Administrative Matters (delegated by CR232/2012)
CAO 12/2024	Amendment to Street and Alley Closing By-Law 12417 Financials: N/A	Approved January 18, 2024	By-Law Amendments
CAO 17/2024	Agreement between City and 1925000 Ontario Inc Location: Main floor-south wall near west entrance of 400 City Hall Sq E Term: February 1, 2024 to January 31, 2029 Financial Revenue: \$6,577.92/annually excluding HST	Approved February 1, 2024	City as Lessor; Grantor: Grantee
CAO 19/2024	Agreement between City and Supreme Restoration Services Inc for flood repairs at Yee Pharmacy, 165 Goyeau St Type: Emergency Purchase Order Financials: \$105,595.78 excluding HST	Approved February 13, 2024	Purchasing By-Law

CAOP 47/2024	Agreement between City and Young Electric Services Ltd for provision of replacing compromised electrical power cables at 400 City Hall Sq E Type: Sole Source Financials: \$561,999.99 excluding HST (MD05-2024)	Approved April 17, 2024	Purchasing By-Law
CAO 78/2024	Correcting Title Deficiency: 1370 Oak Ave Financials: N/A	Approved April 4, 2024	Issuance of Correcting or Quit Claim Deeds
CAO 79/2024	P&C: Legal Matter Financials: N/A	Approved April 9, 2024	City as Lessor; Grantor: Grantee
CAOP 81/2024	Agreement between City and Weathertech Restoration Services Inc for Goyeau Garage Type: RFT 73-24 Financials: \$656,120 excluding HST (B28/2024)	Approved June 21, 2024	Purchasing By-Law
CAO 103/2024	Agreement between City and Marblemedia ARC Productions Vi Inc for filming at Windsor International Aquatic and Training Centre Term: November 6-9, 2024 Financials: N/A	Approved May 16, 2024	Administrative Matters (delegated by CR232/2012)

#### Ward 4

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 175/2023	P&C: Personnel Matter Financials: N/A	Approved January 26, 2024	Purchasing By-Law
CAOP 52/2024	Agreement between City and Quinlan Inc for pulverizing and resurfacing of existing 1.2km of asphalt multi-use trails located within Optimist Memorial Park Type: RFT 53-24 Financials: \$126,865 excluding HST	Approved May 16, 2024	Purchasing By-Law



CAO 70/2024	Consent to Enter: Powerserve Inc Location: Optimist Memorial Park, 1075 Ypres Ave Term: April 8, 2024 to May 10, 2024 Financials: N/A	Amendment Approved April 22, 2024	City as Lessor; Grantor: Grantee
CAO 81/2024	Correcting title deficiency: 2283 Woodlawn Ave Financials: N/A	Approved April 10, 2024	Issuance of Correcting or Quit Claim Deeds
CAO 105/2024	Agreement between City and Windsor Central Little League Location: Optimist Memorial Park Term: May 1, 2024 - April 30, 2029 Financial Revenue: \$1/annually excluding HST	Approved May 22, 2024	City as Lessor; Grantor: Grantee

#### Ward 5

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 6/2024	Agreement between City and South Asian Centre of Windsor Location: 1168 Drouillard Rd, Unit 6 Term: February 1, 2024 to January 31, 2025 Financials: \$2,404.48/annually excluding HST	Approved January 23, 2024	City as Lessor; Grantor: Grantee
CAO 9/2024	Consent to Enter: C.T. Soil & Materials Testing Inc Location: Meighen Heights development located between Meldrum Rd, Meighen Rd and Chandler Rd Term: January 15, 2024 to February 29, 2024 Financials: N/A	Approved January 17, 2024	City as Lessor; Grantor: Grantee
CAO 21/2024	Agreement amendment between City and South Essex Community Council Location: 1168 Drouillard Rd, Unit 5C and 16 Term: November 1, 2023 to January 31, 2024 Financials: \$8,051.68/annually excluding HST	Approved February 20, 2024	City as Lessor; Grantor: Grantee

CAOP 25/2024	Agreement between City and Gillett Roofing Inc to complete roof replacement at Gino Marcus Community Complex Type: RFT 38-24 Financials: \$451,500 excluding HST (B5/2023 & B28/2024)	Approved April 5, 2024	Purchasing By-Law
CAO 26/2024	Agreement between City and L'Union Culturelle Des Franco-Ontariennes Windsor-Essex et Kent Location: Constable John Atkinson Memorial Community Centre, 4270 Alice St, Room B & C Term: March 1, 2024 to February 28, 2025 Financial Revenue: \$10,130.84/annually excluding HST	Approved March 8, 2024	City as Lessor; Grantor: Grantee
CAO 27/2024	Agreement between City and L'Union Culturelle Des Franco-Ontariennes Windsor-Essex et Kent Location: Constable John Atkinson Memorial Community Centre, 4270 Alice St, Room A Term: March 1, 2024 to February 28, 2025 Financial Revenue: \$5,435/annually excluding HST	Approved March 8, 2024	City as Lessor; Grantor: Grantee
CAO 32/2024	Agreement between City and Essex County Nurse Practitioner-LED Clinic Location: 1168 Drouillard Rd, Units 7, 14 and 15 Term: March 1, 2024 to February 28, 2025 Financial Revenue: \$20,392.12/annually excluding HST	Approved February 20, 2024	City as Lessor; Grantor: Grantee
CAO 34/2024	Agreement between City and The African Community Organization of Windsor Location: 1168 Drouillard Rd, Unit 18 Term: February 1, 2024 to January 31, 2025 Financial Revenue: \$8,228.59/annually excluding HST	Approved February 22, 2024	City as Lessor; Grantor: Grantee
CAO 44/2024	Agreement between City and Candice Twees Location: 1168 Drouillard Rd, Unit 12 Term: April 1, 2024 to March 31, 2027	Approved March 8, 2024	City as Lessor; Grantor: Grantee

	Financial Revenue: \$4,094.04/annually excluding HST		
CAO 45/2024	Agreement between City and Ontario Society for Crippled Children o/a Easter Seals Ontario Location: 1168 Drouillard Rd, Unit 10 Term: April 1, 2024 to March 31, 2025 Financial Revenue: \$5,750.23/annually excluding HST	Approved March 8, 2024	City as Lessor; Grantor: Grantee
CAO 47/2024	Agreement between City and MS Canada Location: 1168 Drouillard Rd, Unit 5B Term: April 1, 2024 to March 31, 2025 Financial Revenue: \$2,021.82/annually excluding HST	Approved March 8, 2024	City as Lessor; Grantor: Grantee
CAO 51/2024	Agreement between City and Farah Issa (Issa Law Office) Location: 1168 Drouillard Rd, Unit 3 Term: March 25, 2024 to March 31, 2025 Financial Revenue: \$5,809.28/annually excluding HST	Approved March 26, 2024	City as Lessor; Grantor: Grantee
CAO 55/2024	Agreement between City and Chaldean Association of Windsor Location: 1168 Drouillard Rd, Unit 22 Term: April 1, 2024 to March 31, 2026 Financial Revenue: \$5,804.58/annually excluding HST	Approved March 28, 2024	City as Lessor; Grantor: Grantee
CAOP 68/2024	Agreement between City and Major Construction for road and watermain rehabilitation of Tecumseh Rd E between Central Ave and Pillette Rd Type: RFT 7-24 Financials: \$4,460,384 excluding HST (CR B28/2024)	Approved May 28, 2024	Purchasing By-Law
CAOP 78/2024	Agreement between City and Aecom Canada Ltd for engineering services proposal Type: Sole Source Financials: \$127,380 excluding HST	Approved June 18, 2024	Purchasing By-Law
CAO 97/2024	Consent to Enter: Sterling Ridge Infrastructure Inc Location: Factoria Park Term: June 17, 2024 - January 31, 2025 Financials: N/A	Amendment Approved June 13, 2024	City as Lessor; Grantor: Grantee

CAO 128/2024	Correcting Title Deficiency: 2452 Rossini Blvd Financials: N/A	Approved June 5, 2024	Issuance of Correcting or Quit Claim Deeds
CAO 130/2024	Agreement between City and Mission d'Evangelisation Modiale pour la Moisson Church Location: 1168 Drouillard Rd, Units 13 and 21 Term: July 1, 2024 to June 30, 2027 Financial Revenue: \$4,663.23/annually excluding HST	Approved June 21, 2024	City as Lessor; Grantor: Grantee
CAO 137/2024	Agreement between City and Council on Aging, Windsor-Essex County Location: 1168 Drouillard Rd, Unit 5A Term: June 1, 2024 to May 31, 2026 Financials: \$2,000.08/annually excluding HST	Approved June 21, 2024	City as Lessor; Grantor: Grantee

## Ward 6

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 11/2024	Agreement between City and ACG Envirocan Inc for purchase of sewage grinder for Clairview Pumping Station Type: Sole Source Financials: \$221,665 excluding HST (B6/2023)	Approved February 21, 2024	Purchasing By-Law
CAO 36/2024	Correcting Deeds: 1196-1296 Coventry Crt (16 properties) Financials: \$2,250 excluding HST. Additional cost for new reference plan - \$12,000 excluding HST (CAO 243/2023)	Approved February 22, 2024	Administrative Matters (formerly CR1413/87)
CAO 60/2024	Correcting title deficiency: 6700 Raymond Ave Financials: \$83.11 including HST	Approved April 5, 2024	Issuance of Correcting or Quit Claim Deeds
CAOP 80/2024	Agreement between City and GIP Paving Inc for WFCU Centre parking lot and access road reconstruction Type: RFT 48-24 Financials: \$2,257,345 excluding HST (B8/2019, B57/2020, B28/2022, B5/2023 & B28/2024)	Approved June 18, 2024	Purchasing By-Law

CAO 96/2024	Agreement between City and Cooleez Ice Cream Parlour Location: Concession at Reaume Park/Coventry Gardens Term: May 1, 2024 - April 30, 2025 Financial Revenue: \$7,629.04/annually excluding HST	Approved May 15, 2024	City as Lessor; Grantor: Grantee
CAO 107/2024	Agreement between City and Enwin Utilities Ltd for electrical power connection at St. Paul Pumping Station, 7730 Riverside Dr E Financials: \$130,396.554 excluding HST	Approved May 16, 2024	Enwin Hydro Connection Agreements
CAO 112/2024	Agreement between City and Essex County Soccer Association for artificial turf installation at McHugh Soccer Complex Financials: \$400,000 excluding HST (B28/2024, CR 632/2019)	Approved May 28, 2024	Administrative Matters (delegated by CR232/2012)

## Ward 7

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 9/2024	Agreement between City and SESCO (Division of Sonepar Canada Inc.) for Emerson control system equipment at Little River Pollution Control Plant Type: Sole Source Financials: \$129,691 excluding HST	Approved February 7, 2024	Purchasing By-Law
CAOP 10/2024	Agreement between City and Stantec Consulting Ltd for Detailed Design and Contract Administration services for Little River Pollution Control Plant Overflow at Pontiac Pumping Station Improvements Type: RFP 67-23 Financials: \$1,035,335 excluding HST (B27/2024)	Approved March 7, 2024	Purchasing By-Law
CAOP 41/2024	Agreement between City and Kingdom Construction Ltd for construction upgrades at East Marsh Pumping Station Type: RFT 29-24 Financials: \$6,346,186.75 excluding HST (CR383/2023)	Approved May 30, 2024 Amendment Approved: June 5, 2024	Purchasing By-Law

CAO 50/2024	Agreement termination between City and Essex Energy Corporation for planned installation, operation, and maintenance of net metering solar photovoltaic project for 9400 Little River Rd, Little River Pollution Control Plant Financials: \$277,395 plus annual maintenance cost of \$2,985 excluding HST (CR515/2021)	Approved March 26, 2024	Energy Initiative Projects
CAO 59/2024	Grant Application: Invasive Species Action Fund for Invasive Species Prevention, Containment, and Long-term Management in Little River Corridor Financials: N/A	Approved April 15, 2024	Grant Application
CAOP 67/2024	Agreement between City and Bear Construction and Engineering Inc to construct one (1) washroom building at Elizabeth Kishkon Park and one (1) washroom building at Little River Corridor Park Type: RFT 47-24 Financials: \$951,6700 excluding HST (B54/2017 – B56/2017, CR507/2018, CR350/2021, B28/2021, C176/2021, CR331/2022, C119/2022)	Approved May 28, 2024	Purchasing By-Law
CAO 68/2024	Agreement between City and Transport Canada to sign "Certificate of Registry (Small Vessel Registry)" for two (2) small vessels used to transport visitors and conduct maintenance on Peche island Financials: \$100 excluding HST	Approved April 4, 2024	Administrative Matters (delegated by CR232/2012)
CAOP 82/2023	Agreement between City and Canadian Pacific Railway Company for Banwell Rd/EC Row Interchange and Corridor Improvements Project Type: exempt from Purchasing by-law Financials: \$400,000 excluding HST (CR593/2016)	Approved June 25, 2024	Purchasing By-Law
CAO 117/2024	Grant Application: Inclusive Community Grant (ICG) for Elizabeth Kishkon Park project Financials: N/A	Approved May 21, 2024	Grant Application

## Ward 8

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 65/2024	Agreement between City and J&J Lepera Infrastructures Inc for Lauzon Parkway reconstruction - Hawthorne Dr to Cantelon Dr Type: RFT 04-24 Financials: \$15,187,000 excluding HST (CR392/2021)	Approved May 29, 2024	Purchasing By-Law
CAOP 71/2024	Agreement between City and Rorison Electric Limited for Jefferson Police generator replacement Type: RFT 67-24 Financials: \$678,205 excluding HST (B72-2018)	Approved May 29, 2024	Purchasing By-Law

## Ward 9

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 147/2023	Agreement amendment between City and Dillon Consulting Ltd for Sandwich South Master Servicing Plan and Little River Flood Plain Mapping Study Type: Sole Source Financials: \$98,193 excluding HST	Approved January 12, 2024	Purchasing By-Law
CAO 325/2023	P&C: Legal Matter Financials: N/A	Amendment Approved January 3, 2024	City as Lessor; Grantor: Grantee
CAO 338/2023	Consent to Enter: EnWin Utilities Location: 0 Riberdy Rd Term: January 8, 2024 to March 31, 2024 Financial Revenue: \$1 plus document preparation costs of approximately \$255.14 plus HST and registration costs of approximately \$82	Approved January 3, 2024	City as Lessor; Grantor: Grantee

CAOP 12/2024	Agreement between City and Dillon Consulting Ltd for design and contract administration consulting services for County Rd 42 improvements project from east of Walker Rd to west of 9th Concession Rd Type: RFP 154-23 Financials: \$1,472,500 excluding HST (CR 19/2023)	Approved February 16, 2024	Purchasing By-Law
CAO 14/2024	Consent to Enter: Enwin Utilities Ltd Location: 3490 Wheelton Term: December 18, 2023 Financial Revenue: \$1 excluding HST	Approved January 19, 2024	City as Lessor; Grantor: Grantee
CAOP 28/2024	Agreement between City and Carrier Truck Centre Inc for purchase of one (1) new 2025 Plow Truck Type: RFT 31-24 Financials: \$324,195 excluding HST (CR 269/2021)	Approved March 21, 2024	Purchasing By-Law
CAOP 44/2024	Agreement amendment between City and GIP Paving Inc to include additional scope of work related to extension of electrical and streetlighting works as part of Provincial-Division Rd Corridor Improvements, Phase 3 Type: Sole Source Financials: \$211,838.50 excluding HST (CR 69/2022)	Approved April 16, 2024	Purchasing By-Law
CAO 88/2024	Consent to Enter: BRI-DON Services Inc Location: Little River Dragonfly Park Term: April 22, 2024 to May 31, 2024 Financials: N/A	Approved April 23, 2024	City as Lessor; Grantor: Grantee
CAO 134/2024	Agreement amendment between City and DS ACTIMO Canada Inc to provide a 6-month extension from 18 months to 24 months to completion dates Location: Windsor Airport Lands Financials: N/A	Approved June 27, 2024	City as Lessor; Grantor: Grantee
CAO 139/2024	Consent to Enter: Minth Canada Holding Location: Windsor Airport lands for Geotechnical testing Term: June 21, 2024 to June 30, 2025 Financials: N/A	Amendment Approved July 4, 2024	City as Lessor; Grantor: Grantee



CAO 145/2024	Consent to Enter: Alberici-Barton Mellow Location: lands along Banwell Rd, south of EC Row Expressway Term: July 2, 2024 - June 30, 2025 Financials: N/A	Approved June 28, 2024	City as Lessor; Grantor: Grantee
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## Ward 10

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 181/2023	Agreement amendment between City and Baird AE Inc to include scope change No. 1 (utility locates, drain enclosure at Randolph Ave, contract administration and site inspection) for Talsma and Janisse Municipal Drains Engineer's Report Type: Sole Source Financials: \$129,210 excluding HST	Approved January 3, 2024	Purchasing By-Law
CAOP 17/2024	Agreement between City and Quinlan Inc for milling and resurfacing of existing tennis & basketball courts within Remington Booster Park Type: RFT 23-24 Financials: \$126,700 excluding HST	Approved March 14, 2024	Purchasing By-Law
CAO 29/2024	Correcting title deficiency: 2865 Academy Dr Financials: \$1,194.97 excluding HST	Approved February 13, 2024	Issuance of Correcting or Quit Claim Deeds
CAOP 53/2024	Agreement between City and TCI Titan Contracting Inc for Crawford Yard Garage improvements Type: RFT 25-24 Financials: \$1,172,110 excluding HST (B5-2023)	Approved May 7, 2024	Purchasing By-Law
CAO 76/2024	Agreement between City and Windsor Optimist Youth Band Location: 2710 Lillian Ave Term: April 1, 2024 to March 31, 2027 Financial Revenue: \$2,378.27/annually excluding HST	Approved April 10, 2024	City as Lessor; Grantor: Grantee

CAOP 79/2024	Agreement between City and Baird AE Inc to include scope change No 2 (realignment of Talsma Drain to Betts Ave ROW) for Talsma and Janisse Municipal Drains Engineer's Report Type: Sole Source Financials: \$156,710 excluding HST (CR340/2020)	Approved June 18, 2024	Purchasing By-Law
CAO 84/2024	Agreement between City and Fogolar Furlan Windsor Location: Udine Park Term: May 11, 2024 to September 29, 2024 Financial Revenue: \$1/annually excluding HST	Approved April 25, 2024	City as Lessor; Grantor: Grantee

#### City Wide

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 17/2022	Agreement between City and Telus for implementation of FOCUS as Corporate GPS/AVL solution Type: RFP 95-16 Financials: \$150,000 excluding HST (B27/2021)	Amendment Approved April 8, 2024	Purchasing By-Law
CAOP 124/2023	Agreement between City and Microsoft Canada Inc and Insight Canada Inc for Microsoft related software subscriptions Type: Sole Source Financials: \$1,500,000 excluding HST annually for 2 years (B27/2021 and BI 2022-0315)	Amendment Approved April 3, 2024	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)	Amendment Approved April 9, 2024	Purchasing By-Law

CAOP 174/2023	Agreement amendment and renewal between City and Strategic Mapping Inc to add MAIOR scheduling software and continue with current system licence, software maintenance, support and hosting and extended warranty related to provision of Automated Vehicle Location (AVL), Next Vehicle Arrivals SMS services Type: Sole Source Term: 5 years plus a two-year option to renew upon mutual agreement of the parties Financials: \$831,897 excluding HST (CR352/2022)	Approved March 14, 2024	Purchasing By-Law
CAOP 176/2023	Agreement between City and TELUS for Corporate Purchasing Group for Wireless Services Type: Sole Source Financials: \$90,000 excluding HST	Approved January 5, 2024	Purchasing By-Law
CAOP 177/2023	Agreement between City and Municipal Tax Equity Consultants (MTE) Inc, MTE Paralegal Professional Corporation; iLookAbout Inc for Property Tax Policy and Assessment Advisory Services, use of Tax Analytics, Reporting, and Appeal Management Software Type: Sole Source Term: January 1, 2024 to December 31, 2024 Financials: \$78,867.50 excluding HST	Approved January 3, 2024	Purchasing By-Law
CAOP 180/2023	Agreement between City and Amico Infrastructures Inc, Danruss Contracting Inc, J.C.S. Construction Inc, Shearock Construction Group Inc for emergency sewer repair Type: Tender 133-23 Term: January 1, 2024 to December 31, 2024 Financials: \$1,519,580 excluding HST (B4/2023)	Approved January 12, 2024	Purchasing By-Law
CAO 185/2023	P&C: Personnel Matter Financials: N/A	Approved March 4, 2024	CAO By-Law

CAO 262/2023	Authorization for City Treasurer, or designate, to sign and submit Canada's Core Public Infrastructure Survey, as well as any future updates, additional submissions and/or requests for information from Statistics Canada Financials: N/A	Approved January 30, 2024	Administrative Matters (delegated by CR232/2012)
CAO 296/2023	Agreement between City and PCI Security Standards Council, LLC Sponsor Attestation participate as a "Sponsor Company" to initiate Internal Security Assessors Program training Financials: N/A	Approved January 4, 2024	Administrative Matters (delegated by CR232/2012)
CAO 323/2023	Agreement between City and Ecopia to sign end user agreement Financials: N/A	Approved January 4, 2024	Administrative Matters (delegated by CR232/2012)
CAO 337/2023	Authorization for City Treasurer, or designate, to sign and submit Annual Capital and Repair Expenditures Survey and Annual Capital Expenditures Survey: Preliminary Estimate the Canada Community-Building Fund Annual Report, as well as any related additional submissions and/or requests for information from Association of Municipalities Ontario Financials: N/A	Approved January 3, 2024	Administrative Matters (delegated by CR232/2012)
CAO 1/2024	Grant Application: Trans Canada Trail: Trail Infrastructure and Major Repairs Stream project Financials: N/A	Approved January 8, 2024	Grant Application
CAOP 1/2024	Agreement between City and Rapid Sewer Data Corp for one(1) year extension for zoom cam sewer inspection Type: RFT 170-22 Term: January 25, 2024 to January 24, 2025 Financials: \$940,542.50 excluding HST (CR B28/2021, CR394/2023)	Approved February 13, 2024	Purchasing By-Law
CAOP 5/2024	Agreement between City and Zayo Group LLC for Allstream Service Schedule Type: Exempt from Purchasing By-Law Financials: \$73,500 excluding HST	Amendment Approved April 12, 2024	Purchasing By-Law

CAO 7/2024	Requests 2023-07, 2023-08, 2023-09 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund for 2025/2026 Canada Diving Cup, 2024 Canada's Meeting & Event Expo, 2024 Destination Ontario Marketing Partnership Financials: \$397,500 excluding HST	Approved February 1, 2024	Use of Tourism Reserve Fund (CR427/2018)
CAOP 7/2024	Agreement between City and AFIMAC Canada Inc for security services during potential Transit Windsor strike to maintain essential services and uphold safety and order Type: RFP 104-22 Financials: \$25,000 excluding HST	Approved January 23, 2024	Purchasing By-Law
CAO 8/2024	Grant Application: Immigration, Refugees Citizenship Canada Proposals for continuation of Windsor Essex Local Immigration Partnership (WE LIP) Financials: N/A	Approved January 11, 2024	Grant Application
CAO 10/2024	P&C: Personnel Matter Financials: N/A	Approved January 12, 2024	CAO By-Law
CAO 11/2024	Agreement between City and Principles Integrity, Jeffrey A. Abrams and Janice Atwood-Petkovski for renewal of Integrity Commissioner services Term: January 1, 2024 to December 31, 2025 Financials: \$25,500/annually excluding HST	Amendment Approved February 1, 2024	Administrative Matters (delegated by CR232/2012)
CAO 13/2024	P&C: Personnel Matter Financials: N/A	Approved April 3, 2024	CAO By-Law
CAO 15/2024	Agreement between City and Detroit Belle Isle Grand Prix Inc for sponsorship of 2024 Detroit Grand Prix Term: May 31, 2024 to June 2, 2024 Financials: \$53,800 CDN excluding HST	Approved February 27, 2024	Administrative Matters (delegated by CR232/2012)
CAOP 15/2024	Agreement between City and Turf Care Products Canada Ltd for five (5) new Toro Groundskeeper Large Area Mowers with Attachments Type: Sole Source Financials: \$790,060 excluding HST (B28/2024 )	Approved March 4, 2024	Purchasing By-Law

CAO 16/2024	P&C: Personnel Matter Financials: N/A	Approved January 30, 2024	CAO By-Law
CAOP 16/2024	Agreement between City and M.E. Andrews and Associates Limited for trunk sewer inspections Type: RFT 9-24 Financials: \$512,900 excluding HST (B28/2024)	Approved March 4, 2024	Purchasing By-Law
CAOP 18/2024	Agreement between City and Timberland Equipment Ltd for purchase of one, new 2024 Underground Continuous Power Rodder Machine Model S660-36-ATO, mounted on a supplied, new Freightliner M2 Chassis Type: Sole Source Financials: \$753,408.06 excluding HST (CR394/2023)	Approved March 7, 2024	Purchasing By-Law
CAOP 19/2024	Agreement between City and Mill-Am Corporation for supply of hot mix asphalt Type: RFT 1-24 Financials: \$100,000 excluding HST	Approved March 8, 2024	Purchasing By-Law
CAOP 21/2024	Agreement between City and Area Construction Inc for utility cut restoration & asphalt repairs Type: RFT 27-24 Term: April 1, 2024 to December 31, 2024 Financials: \$1,327,706 excluding HST (B27/2024; B28/2024)	Amendment Approved April 5, 2024	Purchasing By-Law
CAO 22/2024	Agreement between City and Canada Life Assurance Company to complete and/or execute request for refund forms relating to available life insurance premium balances Financials: N/A	Approved February 22, 2024	Administrative Matters (delegated by CR232/2012)

CAOP 22/2024	Agreement between City and Piera Con Enterprises Inc, Giorgio Bros (1994) Inc, Amico Infrastructures Inc, Danruss Contracting Inc, J.C.S. Construction Inc for utility cut restoration & concrete repairs Type: RFT 26-24 Financials: \$6,746,990 excluding HST (B4/2023)	Approved March 19, 2024	Purchasing By-Law
CAOP 23/2024	Agreement between City and Ennis Paint Canada ULC for supply and delivery of Low VOC Traffic Marking Paint Type: RFT 33-24 Financials: \$309,851.40 excluding HST (B27/2024)	Approved March 19, 2024	Purchasing By-Law
CAO 24/2024	P&C: Personnel Matter Financials: N/A	Approved April 19, 2024	CAO By-Law
CAO 25/2024	P&C: Personnel Matter Financials: N/A	Approved March 4, 2024	CAO By-Law
CAOP 26/2024	Agreement between City and Deloitte LLP to build Business Continuity Management Program Type: Sole Source Financials: \$119,000 excluding HST	Approved March 15, 2024	Purchasing By-Law
CAOP 27/2024	Agreement between City and Clark Marketing Communications for licensing, hosting and support of Clark Advanced Scheduler software Type: Sole Source Term: five years ending December 31, 2028 plus an option to renew for two years Financials: \$267,126 excluding HST (B27/2024)	Approved April 2, 2024	Purchasing By-Law
CAO 28/2024	P&C: Personnel Matter Financials: N/A	Approved February 8, 2024	CAO By-Law

CAOP 31/2024	Agreement between City and Cubex Limited for purchase of one (1) new, unused, Rasco BRK7000 side mounted crane mower attachment with advanced intuitive crane arm control system and Hydra mowing head, to be installed on existing John Deere tractor to maintain ditches Type: Sole Source Financials: \$95,755 excluding HST	Approved March 27, 2024	Purchasing By-Law
CAO 33/2024	P&C: Personnel Matter Financials: N/A	Approved February 23, 2024	CAO By-Law
CAOP 35/2024	Agreement between City and Uxbridge Nurseries Limited for Spring Tree Nursery Stock Type: RFT 52-24 Financials: \$233,750 excluding HST (B28/2024 & B27/2024)	Approved April 4, 2024	Purchasing By-Law
CAO 37/2024	P&C: Personnel Matter Financials: N/A	Approved February 16, 2024	CAO By-Law
CAOP 37/2024	Agreement between City and Alite Road Patching & Road Work Inc for provision of spray injection patching at various locations Type: RFT 32-24 Financials: \$347,549.60 excluding HST (B28/2024)	Approved April 9, 2024	Purchasing By-Law
CAO 38/2024	P&C: Personnel Matter Financials: N/A	Approved March 4, 2024	CAO By-Law
CAOP 38/2024	Agreement between City and Finch Chevrolet Cadillac Buick GMC Ltd for five (5) new, unused 2024 Chevrolet Silverado 1500 Model 2WD Regular Cab Pick-ups Type: RFT 45-24 Financials: \$247,357.50 excluding HST (B5/2023)	Approved April 9, 2024	Purchasing By-Law
CAO 39/2024	P&C: Personnel Matter Financials: N/A	Approved February 15, 2024	CAO By-Law



CAOP 39/2024	Agreement between City and Microsoft Canada Inc for renewal of Microsoft Enterprise Services Work Order for problem resolution support and support assistance Type: Sole Source Term: April 1, 2024 to May 31, 2025 Financials: \$68,723.50 excluding HST	Approved April 12, 2024	Purchasing By-Law
CAO 40/2024	P&C: Personnel Matter Financials: N/A	Approved March 4, 2024	CAO By-Law
CAOP 40/2024	Agreement between City and Stinson Equipment Ltd for 2024 Supply of Traffic Sign Blanks Non-Painted Type: RFT 26-23 Financials: \$120,247.50 excluding HST	Approved April 12, 2024	Purchasing By-Law
CAO 41/2024	P&C: Personnel Matter Financials: N/A	Approved February 22, 2024	CAO By-Law
CAO 42/2024	P&C: Personnel Matter Financials: N/A	Approved March 25, 2024	CAO By-Law
CAOP 43/2024	Agreement between City and Luminator Technology Group to facilitate evaluation of Luminator Software Suite - Operations and Maintenance module with Destination Editor Type: Sole Source Financials: \$192 USD excluding HST	Approved May 7, 2024	Purchasing By-Law
CAO 46/2024	P&C: Personnel Matter Financials: N/A	Approved March 4, 2024	CAO By-Law
CAOP 46/2024	Agreement between City and Synagro Ontario Holdings Inc to provide biosolids processing (operations, maintenance and pellet fertilizer marketing) services Type: RFP 180-18 Financials: \$100,000 excluding HST	Approved June 12, 2024	Purchasing By-Law
CAOP 49/2024	Agreement between City and A. J. Stone Company Ltd to provide Firefighting Protective Ensemble (Bunker Gear) Type: RFP 124/2021 Term: 3-year term Financials: \$35,581 excluding HST	Approved May 16, 2024	Purchasing By-Law

CAOP 51/2024	Agreement amendment between City and The Active Network Ltd for Active Network System Type: RFP 90-16 Financials: \$75,000 excluding HST	Approved May 3, 2024	Purchasing By-Law
CAO 52/2024	P&C: Personnel Matter Financials: N/A	Approved March 7, 2024	CAO By-Law
CAOP 54/2024	P&C: Legal Matter Financials: N/A	Approved May 3, 2024	Administrative Matters (delegated by CR232/2012)
CAOP 55/2024	Agreement between City and J. Santarossa & Sons Ltd for crack sealing of asphalt pavements at various locations Type: RFT 2-24 Financials: \$106,200 excluding HST	Approved May 14, 2024	Purchasing By-Law
CAO 56/2024	P&C: Personnel Matter Financials: N/A	Approved March 18, 2024	CAO By-Law
CAOP 56/2024	Agreement between City and Motorola Solutions for two additional dispatch consoles, decommission & commission existing consoles and lifecycle service costs Type: Sole Source Financials: \$351,068 excluding HST (CR500/2007)	Approved June 13, 2024	Purchasing By-Law
CAO 57/2024	P&C: Personnel Matter Financials: N/A	Approved April 5, 2024	CAO By-Law
CAOP 57/2024	Agreement between City and GFL Environmental Services Inc for provision of quick access to various pieces of CCTV inspection and sewer cleaning equipment Type: RFT 66-24 Financials: \$1,623,750 excluding HST (B28/2024 & B27/2024)	Approved May 14, 2024	Purchasing By-Law
CAOP 58/2024	P&C: Legal Matter Financials: N/A	Approved May 6, 2024	Purchasing By-Law

CAOP 60/2024	Agreement between City and Piera Con Enterprises Inc for provision of construction of concrete sidewalks, curb and gutter at various locations Type: RFT 37-24 Financials: \$1,999,396.50 excluding HST (B28/2024)	Approved May 14, 2024	Purchasing By-Law
CAO 61/2024	Grant Application: Trans Canada Trail for participation in Trail Care Day, June 1, 2024 Financials: N/A	Approved March 22, 2024	Grant Application
CAOP 61/2024	Agreement between City and Via Transportation Inc for Remix Transit Planning Software Type: Sole Source Term: June 1, 2024 to May 31, 2027 Financials: \$152,100 excluding HST over 3 years	Approved May 22, 2024	Purchasing By-Law
CAO 62/2024	Status report on Compliance with Applicable Laws and Regulations 2023 Q3-Q4 Financials: N/A	Approved April 3, 2024	Administrative Matters (delegated by CR232/2012)
CAO 63/2024	Vendor Discount: Agreement between City and VIA Rail Canada Inc to extend 7.5% discount to all employees Financials: N/A	Approved May 8, 2024	Vendor Discounts
CAO 65/2024	Agreement between City and Government of Canada, represented by Minister of Immigration, Refugees and Citizenship Canada for Interim Housing Assistance Program funding Financial Revenue: \$106,000 excluding HST	Approved March 25, 2024	Administrative Matters (delegated by CR232/2012)
CAOP 66/2024	Agreement between City and Giorgi Bros (1994) Inc for completion of concrete panel repairs in various locations Type: RFT 49-24 Financials: \$1,865,856.41 excluding HST (B28/2024)	Approved May 7, 2024	Purchasing By-Law
CAO 67/2024	P&C: Personnel Matter Financials: N/A	Approved March 25, 2024	Administrative Matters (delegated by CR232/2012)

CAO 69/2024	Agreement between City and St. Clair College of Applied Arts & Technology to employ up to 15 students from the Horticulture Technical-Landscape program Financials: up to \$780,506 excluding HST (B27/2024)	Approved May 2, 2024	Student and Youth Employment Opportunities Program
CAOP 69/2024	Agreement between City and the Minister of Finance - Province of Ontario, and Parsons Inc. for the purchase of Fleet DriveOn Program Equipment & Software Type: Sole Source Financials: \$17,845 excluding HST	Approved June 7, 2024	Purchasing By-Law
CAOP 70/2024	Agreement between City and Carrier Truck Centre Inc for the purchase of one (1) new, unused, 2023 International CV-515, Standard Cab, Heavy Duty, DRW, Diesel, 4 Wheel Drive Truck with Aluminum Dump Body & Accessories Type: RFT 96-23 Financials: \$144,192 excluding HST	Approved June 4, 2024	Purchasing By-Law
CAO 71/2024	P&C: Personnel Matter Financials: N/A	Approved April 11, 2024	CAO By-Law
CAOP 72/2024	P&C: Legal Matter Financials: N/A	Approved May 30, 2024	Purchasing By-Law
CAO 74/2024	Request 2024-01 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund for NFL Draft Detroit: Windsor Activation Financials: \$100,000 excluding HST	Approved April 5, 2024	Use of Tourism Reserve Fund (CR427/2018)
CAOP 74/2024	Agreement between City and KONE Inc for elevator maintenance at various City facilities Type: RFT 65-24 Financials: \$116,360 excluding HST	Approved June 6, 2024	Purchasing By-Law
CAOP 75/2024	Agreement between City and Finch Chevrolet Cadillac Buick GMC Ltd for sixteen (16) new, unused 2024 Chevrolet Equinox LT2 Battery Electric Vehicles Type: RFT 76-24 Financials: \$759,744 excluding HST (B28/2021, B5/2023, B28/2024)	Approved June 12, 2024	Purchasing By-Law

CAO 77/2024	Agreement between City and Detroit Free Press for Free Press Marathon Financial Revenue: \$14,516 CAD in 2023	Approved April 5, 2024	Administrative Matters (delegated by CR232/2012)
CAO 82/2024	Request 2024-02 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund for Convention Bid Hosting Sponsorships Financials: \$57,650 excluding HST	Approved April 17, 2024	Use of Tourism Reserve Fund (CR427/2018)
CAOP 83/2024	Agreement between City and Watson & Associates Economists Ltd for Municipal Planning Fee Review Type: RFP 57-24 Financials: \$82,900 excluding HST	Approved June 26, 2024	Purchasing By-Law
CAO 85/2024	Authorization for City Treasurer or designate to sign and submit Ontario Municipalities Asset Management Plan Quality Assurance Review Survey, as well as any future updates, additional submissions and/or requests for information from Ministry of Infrastructure Financials: N/A	Approved April 15, 2024	Administrative Matters (delegated by CR232/2012)
CAO 86/2024	West Nile Larviciding and Mosquito Monitoring Program for 2024 Financials: Windsor-Essex County Health Unit will submit application to Ministry of Health requesting 70% of total cost of proposal for 2024 be covered by Ministry of Health (\$49,000 allocated in Environmental Sustainability & Climate Change Department's 2024 Operating Budget; net cost to City in 2020 was \$24,420.27	Approved April 16, 2024	West Nile Larviciding Requirements
CAO 87/2024	P&C: Personnel Matter Financials: N/A	Approved May 2, 2024	CAO By-Law
CAO 89/2024	P&C: Personnel Matter Financials: N/A	Approved May 3, 2024	CAO By-Law
CAO 91/2024	Agreement between City and University of Windsor to collaborate on research project "Wastewater Surveillance" Financials: N/A	Approved May 15, 2024	Administrative Matters (delegated by CR232/2012)

CAO 92/2024	Agreement between City and Ct. Clair College of Applied Arts and Technology to coordinate 2024 Award of Academic Excellence Student Employment Scholarship Program Financials: \$13,201.20 excluding HST	Approved May 6, 2024	Student and Youth Employment Opportunities Program
CAO 95/2024	Agreement between City and ECCAN Inc for request for consent to assignment of ECCAN Inc's rights and obligations in favour of Energy CAP LLC Financials: N/A	Approved May 8, 2024	Administrative Matters (delegated by CR232/2012)
CAO 98/2024	P&C: Personnel Matter Financials: N/A	Approved May 8, 2024	CAO By-Law
CAO 99/2024	Agreement between City and Enbridge Gas Inc regarding Municipal Data Usage Financials: N/A	Approved May 14, 2024	Energy Initiative Projects
CAO 100/2024	P&C: Personnel Matter Financials: N/A	Approved May 21, 2024	CAO By-Law
CAO 101/2024	P&C: Personnel Matter Financials: N/A	Approved May 14, 2024	CAO By-Law
CAO 102/2024	P&C: Personnel Matter Financials: N/A	Approved May 15, 2024	CAO By-Law
CAO 108/2024	P&C: Personnel Matter Financials: N/A	Approved June 14, 2024	CAO By-Law
CAO 111/2024	P&C: Personnel Matter Financials: N/A	Approved May 28, 2024	CAO By-Law
CAO 116/2024	Grant Application: Ministry of the Environment, Conservation and Parks (MECP) Great Lakes Program for Sanitary Sewer inflow and Infiltration Reduction Workplan project, Seal Maintenance Hole Covers, Peche Island Natural Area Management and Resiliency Plan project Financials: N/A	Approved May 16, 2024	Grant Application
CAO 119/2024	Agreement between City and 211 Ontario to access data for planning and analysis Financials: N/A	Approved May 28, 2024	Administrative Matters (delegated by CR232/2012)
CAO 120/2024	P&C: Personnel Matter Financials: N/A		CAO By-Law

CAO 121/2024	Agreement between City and EnWin Utilities Ltd to participate in Ontario's Industrial Conservation Initiative Financials: N/A	Approved June 12, 2024	Energy Initiative Projects
CAO 122/2024	Grant Application: International Council for Local Environmental Initiatives (ICLEI) for Building Net-Zero Cohort Financials: N/A	Approved June 4, 2024	Grant Application
CAO 124/2024	P&C: Personnel Matter Financials: N/A	Approved June 11, 2024	CAO By-Law
CAO 125/2024	P&C: Personnel Matter Financials: N/A	Approved June 3, 2024	CAO By-Law
CAO 127/2024	P&C: Legal Matter Financials: N/A	Approved June 4, 2024	Administrative Matters (delegated by CR232/2012)
CAO 129/2024	Agreement between City and Portlands Energy Centre L.P. to sponsor portion of annual Explore Your City: Windsor's Birthday Celebration Location: WFCU Centre Financial Revenue: \$2,500 excluding HST	Approved June 6, 2024	Administrative Matters (delegated by CR232/2012)
CAO 131/2024	Authorization for City Treasurer or designate to sign IRS Form W-8BEN-E (United States Internal Revenue Service) to authorize potential donations, sponsorships or other payments from organizations or companies based in the United States Financials: N/A	Approved June 11, 2024	Administrative Matters (delegated by CR232/2012)
CAO 132/2024	Grant Application: FCM Growing Canada's Community Canopies (GCCC) for Tree Planting Grant Financials: N/A	Approved June 14, 2024	Grant Application
CAO 133/2024	P&C: Personnel Matter Financials: N/A	Approved June 18, 2024	CAO By-Law
CAO 140/2024	Authorization for City Treasurer, or designate, to sign and submit Ontario Lottery & Gaming Commission (OLG) Host Funding Expenditure report Financials: N/A	Approved June 21, 2024	Administrative Matters (delegated by CR232/2012)
CAO 142/2024	Temporary closure of streets and municipal parking lots for the Ford Fireworks	Approved June 21, 2024	Administrative Matters (delegated by CR232/2012)

	Term: June 24, 2024 Financials: N/A		
CAO 143/2024	P&C: Personnel Matter Financials: N/A	Approved June 26, 2024	CAO By-Law

### Combined Wards

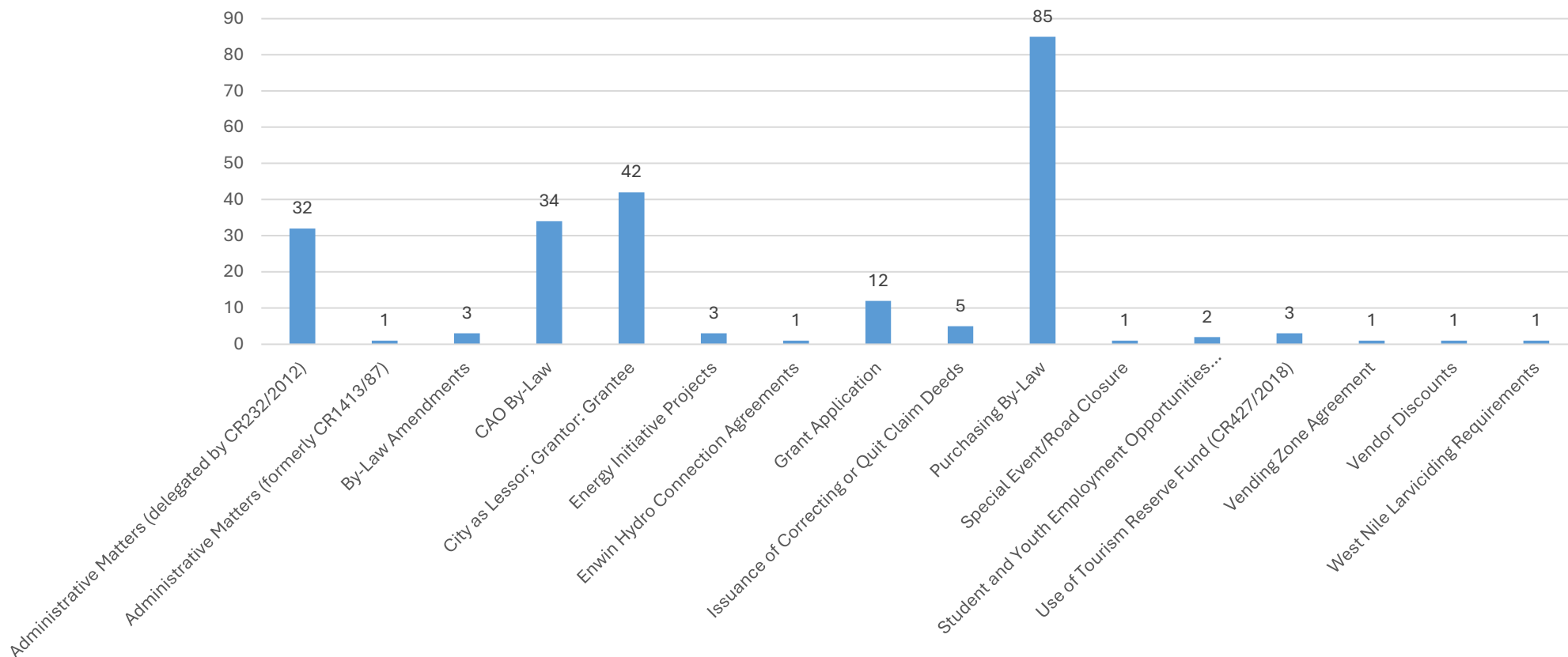
CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 334/2023	Agreement between City and University of Windsor to be collaborative organization partner to complete a Soil Infiltration and Low Impact Development Research Study; and City to be designated as partner organization under Natural Sciences & Engineering Research Council of Canada (NSERC) + MITACS Research Grant Application to be submitted by University of Windsor Financials: \$75,020 excluding HST and \$46,000 for internal City in-kind contributions (B32/2021) Ward: 6, 7, 9	Approved January 4, 2024	Administrative Matters (delegated by CR232/2012)
CAOP 2/2024	Agreement between City and SNF Canada Ltd, Kemira Water Solutions Canada Inc, Sodrox Chemicals Ltd for supply of sewage treatment chemicals Type: RFT 174-22, 175-22, 176-22, 178-22, 180-22 Financials: \$599,670 excluding HST (B27/2024) Ward: 2, 7	Approved January 23, 2024	Purchasing By-Law
CAOP 6/2024	Agreement between City and Chemtrade Chemicals Canada Ltd for Aluminum Sulphate at Lou Romano Water Reclamation Plant & Lou Romano Pollution Control Plant; Silchem Inc for Defoamer at Lou Romano Water Reclamation Plant Type: RFT 155-23 / 152-23 Financials: \$3,495,000 excluding HST / \$175,000 excluding HST (B27/2024) Ward: 2, 7	Approved February 21, 2024	Purchasing By-Law



CAOP 30/2024	Agreement between City and Edgewater Sewer Services Inc for sewer lining rehabilitation at E.C. Row Expressway from Lauzon Parkway to Banwell Rd Type: RFT 28-24 Financials: \$277,287 excluding HST (B28/2024) Ward: 7, 9	Approved March 27, 2024	Purchasing By-Law
CAOP 34/2024	Agreement between City and Total Power Ltd for complete maintenance services of Combined Heat and Power (CHP) units at WFCU Centre and WIATC Type: Sole Source Financials: \$189,120 excluding HST (B50/2020) Ward: 3, 6	Approved April 17, 2024	Purchasing By-Law
CAOP 36/2024	Agreement between City and GIP Paving Inc for Cold milling and asphalt paving of EC Row Expressway - Lauzon Parkway to Banwell Rd Type: RFT 22-24 Financials: \$4,386,950 excluding HST (B5/2024) Ward: 7, 8, 9	Approved April 8, 2024	Purchasing By-Law
CAO 48/2024	Agreement between City and 2024 Mobile Vendor of Food Zone Term: January 1, 2024 to December 31, 2024 Financial Revenue: \$4,350 excluding HST Ward: 3, 4, 7	Approved March 6, 2024	Vending Zone Agreement
CAO 73/2024	Amendment of Parking By-Law 9023: Limited Parking, Limited Alternate Side Parking, No Parking, Accessible Parking, Alternate Side Parking, Loading Zones, Personal Accessible Parking Financials: N/A Ward; 1, 2, 3, 4, 5, 6, 10	Approved April 10, 2024	By-Law Amendments

CAOP 73/2024	Agreement between City and D'Amore Construction (2000) Ltd for provisions of road, watermain, street lighting rehabilitation on Moy Ave between Tecumseh Rd E and Ypres Ave, Ellis St E between Gladstone Ave and Parent Ave, and a full depth mill and pave and watermain installation on Mercer St between Shepherd St E and Hanna St E Type: RFT 05-24 Financials: \$5,225,000 (B28/2024) Ward: 3, 4	Approved June 7, 2024	Purchasing By-Law
CAO 104/2024	Agreement between City and Amico Infrastructures Inc (Amico) to repair damaged sanitary sewer on Sandwich St between MH 5S1009 and 5S609 Financials: N/A Ward: 1, 2	Approved May 16, 2024	Administrative Matters (delegated by CR232/2012)
CAO 109/2024	Grant Application: Invasive Phragmites Control Fund for Invasive Phragmites Control Implementation in Ojibway Prairie Complex & Control Planning in Little River Corridor Financials: N/A Wards: 1, 7	Approved May 29, 2024	Grant Application
CAO 135/2024	Agreement between City and The Greater Essex County District School Board Location: Parking lots adjacent to Talbot Trail Public School, Bellewood Public School and Honourable W.C. Kennedy Collegiate Term: September 1, 2024 to June 30, 2025 Financials: N/A Ward: 3, 9, 10	Approved June 21, 2024	City as Lessor; Grantor: Grantee

Chart Illustrating Totals by Delegation of Authority  
(January 1, 2024 - June 30, 2024)



**Council Report: C 114/2024**

**Subject: Tax Relief 2024 (for 2023 Taxes) - Extreme Poverty and/or Illness - City Wide**

**Reference:**

Date to Council: September 23, 2024  
Author: Carolyn Nelson  
Manager, Property Valuation & Administration  
519-255-6100 ext. 6170  
cnelson@citywindsor.ca  
Taxation & Financial Projects  
Report Date: September 9, 2024  
Clerk's File #: AF2024

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

**Recommendation:**

THAT City Council **ACCEPT** Administration's recommendation with regards to approval of five (5) applications for total tax relief of \$10,567.06 (inclusive of education portion); and,

THAT City Council **SUPPORT** Administration's recommendation with regards to the denial of eleven (11) applications for tax relief; and,

THAT City Council **ACCEPT** Administration's recommendation with regards to maintaining the home assessment value threshold at \$168,000 for the 2025 Tax Relief Program – for 2024 taxes.

**Executive Summary:**

N/A

**Background:**

Property taxation provides municipalities with the necessary revenue required to fund annual operating and capital expenditures. The administration of property taxes is governed through Parts VIII (municipal taxation) through to Part XI (sale of land for tax arrears) under the Ontario Municipal Act, 2001 (the Act). Once property taxes are levied, there is the expectation that property owners will remit payments when due. There is limited availability for municipalities to provide tax relief to property owners namely:

- Section 319: Tax deferrals, Relief of Financial Hardship which provides for a full or partial tax deferral on increases in property taxes as a result of increases in property assessment valuation for 1998 and subsequent years. To qualify, an eligible property must be included in the residential property class and the assessed owner (or spouse) must be a low income senior or low-income person with disabilities.
- Section 357: Cancellation, Reduction or Refund of property taxes in the year following the year in respect of which the application is made to the City Treasurer. This section requires Council's approval on an annual basis for tax relief to property owners as a result of occurrences such as building demolitions, destruction of property caused by fire, changes to property tax class and/or the **inability to pay taxes because of sickness or extreme poverty**.
- Section 365: Cancellation, Reduction or Refund of property taxes which provides for tax relief on eligible properties where the taxes are considered to be unduly burdensome. Eligible properties are those that are within the residential, farm or managed forest classifications as determined by Municipal Property Assessment Corporation (MPAC).

After a thorough review and public consultation process in 2010 Council approved the guidelines for the tax relief program under Section 357 (1) (d.1) of the Act to provide assistance to residential property owners who are unable to pay taxes because of sickness or extreme poverty (CR 356/2010). The guidelines were further refined in 2011 after the results of the first pilot year were reported on (EC 31/2011). Tax relief under Section 357 (1) (d.1) provides assistance to those identified as most in need based upon best practices and community consultation.

## **Discussion:**

As stated above, a reduction or refund of property taxes can be provided for in the year following the year in respect of which the application is made to the City Treasurer. In other words, the applications being brought forward to Council are in regards to applications for relief from 2023 property taxes. While uptake for this program does not always result in a large number of applications, it is considered an important program to assist those residents who are in need of assistance. Through tax collection activities and responses to resident enquires for assistance, Administration will make referrals to the program and its requirements, however, the program is voluntary and subject to the applicant complying with the income and assessment verification requirements.

As it relates to the 2023 taxation year, a total of seventeen (17) applications were received by the filing deadline of February 29, 2024. One (1) application was subsequently withdrawn.

Applications and supporting documentation are first thoroughly reviewed by Finance Administration in accordance with established criteria:

- Total Income in the taxation year

- Amount of financial savings
- MPAC assessment of the property
- If applying under Sickness – prolonged sickness for at least 90 consecutive days

Initial recommendations of five (5) approvals and eleven (11) denials were made based on results of Administration's review of the required information submitted. Applicants were then notified of Finance Administration's recommendation.

Those applicants which were recommended for denial are then afforded the opportunity to submit a request to the Property Tax Relief Internal Review Panel (PTRIRP), an internal review panel comprised of staff from the Social and Health Services Department, for a second review and independent recommendation. This year, one (1) appeal was forwarded to the PTRIRP, and the recommendation for denial was upheld.

### **Impact of the Deferral of the Four-Year Reassessment Cycle – 2023 Tax Relief Program Administration**

Prior to 2020, the Municipal Property Assessment Corporation (MPAC) would update the assessment values of all properties every four years. New property values would be determined using current market values based on sales and/or income. If the updated value was higher, the increase would be phased in equally over four years. If the updated value was lower, the new value would take effect in the first year.

The most recent update was scheduled for 2020 but was deferred due to the COVID-19 pandemic. To date, there has been no assessment update and no indication as to when the next one will be scheduled. Due to the number of years since the last update, and the significant change in market value that has affected a large portion of properties in Ontario, the Ministry of Finance is currently reviewing the property assessment process, considering all suggestions and input from the municipal working group.

As a result, the property values as assessed for 2020 remain unchanged to date. Since one of the criteria for eligibility of the tax relief program is the MPAC assessment value of the property in the year applied for, a maximum threshold value must be determined and approved by Council. The threshold value recommended is the average assessed value of residential properties in the city and is calculated and phased in every assessment update. In the previous assessment cycle affecting years 2017 through 2020, Council approved the home assessment value thresholds for the purpose of this tax relief program as follows:

<b>Tax Year</b>	<b>Threshold</b>
2017	\$154,500
2018	\$159,000
2019	\$163,500
2020	\$168,000

Since no change has occurred in the property assessment values from 2020 to 2024 due to the deferral of the assessment update by MPAC, Administration is recommending that the home assessment value threshold remain \$168,000 for the 2025 Tax Relief Program – relief of 2024 taxes. Administration will bring back to Council recommended values for the next cycle once the next update has been completed.

### **Risk Analysis:**

Applications for tax relief due to sickness and/or extreme poverty are allowed under Section 357 of the Ontario Municipal Act and therefore municipalities must have a mechanism in place to address these types of requests. The program currently offered by the City is specifically designed to provide temporary relief (maximum two years) to those property owners who qualify based upon the approved criteria. The program is voluntary however once application has been made, the required documents to support the application must be submitted for review or the application will be noted as incomplete.

It should be noted that Council must make the final decision with respect to the approval/denial of these applications. Should applicants not be satisfied by recommendations of Administration or the PTRIRP they have the right to appeal to City Council for further consideration in conjunction with this report. Should City Council uphold the denial, an appeal to the Assessment Review Board (ARB) can be made by the applicant.

Aside from the financial impact there is very little risk associated with this program as applications are screened by Administration and supporting documentation is required prior to receiving approval. Applicants who are denied tax relief are allowed to make an appeal to the ARB.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

The results of the 2024 program (for 2023 tax relief) have been summarized in the chart below. Five (5) applicants are being recommended for approval. Of those approved, one (1) had been approved for tax relief in a prior year, making this their second and final year of tax relief under this program. Due to privacy concerns only general reasons for denial have been stated. Additional information has been provided by way of confidential memo.

<b>Total Recommended for Approval    5</b>	<b>Total</b>	<b>City Share</b>	<b>Education Share</b>
	<b>\$10,567.06</b>	<b>\$9,791.44</b>	<b>\$775.62</b>
<b>Total Recommended for Denial    11</b>	<b>Reason for Denial</b>		
	Income over Threshold		1
	Incomplete Information		5
	Savings Over Threshold		2
	CVA of property > \$168,000		3

Based upon Administration's recommendation, total tax relief of \$10,567.06 will be granted. The municipal portion is \$9,791.44. The education portion of \$775.62 will be recorded as a charge back to the Province. As the tax relief relates to taxes levied in 2023, \$7,529.88 was accrued as a direct charge to the property tax write-off provision. There will be a slight impact on the current year operating budget in the amount of \$2,261.56 representing the difference between the actual municipal portion of 2023 tax relief and the amount accrued. This should be offset by additional tax revenue for supplementary property assessment received from MPAC during the year.

### **Consultations:**

N/A

### **Conclusion:**

The property tax relief program's main objective continues to be a means of giving taxpayers temporary financial assistance for the established maximum period of two years, (consecutive or otherwise) during which they can consider their situation and make changes accordingly.

Application is voluntary and approval is subject to meeting the conditions of the program eligibility. Based upon the number of applications received and recommended for approval, this program, while resource intensive, reaches a small segment of ratepayers most in need and is therefore a much needed program within our community. Over the



course of time in which the program has been available, approximately 206 residents have received either full or partial tax relief.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Carolyn Nelson	Manager Property Valuation & Administration
Lorie Gregg	Deputy Treasurer Taxation, Treasury & Financial Projects
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**



## Council Report: C 115/2024

### **Subject: Applications for Tax Reductions under S. 357/358 of the Ontario Municipal Act 2001 - City Wide**

#### **Reference:**

Date to Council: September 23, 2024  
Author: Carolyn Nelson  
Manager, Property Valuation & Administration  
519-255-6100 ext. 6170  
cnelson@citywindsor.ca  
Taxation & Financial Projects  
Report Date: September 9, 2024  
Clerk's File #: AF2024

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

#### **Recommendation:**

THAT City Council **ACCEPT** Administration's recommendations with regards to approval of property tax relief for those applications for Tax Reduction, Cancellation and Refunds as outlined and included in Appendixes A through C; and,

THAT City Council **SUPPORT** Administration's recommendation with regards to the denial of applications for Tax Reduction, Cancellation and Refund as outlined in Appendix D; and,

THAT the City Treasurer (or designate) **BE AUTHORIZED** to amend the City's Tax Master Collector's Roll for the 2021 through 2024 taxation years in the amount of \$360,212.53 (including the education portion) as outlined in Appendix E.

#### **Executive Summary:**

N/A

#### **Background:**

An application under Section 357(1) of the Ontario Municipal Act, 2001 (the Act) to City Council may be made by any person and may be made at any time during the year in respect of which the application is made and until the last day of February in the following year for the cancellation, reduction or refund of taxes. Reasons for making application include but are not limited to:

- a change event wherein the property is eligible to be reclassified in a different class which has a lower tax ratio and no supplementary assessment is made in respect to the changed event;
- property that has become exempt from taxation during the year or during the preceding year after the return of the assessment roll;
- building(s) that during the year or during the preceding year after the return of the assessment roll,
  1. was razed by fire, demolition or otherwise, or
  2. was damaged by fire, demolition or otherwise so as to render it substantially unusable for the purposes for which it was used immediately prior to the damage;
- an overcharge by reason of any gross or manifest error that is a clerical error, the transposition of figures, a typographical error or similar type of error, but not an error in making the assessment upon which the taxes have been levied; or
- for reason of repairs or renovations the property could not be used for its normal use for a period of at least three months during the year.

An application may also be made to the City Treasurer under Section 358(1) of the Act for the cancellation, reduction or refund of taxes levied in each or either of the two years preceding the year in which the application is made by any person who was overcharged by reason of any gross or Municipal Property Tax Assessment Corporation (MPAC) error in the preparation of the assessment roll that is clerical or factual in nature but not an error in judgment in assessing the property.

The Act indicates that City Council is required to render a decision in respect of all applications by September 30 of the year following the year in respect of which the application is made. However, upon receipt of an application, Administration undertakes a review to determine the validity of the reasons for the application and verification of effective dates. This process may preclude Administration from being able to present all applications within the prescribed deadline. If no decision is made or the applicant disagrees with the decision rendered, the applicant has the right to appeal to the Assessment Review Board.

Further, and as an additional item to this report, Section 354(2) provides for the write-off of taxes if, on the recommendation of the City Treasurer, the taxes are considered uncollectible.

## **Discussion:**

The applications which have been finalized and included for approval are presented in the attached Appendices A through C for cancellation, reduction or refund of property taxes for the years 2021 to 2024. One property listed in Appendix B recommends the write-off of taxes, penalties and other charges for year 2021 under section 354 of the Act. Those recommended for denial are included in Appendix D. Appendix E summarizes the financial impact of those applications which are recommended for approval.

General details for each application are outlined in the attached Appendices. Various applications presented within this report relate to properties affected by fire damage, demolition of structures as well as tax class changes from taxable to exempt. They represent properties within various autonomous neighbourhoods throughout the City, which are in various stages of redevelopment. As the redevelopment is completed, Administration will ensure that the MPAC is made aware so as to ensure that the timely return of new assessment values are provided for purposes of additional tax billings which will replace the taxes removed through this report.

Further information as to reasons for more significant tax reductions are described below.

## **Appendices A & B – S. 357/358**

The majority (78%) of the 2023 applications recommended for tax reduction in the residential property category are due to fire damage. One property, located at 4400 Howard Ave, owned and occupied by an organization providing community based services was successful in their application for tax exemption. This exemption was retroactively amended for part of the 2022 taxation year. A residential property, 3405 Victoria Blvd, is being recommended for tax reductions for years 2022 and 2021 due to an error in the assessment as provided by MPAC. Upon MPAC's review of the tax applications and inspection of the property they determined that factual errors were made on the valuation of the property, and confirmed that the property was eligible for an exemption under legislation in the Assessment Act regarding accommodation for improved facilities for a person with a disability.

The property located at 1500 Ouellette was converted to new multi-residential units resulting in a tax reduction due to the difference in tax rate.

The tax reduction related to the property located at 333 Riverside Dr. W. is supported as a result of an error in the effective date of the supplementary assessment which reflected the newly renovated hotel. This change resulted in a \$214,978 reduction in taxes, which is approximately 60% of the total recommended tax reduction in this report.

A portion of 720 Ouellette Ave has been leased by the University of Ottawa since prior to 2021. MPAC has confirmed that the leased portion of the property should be exempt from assessment.

## **Appendix B – S.354**

The City Treasurer is recommending a tax reduction for 2021 under S. 354 of the Act with respect to 3901 Peter St. There was a short period of time in 2021 where this property was transferred between different departments of the Federal Government. It is now being utilized by the Windsor Port Authority who are making Payment in Lieu of Taxes (PILT) payments. Attempts have been made to collect the outstanding 2021 taxes (\$1,145) with no success.

### **Appendix C – City Owned Properties**

When the City of Windsor purchases property that is not intended to be leased out to a third party or returned to a taxable use, Administration must inform MPAC that the property classification should be changed to exempt effective from the date of purchase. MPAC will change the status for the next year but taxes in the year of purchase must be adjusted through the S. 357 process. In 2023, the City acquired properties as listed in Appendix “C”.

One of the parcels, owned by the City, and consolidated for the battery plant previously had a residential home on it. This structure was demolished in 2022, however MPAC had included the value of the home in the 2023 assessment value. Administration is recommending a tax reduction for the applicable taxes in 2023.

### **Appendix “D” – Denied Applications**

Administration is recommending the denial of four applications. Two applications for 2023 are being recommended for denial as they did not meet the 90-day requirement for repairs and renovations. One 2022 application had already filed a tax application in 2023 and received a reduction for the 2022 tax year. The other 2022 application was applying due to an increase in value that the owner thought had been assessed in 2022, but was not assessed until 2023.

### **Risk Analysis:**

As indicated above, applications for the cancellation, reduction or refund of taxes is legislated under the Act and City Council is required to render a decision by September 30 of the year following the year in respect of which the application is made.

However, upon receipt of the said applications, Administration undertakes the due diligence necessary to confirm the information contained in the application is accurate. To assist property owners who are awaiting significant refunds, those that are readily verified are brought forward in this initial report. In certain cases, the presentation of certain applications may be required to wait to be dealt with within the prescribed deadline.

An applicant may appeal the decision of City Council to the Assessment Review Board (ARB) by filing a notice of appeal with the registrar of the Board within 35 days after Council makes its decision.

### **Climate Change Risks**

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

N/A

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

N/A

#### **Financial Matters:**

As outlined in Appendix E – Summary Distribution of Tax, the total amount of taxes to be cancelled herein is \$360,212.53 with the municipal share being \$291,210.48 and the education share being \$69,002.05. This amount will be charged to the current year's provision for tax write-offs. Write-offs are funded from supplemental tax billing revenue received in year unless alternative funding is available. The education share of the property tax relief provided in total will be recovered by way of a charge back to the Province.

#### **Consultations:**

The Municipal Property Assessment Corporation provides the City with the assessed values relating to the applications for tax adjustments and confirms that tax class change requests are indeed appropriate.

#### **Conclusion:**

Administration is generally in support of the applications brought forward by ratepayers for the requested tax relief. Reasons for those applications being denied have been provided.

#### **Planning Act Matters:**

N/A

#### **Approvals:**

<b>Name</b>	<b>Title</b>
Carolyn Nelson	Manager, Property Valuation & Administration
Lorie Gregg	Deputy Treasurer, Taxation, Treasury & Financial Projects
Janice Guthrie	Commissioner, Finance & City Treasurer

<b>Name</b>	<b>Title</b>
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

**APPENDIX "A"**  
**Residential Property Classes**

2023						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2023 Affected by Application	Tax Reduction	Reason for Application
010-190-07400	3941 Ontario St	\$ 14,000	RT	182	\$ 135.40	Damaged by Fire
010-270-02400	1565 Tourangeau Rd	\$ 35,000	RT	205	\$ 381.29	Damaged by Fire
020-240-05700	1806-1809 Durham Place	\$ 91,000	RT	275	\$ 1,329.86	Demolition
030-070-06100	280 Aylmer Ave	\$ 37,500	RT	104	\$ 207.25	Razed by Fire
030-110-02200	756 Windsor Ave	\$ 78,500	RT	239	\$ 997.01	Damaged by Fire
030-180-03100	695 Parent Ave	\$ 66,500	RT	365	\$ 1,289.87	Damaged by Fire
030-190-00100	902-904 Parent Ave	\$ 34,000	RT	275	\$ 496.87	Damaged by Fire
030-400-07600	1219 Ottawa St	\$ 68,700	RT	365	\$ 1,332.55	Exempt
050-110-06000	260 California Ave	\$ 77,000	RT	98	\$ 401.00	Razed by Fire
060-230-13000	1015 Eastlawn Blvd	\$ 67,000	RT	324	\$ 1,153.59	Razed by Fire
070-144-23300	4400 Howard Ave	\$ 536,000	RT	365	\$ 10,396.58	Exempt
070-145-07700	866 Lake Shore Dr	\$ 244,000	RT	154	\$ 1,996.84	Damaged by Fire
070-170-89900	3598 Caribou Cres	\$ 79,000	RT	109	\$ 457.60	Damaged by Fire
070-580-03300	2824 Jos St. Louis Ave	\$ 43,000	RT	234	\$ 160.41	Repairs / Renovations
070-630-00101	3189 Clemenceau Blvd	\$ 49,000	RT	284	\$ 739.52	Damaged by Fire
070-900-02000	3014 Coram Cres	\$ 51,000	RT	295	\$ 799.51	Damaged by Fire
080-031-10100	333 Geraldine Cres	\$ 52,000	RT	93	\$ 256.99	Damaged by Fire
080-640-00500	1669 Betts Ave	\$ 55,000	RT	187	\$ 546.56	Razed by Fire
TOTAL					\$ 23,078.70	

2022						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2022 Affected by Application	Tax Reduction	Reason for Application
030-050-10400	773 Assumption St	\$ 7,000	RT	365	\$ 129.76	Overcharge / Manifest error
030-400-07600	1219 Ottawa St	\$ 68,700	RT	365	\$ 1,273.53	Exempt
050-190-15800	3549 Peter St	\$ 60,600	RT	365	\$ 1,123.38	Gross / Manifest error
070-144-23300	4400 Howard Ave	\$ 536,000	RT	365	\$ 5,008.91	Exempt
080-050-08520	3405 Victoria Blvd	\$ 165,200	RT	365	\$ 3,062.41	Gross / Manifest error
TOTAL					\$ 10,597.99	

2021						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2021 Affected by Application	Tax Reduction	Reason for Application
030-400-07600	1219 Ottawa St	\$ 68,700	RT	365	\$ 1,249.42	Exempt
050-190-15800	3549 Peter St	\$ 60,600	RT	193	\$ 582.76	Gross / Manifest error
080-050-08520	3405 Victoria Blvd	\$ 165,200	RT	365	\$ 3,004.44	Gross / Manifest error
TOTAL					\$ 4,836.62	

<b>TOTAL TAX REDUCTION FOR RESIDENTIAL PROPERTIES</b>	<b>\$ 38,513.31</b>
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**APPENDIX "B"**  
**Commercial / Industrial / Multi-Residential Property Classes**

2023						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2023 Affected by Application	Tax Reduction	Reason for Application
010-120-08450	1151 Drouillard Rd	\$61,800 > \$99,900	CT>RT	365	\$ 1,568.89	Tax Class Change
010-280-00100	3829-3831 Seminole St	\$224,000 > \$145,000	CT>RT	365	\$ 4,510.18	Tax Class Change
030-250-06800	1117-1135 Erie St E	\$159,000 > \$114,000	CT	154	\$ 850.27	Demolition
030-480-01000	1537 Howard Ave	\$38,300	CT>RT	153	\$ 407.57	Tax Class Change
040-320-02500	720 Ouellette Ave	\$347,200	CT	365	\$ 15,548.74	Exempt
040-510-03600	79 Giles Blvd E	\$176,000 > \$76,400	CT>RT	77	\$ 312.76	Tax Class Change
040-540-06000	1500 Ouellette Ave	\$2,395,000 > \$1,879,000	CT>NT	143	\$ 17,099.65	Tax Class Change
070-080-05500	3060-3200 Howard Ave Unit# P10 (Specsavers)	\$204,570	ST/CT	n/a	\$ 8,433.44	Repairs / Renovations
TOTAL					\$ 48,731.50	

2022						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2022 Affected by Application	Tax Reduction	Reason for Application
040-040-00202	333 Riverside Dr W	\$11,662,000 > \$1,365,000	CT	173	\$ 214,978.44	Overcharge / Manifest Error
040-320-02500	720 Ouellette Ave	\$347,200	CT>E	365	\$ 14,948.07	Gross / Manifest Error
TOTAL					\$ 229,926.51	

2021						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2021 Affected by Application	Tax Reduction	Reason for Application
040 320 02500	720 Ouellette Ave	\$347,200	CT>E	306	\$ 12,326.09	Gross / Manifest Error
050-180-00400	3901 Peter St	\$307,000	IY	20	\$ 1,145.15	s.354 uncollectable acc't
TOTAL					\$ 13,471.24	

<b>TOTAL TAX REDUCTION FOR COMMERCIAL/INDUSTRIAL/MULTI-RESIDENTIAL PROPERTIES</b>	<b>\$ 292,129.25</b>
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**APPENDIX "C"**  
**CITY OWNED PROPERTIES**

2024						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2024 Affected by Application	Tax Reduction	Reason for Application
070-170-00100	1425 Division Rd	\$ 426,800	CT>E	215	\$ 11,698.19	Exempt
070-170-00100	1425 Division Rd	\$ 3,200	RT>E	215	\$ 38.21	Exempt
TOTAL					\$ 11,736.40	

2023						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2023 Affected by Application	Tax Reduction	Reason for Application
040-020-00400	185-189 City Hall Square	\$ 60,900	CT>E	31	\$ 231.63	Exempt
040-020-00400	185-189 City Hall Square	\$ 257,900	CT>E	92	\$ 2,911.13	Exempt
060-170-01200	0 Riverside Dr. E.	\$ 3,700	RT>E	140	\$ 24.00	Exempt
060-170-01300	6902 Riverside Dr. E.	\$ 3,400	RT>E	365	\$ 65.95	Exempt
070-680-02500	7310 Tecumseh Rd. E.	\$ 282,000	CX>E	31	\$ 631.98	Exempt
070-890-00111	0 McRobbie Rd	\$ 4,900	RT>E	213	\$ 95.04	Exempt
070-890-00113	0 McRobbie Rd	\$ 4,000	VL RT>E	213	\$ 77.59	Exempt
080-020-09501	0 Ouellette Ave	\$ 188,000	CT>E	123	\$ 2,837.17	Exempt
080-110-14000	0 Lennon Court	\$ 146,000	CF>E	136	\$ 2,442.00	Exempt
080-340-00101	0 West Grand Court	\$ 23,500	CH>E	136	\$ 392.00	Exempt
090-040-04000	3455 Banwell Rd	\$ 276,000	IX	184	\$ 6,981.08	Demolished
090-050-00100	2727 Hayes Rd	\$ 222,000	CT>E	42	\$ 1,144.00	Exempt
TOTAL					\$ 17,833.57	

TOTAL TAX REDUCTION FOR CITY OWNED PROPERTIES	\$ 29,569.97
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**APPENDIX "D"**  
**DENIED APPLICATIONS**

<b>2023</b>			
<b>Roll Number</b>	<b>Property Address</b>	<b>Reason for Application</b>	<b>Reason for Denial</b>
070-080-05500	3060-3200 Howard Ave Unit# D8A - Carter's Oshkosh	Repairs / Renovations	Carter's Unit# D8A (renovation period less than 90 days)
070-080-05500	3060-3200 Howard Ave Unit# Q7 - Hot Topic	Repairs / Renovations	to be denied; Hot Topic Unit# Q7 (open during fixturing period)

<b>2022</b>			
<b>Roll Number</b>	<b>Property Address</b>	<b>Reason for Application</b>	<b>Reason for Denial</b>
050-040-09500	1766 University Ave W	Overcharge / Manifest error	No change to the property for 2022. Supp assessment in 2023
060-370-03901	8720 Riverside Dr E	Fire Damage	Already applied in 2022; received reduction already

**APPENDIX "E"**  
**Summary Tax Distribution**

**SUMMARY - DISTRIBUTION OF TAX CANCELLATION, REDUCTION OR REFUND**

<b>TAX CLASS RESIDENTIAL</b>	<b>TOTAL TAXES TO BE REFUNDED</b>	<b>MUNICIPAL</b>	<b>EDUCATION</b>
2023 Residential - Appendix "A"	\$ 23,078.70	\$ 21,258.26	\$ 1,820.44
2022 Residential - Appendix "A"	\$ 10,597.99	\$ 8,905.29	\$ 1,692.70
2021 Residential - Appendix "A"	\$ 4,836.62	\$ 4,437.43	\$ 399.19
<b>Residential Property Tax Reduction</b>	<b>\$ 38,513.31</b>	<b>\$ 34,600.98</b>	<b>\$ 3,912.33</b>
<b>TAX CLASS COMM / IND / MULTI-RES</b>	<b>TOTAL TAXES TO BE REFUNDED</b>	<b>MUNICIPAL</b>	<b>EDUCATION</b>
2023 Commercial / Industrial / Multi-Res - Appendix "B"	\$ 48,731.50	\$ 39,155.66	\$ 9,575.84
2022 Commercial / Industrial / Multi-Res - Appendix "B"	\$ 229,926.51	\$ 182,929.93	\$ 46,996.58
2021 Commercial / Industrial / Multi-Res - Appendix "B"	\$ 13,471.24	\$ 10,671.79	\$ 2,799.45
<b>Comm / Ind / Multi-Res Property Tax Reduction</b>	<b>\$ 292,129.25</b>	<b>\$ 232,757.37</b>	<b>\$ 59,371.88</b>
<b>TAX CLASS CITY OWNED</b>	<b>TOTAL TAXES TO BE REFUNDED</b>	<b>MUNICIPAL</b>	<b>EDUCATION</b>
2024 City Owned - Appendix "C"	\$ 11,736.40	\$ 9,522.89	\$ 2,213.51
2023 City Owned - Appendix "C"	\$ 17,833.57	\$ 14,329.24	\$ 3,504.33
<b>City Owned Property Tax Reduction</b>	<b>\$ 29,569.97</b>	<b>\$ 23,852.13</b>	<b>\$ 5,717.84</b>
<b>TOTAL TO BE CANCELLED / REDUCED / REFUNDED</b>	<b>\$ 360,212.53</b>	<b>\$ 291,210.48</b>	<b>\$ 69,002.05</b>

**Council Report: C 120/2024****Subject: Windsor-Canada Utilities Ltd. – Annual General Meeting – City Wide****Reference:**

Date to Council: September 23, 2024  
Author: Steve Vlachodimos  
City Clerk/Licence Commissioner  
519-255-6100 ext 6488  
svlachodimos@citywindsor.ca  
Council Services  
Report Date: September 10, 2024  
Clerk's File #: MU2024

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

**Recommendation:**

- I. That Council, as representative of The Corporation of the City of Windsor (the "City") as the sole shareholder of Windsor Canada Utilities Ltd. ("WCUL") **APPROVE** the resolutions presented by WCUL; and,
- II. That the Mayor **BE AUTHORIZED** to execute the shareholder's resolutions on behalf of the City, in accordance with Council direction, with respect to all matters presented herein by WCUL for the year 2023.

**Executive Summary:**

N/A

**Background:**

WCUL is the sole shareholder of the EnWin group of companies (EnWin Utilities Ltd., EnWin Energy Ltd.). The City, in turn, is the sole shareholder of WCUL. As a corporation subject to the Ontario *Business Corporations Act* ("OBCA"), WCUL is required to obtain certain shareholder resolutions from the City on an annual basis. This can be done by way of meeting, or in writing.

As the sole shareholder, the City (represented by City Council) must appoint someone to execute the resolutions in accordance with its direction. Therefore, this report seeks that Council approve the resolutions presented by WCUL, and further that it appoints the Mayor to execute the resolutions on behalf of the City.

**Discussion:**

The resolutions to be presented on an annual basis are prescribed by the legislation and are limited to:

- (a) Approval of minutes of prior AGMs (if any);
- (b) Receipt of financial statements;
- (c) Appointment of directors;
- (d) Appointment of auditors.

These resolutions are essentially corporate housekeeping, save and except that WCUL requests that the sole shareholder appoint Mr. Jerry Udell to its Board of Directors based on the recommendation of the Board's Nomination Committee.

It is Administration's opinion that it is appropriate to approve the resolutions presented.

In addition to the resolutions specifically noted above, WCUL has presented an additional housekeeping resolution intended to ensure that the WCUL minute book is properly up to date. In the interests of thoroughness, counsel for WCUL has proposed a resolution that would ensure all prior necessary resolutions are properly ratified. These resolutions would include:

- passing of financial statements;
- appointment of auditors; and,
- appointment of directors.

Administration is comfortable recommending acceptance of this resolution because:

- all prior WCUL financial statements have been placed before Council;
- WCUL has always been required to utilize the same auditors as the City and has done so; and,
- all directors have been appointed through the City's processes.

A draft Board resolution of a similar nature is also enclosed.

**Risk Analysis:**

As the sole shareholder of WCUL, the City must fulfill its obligations under the OBCA and address the resolutions presented by WCUL.

Approval of the resolutions pose little to no risk to the City as the City remains involved and is aware with respect to the operations of WCUL.

Approval of the housekeeping resolution will ensure that all prior necessary actions have been properly approved and ratified, thereby bringing the corporate minute books up to date.

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

There are no financial ramifications to accepting the resolutions presented by WCUL.

### **Consultations:**

Joshua Meloche – Senior Legal Counsel.

### **Conclusion:**

The resolutions presented by WCUL are essentially corporate housekeeping and it is appropriate to approve them. It is necessary to appoint a signatory to represent the City for that purpose.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Steve Vlachodimos	City Clerk/Licence Commissioner
Wira Vendrasco	City Solicitor
Dana Paladino	Senior Executive Director, Corporate Services (A)
Ray Mensour	Commissioner of Community and Corporate Services
Joe Mancina	Chief Administrative Officer

### **Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
EnWin Utilities Ltd. Attn: Gary Rossi		<a href="mailto:grossi@enwin.com">grossi@enwin.com</a>

Name	Address	Email
EnWin Utilities Ltd. Attn: Claire Bebbington		<a href="mailto:cbebbington@enwin.com">cbebbington@enwin.com</a>

**Appendices:**

- 1 Letter to Steve Vlachodimos, City Clerk dated August 23, 2024 attaching draft resolutions and financial statements
- 2 Appendix A--Draft Resolutions for Shareholder Approval
- 3 Appendix B--Windsor Canada Utilities 2023 Report—available at [www.citywindsor.ca](http://www.citywindsor.ca) due to size.



August 23, 2024

Mayor Dilkens and City Council  
c/o Steve Vlachodimos, City Clerk  
Corporation of the City of Windsor  
350 City Hall Square  
Windsor, ON N8A 6S1

Dear Mr. Vlachodimos,

**RE: Windsor Canada Utilities Ltd. - Annual General Meeting**

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I am writing on behalf of the Board of Directors of Windsor Canada Utilities Ltd. ("WCU"), which wishes to conduct its 2023 Annual General Meeting ("AGM") in accordance with the Ontario *Business Corporation Act* ("OBCA").

Management and available representatives of the WCU Board of Directors are willing to attend the City Council meeting of September 23, 2024 to provide the 2023 Annual Report and respond to questions.

As done in previous years, I am recommending using written and signed resolutions in lieu of a meeting in conducting the AGM, pursuant to s. 104(1) of the *OBCA*. Thus, a representative would need to be appointed to vote on behalf of the shareholder, and such appointee would cast the shareholder's vote by signing the written resolutions.

To this end, I formally request that City Council, by way of a City Council resolution, designate a representative to vote on behalf of the shareholder. In previous years, Mayor Dilkens was designated by City Council to act as the shareholder's representative.

I have attached the general form of the resolutions that the shareholder or its representative will be asked to approve. In this regard, I ask that City Council authorise their designate to approve and sign these resolutions. We propose that such designation and authorization occur at or before the City Council meeting of September 23, 2024.

To further support this request, attached is the WCU 2023 Annual Report and 2023 Audited Consolidated Financial Statements, which include the financial results of ENWIN Utilities Ltd. and ENWIN Energy Ltd.

Please contact me if you have any questions about this submission, and I look forward to receiving your confirmation of the date this proposed agenda item will be heard by City Council.

Sincerely,

A handwritten signature in black ink, appearing to read 'Claire Bebbington', written in a cursive style.

Claire Bebbington  
Director of Regulatory Affairs  
ENWIN Utilities Ltd.

c.c.: Mr. Garry Rossi, President & CEO, ENWIN Utilities Ltd.  
Mayor Drew Dilkens, Chair, Windsor Canada Utilities Ltd. and ENWIN Energy Ltd.  
Garnet Fenn, Chair, ENWIN Utilities Ltd.

att.: **Appendix A:** Draft resolutions for shareholder approval

**Appendix B:** 2023 Annual Report and 2023 Audited Consolidated Financial Statements, Windsor Canada Utilities Ltd.

## **APPENDIX A**

### **RESOLUTION OF THE SOLE SHAREHOLDER OF WINDSOR CANADA UTILITIES LTD.**

The undersigned, being the sole shareholder of Windsor Canada Utilities Ltd. (the “**Corporation**”), acting pursuant to s. 104 of the *Business Corporations Act*, R.S.O. 1990, c.B.16, as amended (the “**Act**”) by its signature hereby passes the following resolutions:

#### **NOW THEREFORE BE IT RESOLVED THAT:**

##### **1. Windsor Canada Utilities Ltd. 2023 Audited Consolidated Financial Statements**

THAT the Windsor Canada Utilities Ltd. Audited Consolidated Financial Statements and report of the Auditor, KPMG LLP, for the period ending December 31, 2023, BE RECEIVED AND ACCEPTED.

##### **2. Appointment of Auditors for 2024**

THAT the audit firm selected and named by City Council as auditors of the Corporation of the City of Windsor, KPMG LLP, BE APPOINTED as the auditors of Windsor Canada Utilities Ltd. for the 2024 fiscal year end at such remuneration as may be fixed by the Windsor Canada Utilities Ltd. Board of Directors;

AND THAT the Windsor Canada Utilities Ltd. Board of Directors BE AUTHORIZED to fix the remuneration payable to the audit firm selected as auditors of Windsor Canada Utilities Ltd. for the 2024 fiscal year end.

##### **3. Election of Board of Directors**

THAT, as recommended by the Board of Directors of Windsor Canada Utilities Ltd., the following Directors of the Board of Directors of Windsor Canada Utilities Ltd. BE ELECTED as follows:

- Mr. Jerry Udell (3-year term)

##### **4. Confirmation of Proceedings**

THAT all the by-laws, resolutions, contracts, proceedings, elections and appointments, enacted, passed, made or taken by the shareholders, directors or officers of the Corporation, at any time during the fiscal year beginning January 1, 2023 and ending December 31, 2023 (hereinafter collectively called "the corporate proceedings") as the

same are set forth or referred to in the minutes of the shareholders and the directors for the Corporation and in the other records of the corporate proceedings, and all acts and proceedings taken by the directors, officers, agents or employees of the Corporation under the authority of or pursuant to any of the corporate proceedings BE RATIFIED AND CONFIRMED with the effect stated in such corporate proceedings;

AND THAT, insofar as any such corporate proceeding shall not have been validly enacted, passed, sanctioned, confirmed, authorized or made, such corporate proceedings shall BE RATIFIED AND CONFIRMED with retroactive effect, and in all other respects with the effect stated in the minutes and records of the Corporation.

The undersigned, being the sole shareholder of the Corporation, hereby approves and consents to the above resolutions as evidenced by the signature of the shareholder's authorized representative set out below.

SIGNED AND DATED at Windsor, Ontario as of the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**THE CORPORATION OF THE CITY OF WINDSOR**

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By:

Its:

I have the authority to bind the corporation.



## Council Report: C 119/2024

### Subject: Letter of Support - HART Hubs - City Wide

#### Reference:

Date to Council: September 23, 2024

Author: Doran Anzolin

Executive Initiatives Coordinator

danzolin@citywindsor.ca

519-255-5200 ext 5354

Report Date: 9/9/2024

Clerk's File #: MD/14771

To: Mayor and Members of City Council

#### Recommendation:

THAT City Council **AUTHORIZE** the Commissioner of Human and Health Services to sign any letters of support in favour of the Ministry of Health, on behalf of the City in its capacity as the Municipal Service Manager (SM), to endorse the proposal of any local Health Service Provider relating to the Homelessness and Addiction Recovery Treatment Hubs (the "HART Hubs"), satisfactory in form to the City Solicitor, in technical content to the Executive Director of Housing & Children's Services, and in financial content to the City Treasurer; and,

THAT City Council **AUTHORIZE** the Commissioner of Human and Health Services, or designate, to execute, sign, terminate or amend any agreements, contracts, or proposals related to the HART Hubs initiative for City services, as required, satisfactory in form to the City Solicitor, in technical content to the Executive Director of Housing & Children's Services, and in financial content to the City Treasurer; and,

THAT the Executive Director of Housing and Children's Services or their designate **BE AUTHORIZED** to execute and submit to the Ministry of Health any required forms or reports as required by the Ministry of Health.

#### Executive Summary:

N/A

#### Background:

Ontario is launching the Homelessness and Addiction Recovery Treatment (HART) Hubs Demonstration Project to address the needs of individuals experiencing complex challenges, such as homelessness, substance use, and mental health issues. This initiative seeks to provide these vulnerable individuals access to integrated health and

social services that are locally tailored to their needs, including mental health and addictions care, primary care, and supportive housing.

The Ministry of Health (MOH), in collaboration with other provincial ministries and Ontario Health (OH), is providing up to \$378 million to support the creation of 19 HART Hubs over a three-year period. Through a Call for Proposals (CFP) process, 10 of these Hubs will be funded initially, including two that are Indigenous-focused. Each Hub will receive an annual budget of \$6.3 million, including \$1.3 million specifically allocated for supportive housing starting in 2025. This initiative is designed to help stabilize vulnerable individuals and improve long-term outcomes by offering a range of services under one roof, creating a low-barrier, accessible model.

The Hubs will address locally identified service gaps, particularly in mental health, addiction recovery, primary care, and employment or social services. Services will be co-located either on-site or in close proximity to the HART Hub, ensuring that individuals experiencing homelessness or other complex challenges have access to the support they need. Proposals must integrate a supportive housing component and leverage a collaborative, coordinated approach between local agencies and service providers.

The Province has designated the 47 Municipal Service Managers as key stakeholders in the CFP process. These municipalities will play a critical role in supporting and endorsing proposals, ensuring that the proposed Hubs align with local housing and homelessness strategies. Municipal SMs are responsible for distributing the CFP to interested Health Service Providers (HSPs). HSPs are required to obtain a letter of support from Service Managers to include in their proposal. This endorsement demonstrates that the proposal aligns with municipal planning priorities and highlights the capacity of the lead not-for-profit HSP to successfully implement the HART Hub.

For these reasons, we are bringing these recommendations to Council to ensure awareness of the City's responsibilities as the SM and to obtain the necessary approvals for supporting the development of HART Hubs in our community. This collaborative approach aims to provide more effective, holistic services to individuals experiencing or at risk of homelessness, fostering long-term stability and recovery.

## **Discussion:**

As the designated Service Manager responsible for the administration and funding of housing programs across Windsor and Essex County, the City of Windsor plays a pivotal role in coordinating the local CFP for the HART Hubs initiative. In its capacity as SM, the City is well-positioned to support lead HSPs in submitting a comprehensive and competitive proposal that aligns with the specific needs of our community. This proactive involvement will ensure that the proposed HART Hub is effective in addressing the intersectional challenges faced by people experiencing homelessness and addiction.

The City's unique insight into the local homelessness crisis stems from its ongoing role in managing housing and homelessness services. This insight provides a crucial advantage in guiding HSPs through the CFP process, ensuring a HART Hub proposal is both comprehensive and tailored to the specific gaps and challenges within the community. By leveraging its knowledge of local trends, the City can help ensure that

submitted proposals not only meet provincial requirements but also directly address the most pressing needs of vulnerable populations in the community.

Additionally, the City of Windsor's administration is embedded in strategic health discussions through its involvement in numerous health committees. Notably, the City actively participates in the Windsor-Essex Ontario Health Team (WEOHT) Steering Committee and the WEOHT Mental Health and Addictions Sector Table (MHASt). This engagement positions the City as an informed and integral partner in shaping a robust HART Hub proposal, aligning with the ongoing strategic conversations about providing comprehensive care for people with complex needs.

Given the City's established role and involvement in the health and housing sectors, it is imperative that the City maintain a high level of flexibility and authority throughout the HART Hub process. To ensure swift and effective decision-making, City administration is seeking approval for the Commissioner of Human & Health Services to have delegated authority to sign all agreements, letters of support, contracts, and proposals related to the HART Hubs, as well as any amendments to these agreements. This delegation will enable the City to respond efficiently to emerging opportunities and challenges throughout the duration of the HART Hub initiative, ensuring that the City's resources and strategic goals are aligned with provincial objectives.

### **Risk Analysis:**

There is no risk to the City of Windsor in relation to the HART Hubs initiative. The Province's Call for Proposals includes funding from the Ministry of Health, budgeted through 2028. If provincial funding is not extended beyond that period, the City will not be impacted, as the HSP Lead, will sign the Transfer Payment Agreement and be accountable for the funding. The HART Hub proposal must include a sustainability plan which addresses how the Hub would continue to be funded following the completion of the Demonstration Project, and how it plans to meet changing/growing needs within the community over time.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

There are no financial implications for the City, in its capacity as the Municipal Service Manager, to endorse the proposal of any local Health Service Provider relating to the HART Hub. The funding for the HART Hub will be managed through a Transfer Payment Agreement between the Province and the HSP Lead who will receive, be accountable for, and administer the funding. In the event that, any City of Windsor services are requested by the HSP Lead, approval to sign agreements with the HSP Lead for reimbursement of costs is being requested.

**Consultations:**

Kate Tracey, Senior Legal Counsel

**Conclusion:**

In conclusion, the City's role as the SM, combined with its active involvement in local health strategy discussions, ensures that Windsor and its HSPs are well-prepared to submit a strong, competitive proposal for the HART Hubs initiative. With the appropriate administrative authority in place, the City can continue to serve as a key partner in coordinating this important initiative, ensuring that individuals experiencing homelessness receive the comprehensive care and support they need.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Linda Higgins	Manager, Intergovernmental Funding
Dan Seguin	On behalf of Commissioner, Finance & City Treasurer
Andrew Daher	Commissioner, Human & Health Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Email
Kathryn Leferman	<a href="mailto:Kathryn.Leferman@weoht.ca">Kathryn.Leferman@weoht.ca</a>
Nicole Sbrocca	<a href="mailto:NSbrocca@cmha-wecb.on.ca">NSbrocca@cmha-wecb.on.ca</a>
Bill Marra	<a href="mailto:Bill.Marra@hdgh.org">Bill.Marra@hdgh.org</a>
Karen Riddell	<a href="mailto:Karen.Riddell@wrh.on.ca">Karen.Riddell@wrh.on.ca</a>
Joyce Zuk	<a href="mailto:jzuk@fswe.ca">jzuk@fswe.ca</a>

**Appendices:**





Committee Matters: SCM 269/2024

**Subject: Zoning By-Law Amendment 2019-24 (ZNG/7215) - Architecttura Inc. Architects – 1098 Albert Rd, Ward 5**

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 646**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 106, Plan 865 situated at the northeast corner of Albert Road and Richmond Street, known municipally as 1098 Albert Road, by adding a site-specific exception to Section 20(1) as follows:

**512. NORTHEAST CORNER OF ALBERT ROAD AND RICHMOND STREET**

For the lands comprising of Lot 106, Plan 865 the following additional regulations shall apply:

- 1) The following are an additional permitted *main use*:  
One *Multiple Dwelling* containing a maximum of four *dwelling units*
- 2) The following additional provisions shall apply to an additional permitted *main use*:
  - a) Lot Width – minimum 9.0 m
  - b) Lot Area – minimum 327.0 m<sup>2</sup>
  - c) Lot Coverage – maximum 55%
  - d) Main Building Height – maximum 7.60 m
  - e) Front Yard Depth – minimum 4.5 m
  - f) Rear Yard Depth – minimum 7.5 m
  - g) Side Yard Width – minimum 0.25 m
  - h) Gross Floor Area – *Main Building* – maximum 364 m<sup>2</sup>
  - i) Notwithstanding Section 5.2.20.20, a refuse bin shall be stored in a required *rear yard*.

j) Notwithstanding section 24.20.5., three parking spaces shall be provided.

k) Section 24.30.20.3.2 shall not apply.

II. THAT the H symbol **SHALL APPLY** to Lot 106, Plan 865 situated at the northeast corner of Albert Road and Richmond Street, known municipally as 1098 Albert Road and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

(10) a) Conveyance of a 4.6 m by 4.6 m corner cut-off at the northeast corner of Albert Road and Richmond Street to the satisfaction of the City Engineer.

[ZNG/7215]

Carried.

Report Number: S 105/2024

Clerk's File: Z/14833

**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 September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>

**Subject: Zoning By-Law Amendment Z019-24 (ZNG/7215) - Architecttura Inc.  
Architects – 1098 Albert Rd, Ward 5**

**Reference:**

Date to Council: September 3, 2024  
Author: Diana Radulescu  
Planner II – Development Review  
T. (519) 255-6543 x 6918  
E. dradulescu@citywindsor.ca  
Planning & Building Services  
Report Date: August 12, 2024  
Clerk's File #: Z/14833

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

**Recommendation:**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 106, Plan 865 situated at the northeast corner of Albert Road and Richmond Street, known municipally as 1098 Albert Road, by adding a site-specific exception to Section 20(1) as follows:

**512. NORTHEAST CORNER OF ALBERT ROAD AND RICHMOND STREET**

For the lands comprising of Lot 106, Plan 865 the following additional regulations shall apply:

- 1) The following are an additional permitted *main use*:  
One *Multiple Dwelling* containing a maximum of four *dwelling units*
- 2) The following additional provisions shall apply to an additional permitted *main use*:
  - a) Lot Width – minimum 9.0 m
  - b) Lot Area – minimum 327.0 m<sup>2</sup>
  - c) Lot Coverage – maximum 55%
  - d) Main Building Height – maximum 7.60 m
  - e) Front Yard Depth – minimum 4.5 m
  - f) Rear Yard Depth – minimum 7.5 m
  - g) Side Yard Width – minimum 0.25 m
  - h) Gross Floor Area – *Main Building* – maximum 364 m<sup>2</sup>

- i) Notwithstanding Section 5.2.20.20, a refuse bin shall be stored in a required *rear yard*.
- j) Notwithstanding section 24.20.5., three parking spaces shall be provided.
- k) Section 24.30.20.3.2 shall not apply.

II. THAT the H symbol **SHALL APPLY** to Lot 106, Plan 865 situated at the northeast corner of Albert Road and Richmond Street, known municipally as 1098 Albert Road and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

- (10) a) Conveyance of a 4.6 m by 4.6 m corner cut-off at the northeast corner of Albert Road and Richmond Street to the satisfaction of the City Engineer.

[ZNG/7215]

### **Executive Summary:**

N/A.

### **Background:**

#### **Application Information**

**Municipal Address:** 1098 Albert Rd

**Ward:** 5      **Planning District:** East Windsor      **Zoning District Map:** 6

**Applicant/Agent:** Architecttura Inc. Architects

**Owner:** Blocs Group, Dario Silvaggi

**Submitted Materials:** Attached to Report S 105/2024 as an Appendix:

Appendix A - Conceptual Site Plan

Appendix B - Conceptual Elevations

Appendix C - Conceptual Floor Plans

Appendix D - Planning Rationale Report

Appendix E – Comments

Appendix F – Site Photos

### **Proposal:**

The Applicant is requesting an amendment to Zoning By-law 8600 to allow the conversion of the existing combined-use building into a multiple dwelling containing a maximum of four dwelling units.

The site is a two-storey, legal non-conforming combined use building with a former grocery store and three dwelling units. The entire building is currently vacant.

There are three parking spaces at the rear of the building with access from the alley. The applicant proposes to pave the parking area. There is an existing parking deficiency of one parking space as per Zoning Bylaw 8600. Four bicycle parking spaces will be provided.

The proposed development is not subject to Site Plan Control.

### Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.3	Legal Non-Conforming (commercial and residential mixed-use building)	Residential
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
9.75 m	33.53 m	326.9 m <sup>2</sup>	Rectangular
<i>All measurements are provided by the applicant and are approximate.</i>			

**Figure 1: Key Map**



KEY MAP - Z-019/24, ZNG/7215



● SUBJECT LANDS



**Figure 2: Neighbourhood Map**



NEIGHBOURHOOD MAP - Z-019/24, ZNG/7215



SUBJECT LANDS

## Neighbourhood:

The subject land is in an established residential and combined use neighbourhood within the East Windsor Planning District. Site images are provided in Appendix F. Sections 2.2 and 2.3 in the Planning Rationale Report (see Appendix D) provide additional details including site photos.

Low-profile residential uses are located to the north, east, south, and west. Within this, there are a few combined use (commercial-residential) buildings. Further west between Walker Road and St Luke Road is a business park with a mix of industrial and commercial uses. To the northeast is the Mixed-Use Node at Wyandotte Street East and Drouillard Road. Further east is Drouillard Road which is recognized as a Mixed-Use Corridor as per *Schedule D – Land Use* and a Traditional Commercial Street as per *Schedule A-1 - Special Policy Areas* of the Windsor Official Plan.

The Essex Terminal Railway is located approximately 470m to the south.

The Site is located within the Ford City Community Improvement Plan (CIP) area.

There are several schools nearby including St Anne French Immersion Elementary 450m and Walkerville Collegiate Institute 550m to the west. There are several parks nearby including Garry Dugal Park 385m to the south, and Whelpton Parkette 220m and Bunny Park 450m northeast. The nearest library is Windsor Public Library's Seminole Branch 1.7 km southeast. The Gino and Liz Marcus Community Centre is 230m to the east.

Albert Road is classified as a Local Residential Road as per *Schedule F: Roads and Bikeways* and has two travel lanes with curbs and sidewalks on both sides of the road. Richmond Street is classified as a Class I Collector and has two travel lanes with curbs and sidewalks on both sides of the road. The subject land has pedestrian access to Albert Road and vehicular access to Richmond Street through an existing driveway and alleyway.

Dedicated active transportation infrastructure in the form of bikes lanes is available approaching the neighbourhood from the west along Wyandotte Street East (until St Luke Road). Bike parking is available at the Gino and Liz Marcus Community Centre on Drouillard Rd to the east. The City of Windsor Active Transportation Master Plan identified Drouillard Rd and Richmond St as high priorities and St Luke Road as a medium priority on the Proposed Bicycle Network. In addition, the neighbourhood streets are equipped with sidewalks that connect Drouillard Road with residential uses and further to Wyandotte Street East and Walker Road.

Public transit is currently available via the Central 3 route along Richmond Street and Crosstown 2 route along Wyandotte Street East. The closest existing bus stop to the subject property is at the northeast corner of Richmond Street and Hickory Road (Central 3 route). This bus stop is approximately 80 m from the subject property which falls within Transit Windsor's 400 m walking distance guidelines to a bus stop. This service will continue to be maintained with Transit Windsor's City Council-approved Transit Master Plan.

The site is serviced by an existing 600mm combined sewer on Albert Road and a 375mm storm sewer located on Richmond Street.



**Figure 3: Subject Parcel – Rezoning**



PART OF ZONING DISTRICT MAP 6

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Architectura Inc. Architects



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JUNE, 2024  
FILE NO. : Z-019/24, ZNG/7215

## **Discussion:**

### **Planning Rationale Report (Pillon Abbs Inc. – March 8, 2024)**

The Planning Rationale Report (PRR), attached as Appendix D to Report S 105/2024, notes that the subject parcel is *“capable of accommodating the proposed development in terms of scale, massing, height and siting”*. It states that the proposed development is a *“low profile form of development which incorporates sufficient setbacks to allow for appropriate landscaping and buffering”* and *“has been designed to be compatible with the existing built-up area”*. The PRR further notes that *“the existing building is underutilized and provides an infilling opportunity”* for which the proposed development will *“help diversify housing options in the surrounding neighbourhood and will help supply the housing units that are needed in the area”*.

The PRR concludes that 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”* and represents *“an efficient development pattern that optimizes the use of land.”* The Planning Department generally concurs with the PRR.

### **Parking Study (RC Spencer Associates Inc. – January 2024)**

The Parking Study notes that while the City’s Zoning Bylaw requires four spaces for the proposed development, there are three parking spaces proposed which are accessible through the alleyway to the east. The Parking Study notes that the deficiency of one parking space can be accommodated through on-street parking available on Albert Road and Richmond Street as well as the anticipated modal shift due to the site’s proximity to *“existing active transportation facilities and reliable transit options”*. The Study further notes that *“per the City of Windsor’s Active Transportation Master Plan, modal split for the site could be approximately 16% within a ten-year horizon and 22% by the year 2041. Accordingly, it is the engineer’s opinion that this anticipated modal split trend could result in a further lowering of the site’s peak parking demand.”*

The Study concluded that *“it is the engineer’s opinion that the proposed on-site parking supply of three parking spaces could adequately accommodate the anticipated peak parking demand for the subject four-unit residential development proposal”*.

### **Urban Design Study (Architectura Inc. Architects – March 8, 2024)**

The Urban Design Study noted that the proposed development *“is compatible, fits well in the surrounding neighbourhood and provides additional housing and increased density”* and will *“preserve the character and identity of this unique neighbourhood as defined under the Ford City CIP”*. It also noted that *“the proposal is a form of residential intensification that meets the social, health and wellbeing requirements of current and future residents, promotes increased densities which efficiently use lands, resources, infrastructure and public policies in the OP, particularly with the promotion of the complementary range of housing types and tenure and intensification initiatives”*.

The Urban Design Study concluded that “*based on extensive review, the proposed residential development is appropriate for the site and consistent with good planning and urban design principles*”.

### **Provincial Policy Statement (2020)**

The 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 proposed development of up to four dwelling units represents an efficient development and land use pattern that will have no adverse impact on the financial well-being of the City of Windsor, land consumption and servicing costs, accommodates an appropriate range of residential uses, and optimizes existing investments in transit and infrastructure. Since the rezoning is for redevelopment of an existing building and located within an established settlement area, there are no anticipated environmental or public health and safety concerns with the proposed efficient use of land.

The requested zoning amendment is consistent with the “*Healthy, liveable and safe communities*” policies in Section 1.1.1 of the PPS.

The lot is located within a settlement area. The zoning amendment promotes a land use – a multiple dwelling with four dwelling units - that makes efficient use of land and existing infrastructure. The proposed rezoning is a redevelopment of an existing building, thereby not requiring settlement area expansion. Active transportation options and transit services are located near the parcel and include planned improvements. The zoning amendment is consistent with the “Settlement Areas” policies in Sections 1.1.3.1 and 1.1.3.2.

The subject proposal of redevelopment of an existing building will provide a form of housing that is appropriate in terms of range and mix of the surrounding neighbourhood context and is located where municipal infrastructure and public service facilities are available. The subject amendment is consistent with the housing policies in Section 1.4.3 of the PPS.

The subject proposal is on lands within an area that is serviced by municipal sewage and water services. The recommended zoning by-law amendment is consistent with the Infrastructure and Public Service Facilities policies in Section 1.6.6.2 of the PPS.

The agent indicates that the objectives of the PPS have been considered and have informed their professional planning opinion and concept design for the project site. These objectives are discussed in the Planning Rationale Report (Appendix D). The Planning Department generally concurs with this and is of the opinion that the proposed amendment to Zoning Bylaw 8600 is consistent with the PPS.

### **City of Windsor Official Plan**

The subject property is located within the East Windsor Planning District in *Schedule A – Planning Districts & Policy Areas* of Volume I of the Official Plan.

The subject property has a Residential land use designation in *Schedule D – Land Use Plan*. Section 6.3.2.1 stipulates that low profile and medium profile dwelling units are permitted within the Residential land use designation. The proposed development of a multiple dwelling

with four units is classified as a Low-Profile housing development under Section 6.3.2.3 (a) and is compatible and complementary with the surrounding land uses (Section 6.3.2.5 (c)). Through the proposal of low-profile residential dwelling units, the development is of a scale that is compatible with the profile and uses of the surrounding neighbourhood. No deficiencies in municipal physical and emergency services have been identified (Section 6.3.2.5 (e)). The proposed rezoning conforms to the policies in Sections 6.3.2 of the Official Plan.

The Official Plan has policies that encourage redevelopment and intensification. Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote selective residential redevelopment, infill and intensification initiatives. The proposed low profile residential multiple dwelling with four units represents a complementary and compact form of housing, redevelopment, and intensification that is located near active and public transportation. The proposed rezoning satisfies the objectives set out in Section 6.3.1 of the Official Plan.

The proposed amendment to Zoning By-law 8600 will conform to the general policy direction of the Official Plan. Planning and Development Services generally concurs with the Official Plan analysis in Section 5.1.2 of the PRR submitted by the Applicant.

### **City of Windsor Intensification Guidelines**

The City of Windsor Intensification Guidelines provide direction for infill and intensification within existing neighbourhood patterns. The intent is to guide new development to become distinctive, while relating harmoniously to the use, scale, architecture, streetscapes, and neighbourhoods of Windsor, as well as meeting the needs of its citizens and visitors.

The subject parcel is located within an established neighbourhood area but not within a defined Mature Neighbourhood or a Mixed-Use Corridor as per the Official Plan. The Applicant has included an analysis of the Windsor Intensification Guidelines in the PRR (Appendix D) and Urban Design Study (available [online](#)). The PRR notes that “the design and style of the existing building, along with the proposed renovations, will blend well with the scale and massing of the existing surrounding neighbourhood.”

Planning and Development Services is of the opinion that the proposed rezoning amendment is consistent with the general directives of the Windsor Intensification Guidelines.

### **Ford City Community Improvement Plan**

The Ford City Community Improvement Plan (CIP) was developed in consultation with community and neighbourhood stakeholders and created the following vision:

*Ford City will be a distinct, attractive, and pedestrian-centered neighbourhood where residents and visitors feel safe and have a sense of ownership. This ethnically diverse community builds on its culture and history as the birthplace of the automobile industry in Canada and encourages the arts, crafts and skills found in the neighbourhood and greater community.*

The subject parcel is located within the Ford City CIP area. Section 4.3 of the Urban Design Study includes an assessment of how the proposed development relates to the vision of the

Ford City CIP. Planning is of the opinion that the proposed rezoning amendment is consistent with the general directives of the CIP.

### **Zoning By-Law 8600**

The parcel is zoned Residential District 1.3 (RD1.3) which permits one single unit dwelling, an existing duplex dwelling and an existing semi-detached dwelling. The Applicant is requesting to amend the zoning to add a site-specific exception to RD1.3 that allows for a multiple dwelling containing a maximum of four units. Below is a discussion of relevant additional provisions.

**Permitted main use:** The building is a legal non-compliant use of a commercial unit (formerly a grocery store but currently vacant) and three residential units on the second floor (currently vacant). The legal non-conforming use was a result of a Committee of Adjustment minor variance decision from September 18, 1998 (file number A-229/96). The proposed first floor addition and proposed interior renovations would convert the commercial unit into residential use. In combination with the existing three dwelling units, the proposed redevelopment contains a total of four dwelling units.

**Parking:** A total of four parking spaces are required as per Zoning Bylaw 8600. There are three existing parking spaces at the rear of the property, accessible from the alleyway. The Applicant is proposing to pave the existing gravel parking location and continue providing three parking spaces. Given provisions for parking space dimensions in Zoning Bylaw 8600 and the available area for parking within the subject parcel, three parking spaces are the maximum that can be provided for the proposed redevelopment. The Parking Study (available [online](#)) suggests that three parking spaces can adequately serve the proposed redevelopment given that:

- on-street parking is available on Richmond Street and Albert Road;
- there are two Transit Windsor bus routes within 400m walk from the property;
- the neighbourhood is walkable and located in close proximity to a traditional commercial street as per *Schedule A-1 Special Policy Areas* and a mixed-use corridor as per *Schedule D – Land Use* of the Official Plan (Drouillard Road);
- the property is located between Drouillard Road and St Luke Road which are identified as high and medium priorities on the proposed bicycle network in the Windsor Active Transportation Master Plan; and
- the proposed redevelopment includes provision of four bicycle parking spaces (0 are required as per Zoning Bylaw 8600).

Site specific provision j) allows for the provision of three parking spaces. Site specific provision k) allows for bike parking to be in a required yard. The proposed redevelopment contains four bike parking spaces in the required rear yard.

**Refuse bin storage:** The proposed first floor addition on the south side of the property will eliminate the current storage space for refuse bins. Site specific provision i) allows for refuse bins to be stored in the required rear yard. This provision will ensure the proposed redevelopment also meets the requirements of By-law 2-2006, which requires that refuse bins be available to residents while not impeding access.

## **Site Plan Control**

The proposed multiple dwelling is not subject to Site Plan Control.

## **Consultations:**

A virtual Open House was held on March 7, 2024. Notification of this meeting was distributed to residents and property owners within 120m of the subject site. Two people attended and the feedback received is summarized in Section 3.2 of the PRR (Appendix D).

Comments received from municipal departments and external agencies are attached as Appendix E. Municipal departments have noted no objection to the proposed amendment. Statutory notice was advertised in the Windsor Star. A courtesy notice was mailed to property owners within 200m of the subject lands. Submitted documents were posted on the City of Windsor [website](#).

## **Risk Analysis:**

N/A

## **Climate Change Risks**

### **Climate Change Mitigation:**

The subject proposal makes use of an existing building footprint, located within an existing neighbourhood on existing municipal services, therefore reducing the impacts of climate change by locating within the existing built-up area. In general, residential intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers, sidewalks, and public transit.

### **Climate Change Adaptation:**

The proposed redevelopment of an existing low profile residential multiple dwelling provides an opportunity to increase resiliency for the development and surrounding area through supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options.

## **Financial Matters:**

N/A

## **Consultations:**

Type here

## **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. Based on the supporting documents submitted by the Applicant and the analysis in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2020 and is in conformity with the City of Windsor Official Plan.

The proposed amendment permits a low profile residential multiple dwelling containing up to four units which is compatible with existing uses in the surrounding neighbourhood. The proposed redevelopment represents an incremental increase in density and provides an opportunity for residential intensification, while also supporting a complementary form of housing located near various transportation options. The proposed design has considered the Windsor Intensification Guidelines and design transitions to the surrounding neighbourhood identified in the Ford City CIP.

The recommendation to amend Zoning By-law 8600 constitutes good planning. Staff recommend approval.

### **Planning Act Matters:**

*Diana Radulescu*

Planner II – Development Review

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

*Greg Atkinson, MCIP, RPP*

*Neil Robertson, MCIP, RPP*

Deputy City Planner - Development

City Planner

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

JP JM

### **Approvals:**

<b>Name</b>	<b>Title</b>
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

### **Notifications:**

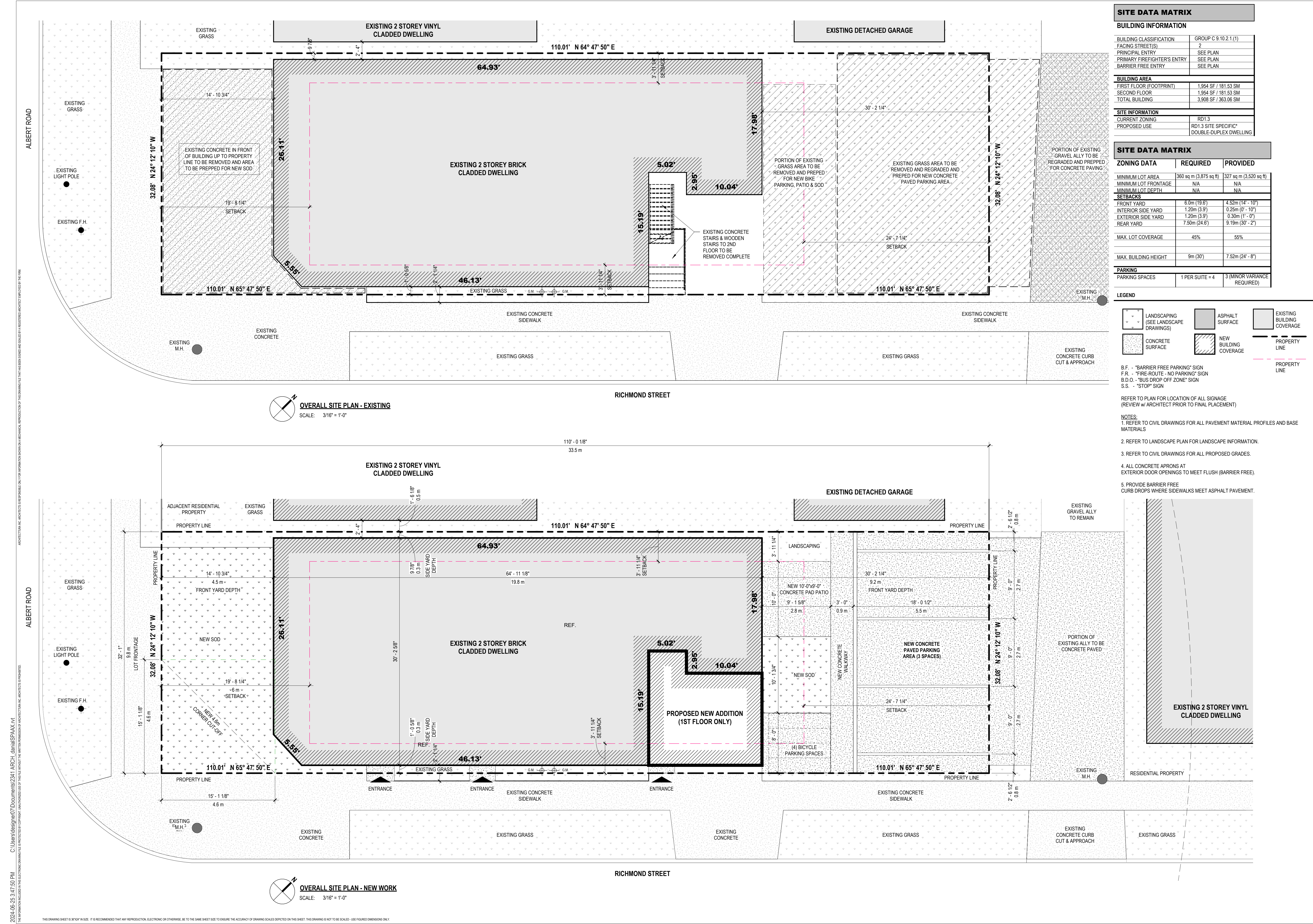
<b>Name</b>	<b>Address</b>	<b>Email</b>
Architectura Inc. Architects	180 Eugenie Street West,	<a href="mailto:dsoleski@architectura.com">dsoleski@architectura.com</a>

<b>Name</b>	<b>Address</b>	<b>Email</b>
Attn: Dan Soleski	Windsor ON, N8X 2X6	
Blocs Group Inc. Attn: Dario Silvaggi		
Councillor Ed Sleiman (Ward 5)		
Property owners and tenants within 200 m of the subject lands		

**Appendices:**

- 1 Appendix A - Conceptual Site Plan
- 2 Appendix B - Conceptual Elevations
- 3 Appendix C - Conceptual Floor Plans
- 4 Appendix D - Planning Rationale Report
- 5 Appendix E - Consultation Comments
- 6 Appendix F - Site Photos

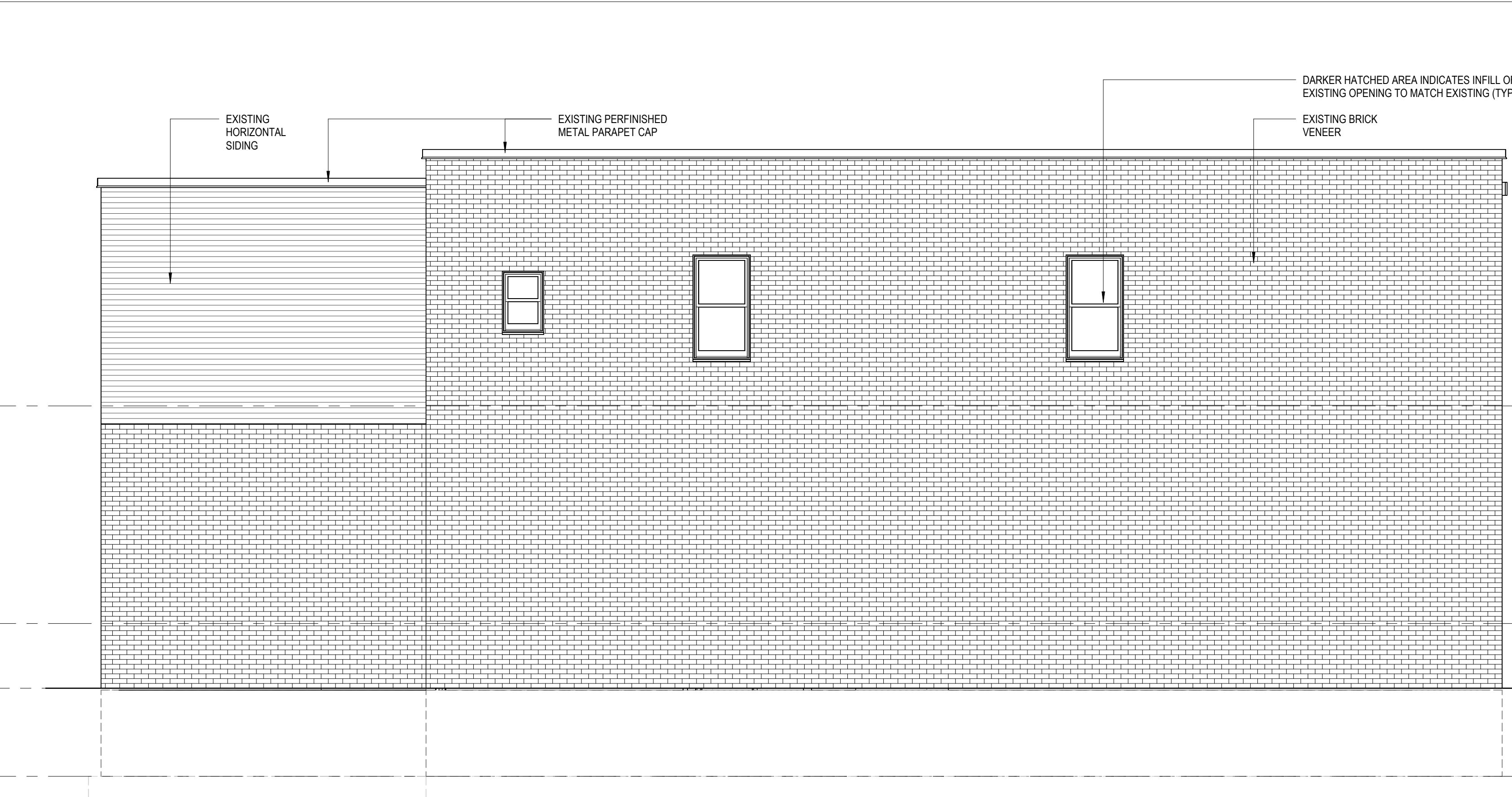




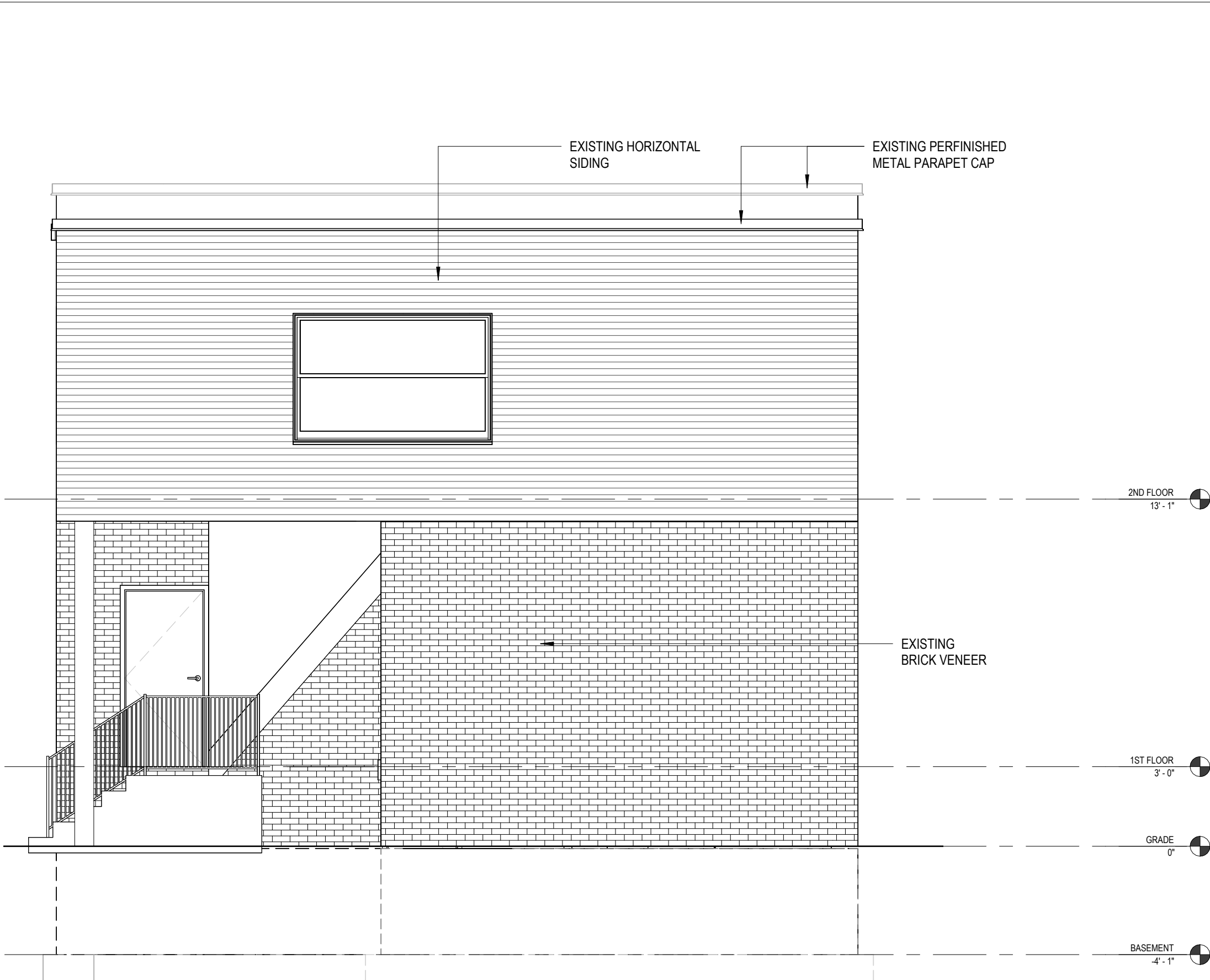


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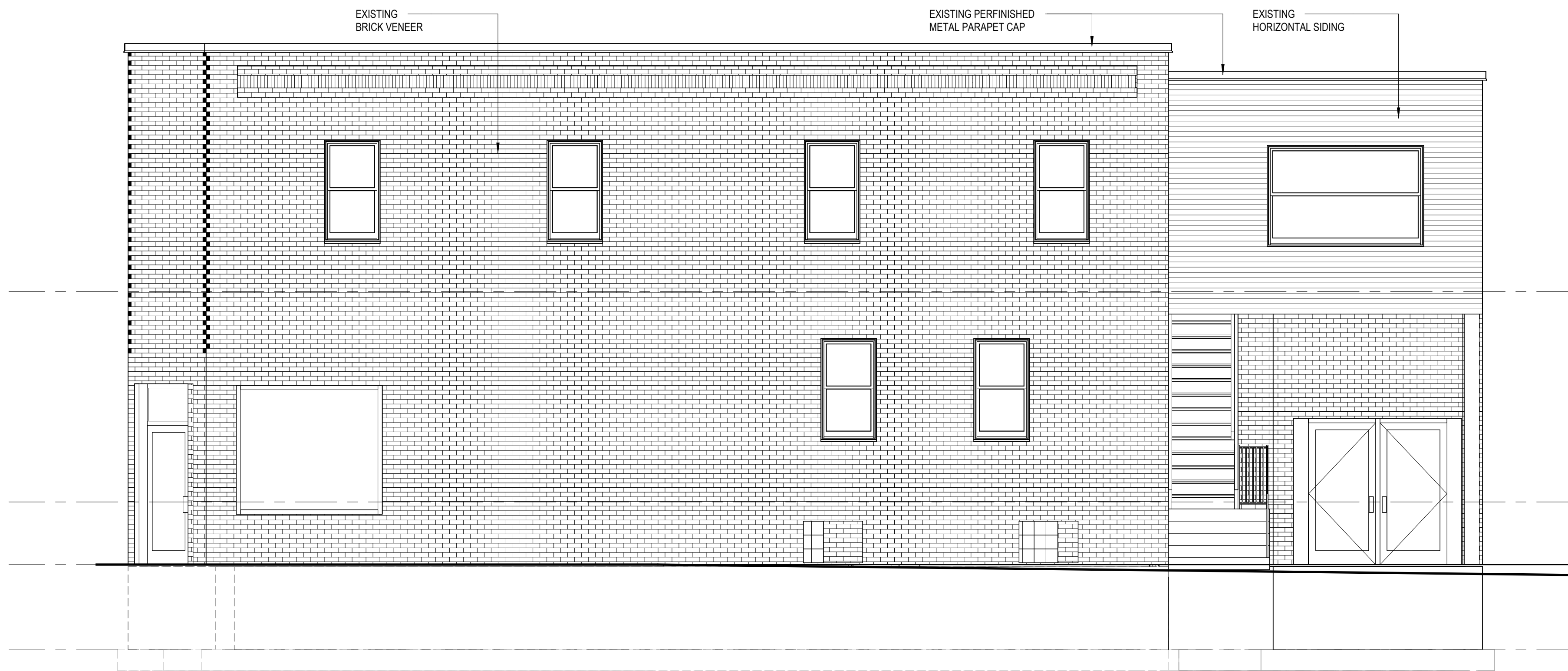
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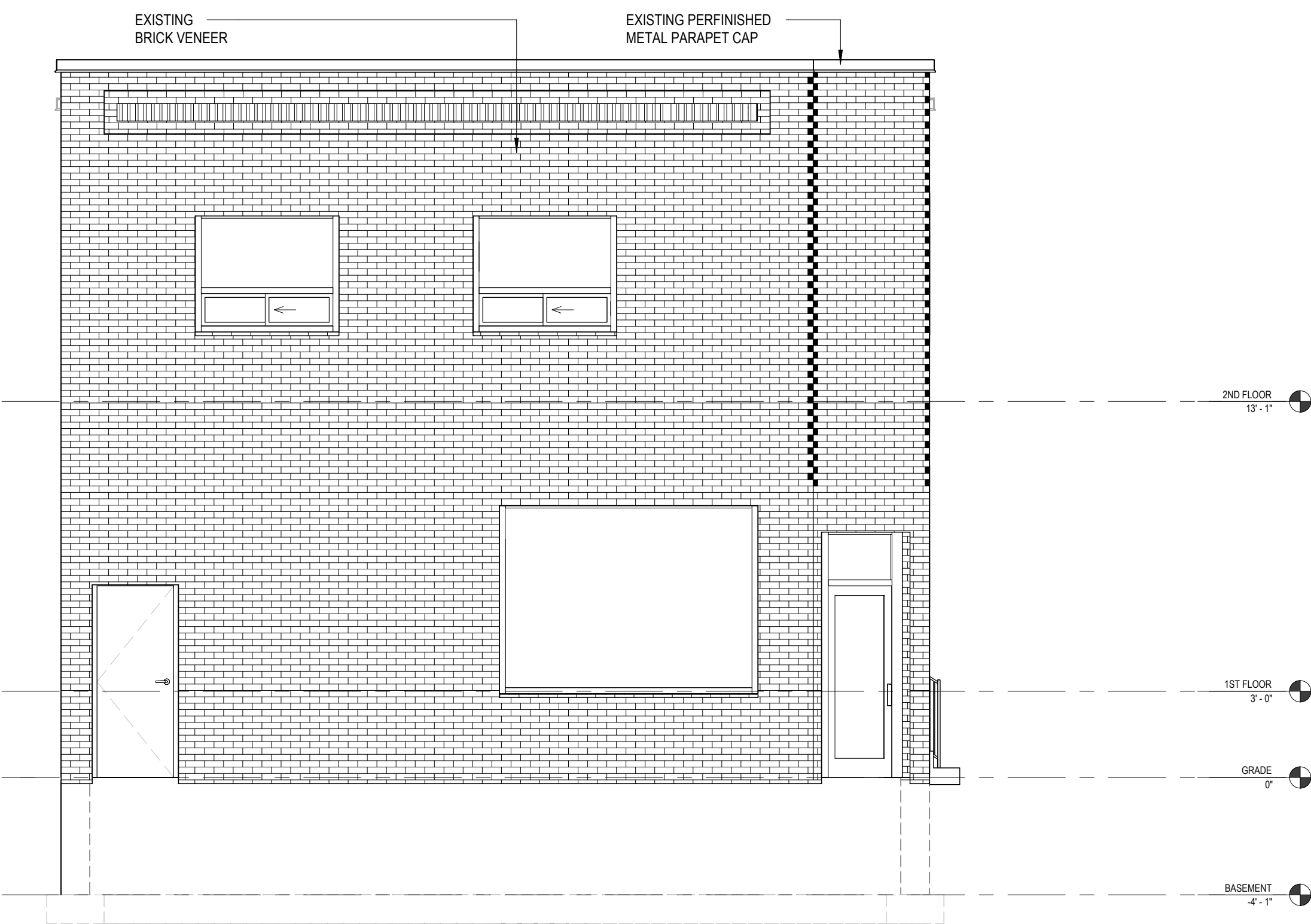
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**EAST ELEVATION - EXISTING**  
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**SOUTH ELEVATION - EXISTING**  
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**WEST ELEVATION - EXISTING**  
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**RENOVATION 4-PLEX**  
1098 Albert Rd., Windsor, Ontario N8Y 3P3

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BLOC GROUP  
RENOVATION 4-PLEX

1098 Albert Rd., Windsor, Ontario N8Y 3P3

Drawn By  
Ai

Checked By  
Ai

Project No  
2341

Sheet No

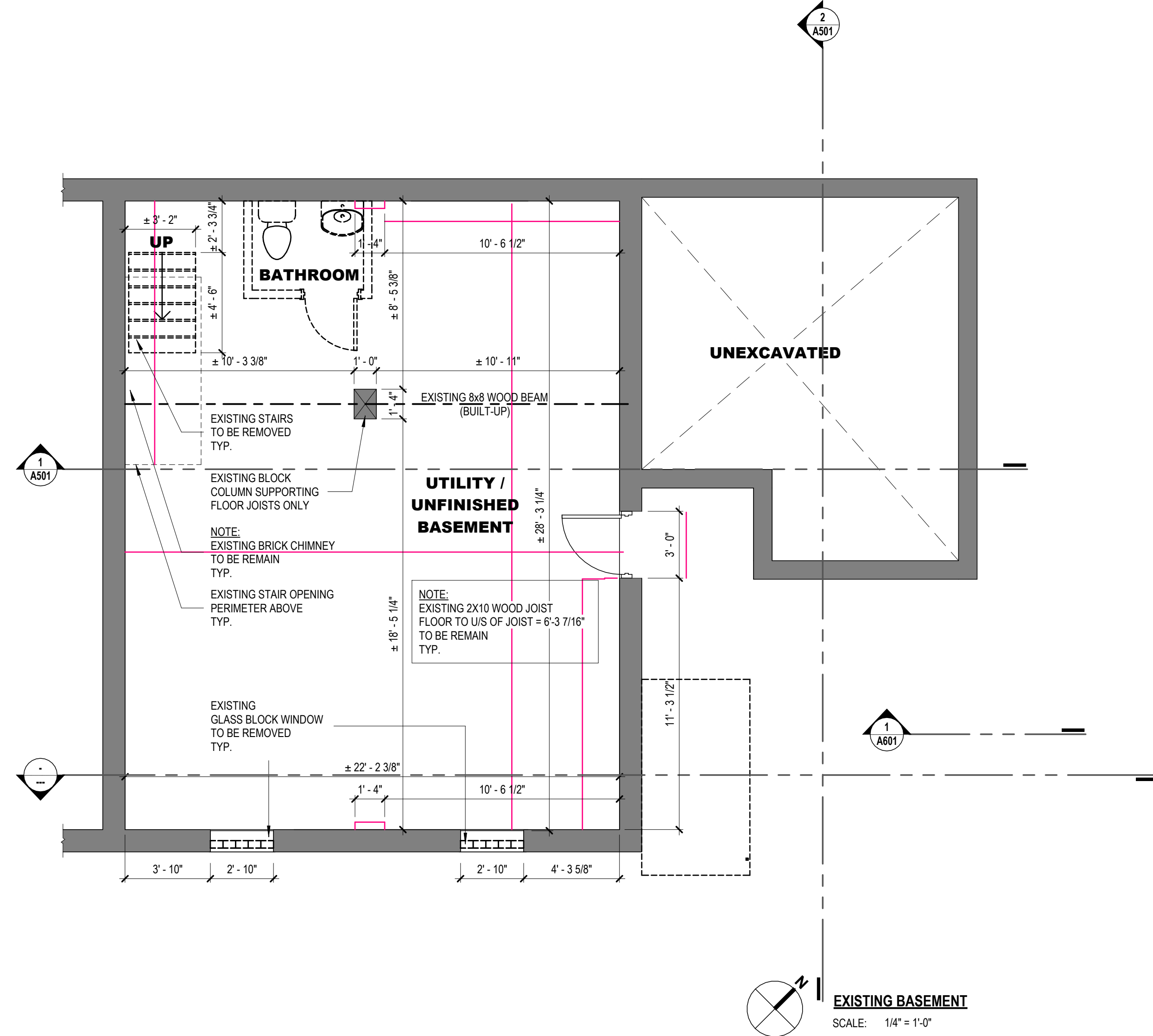
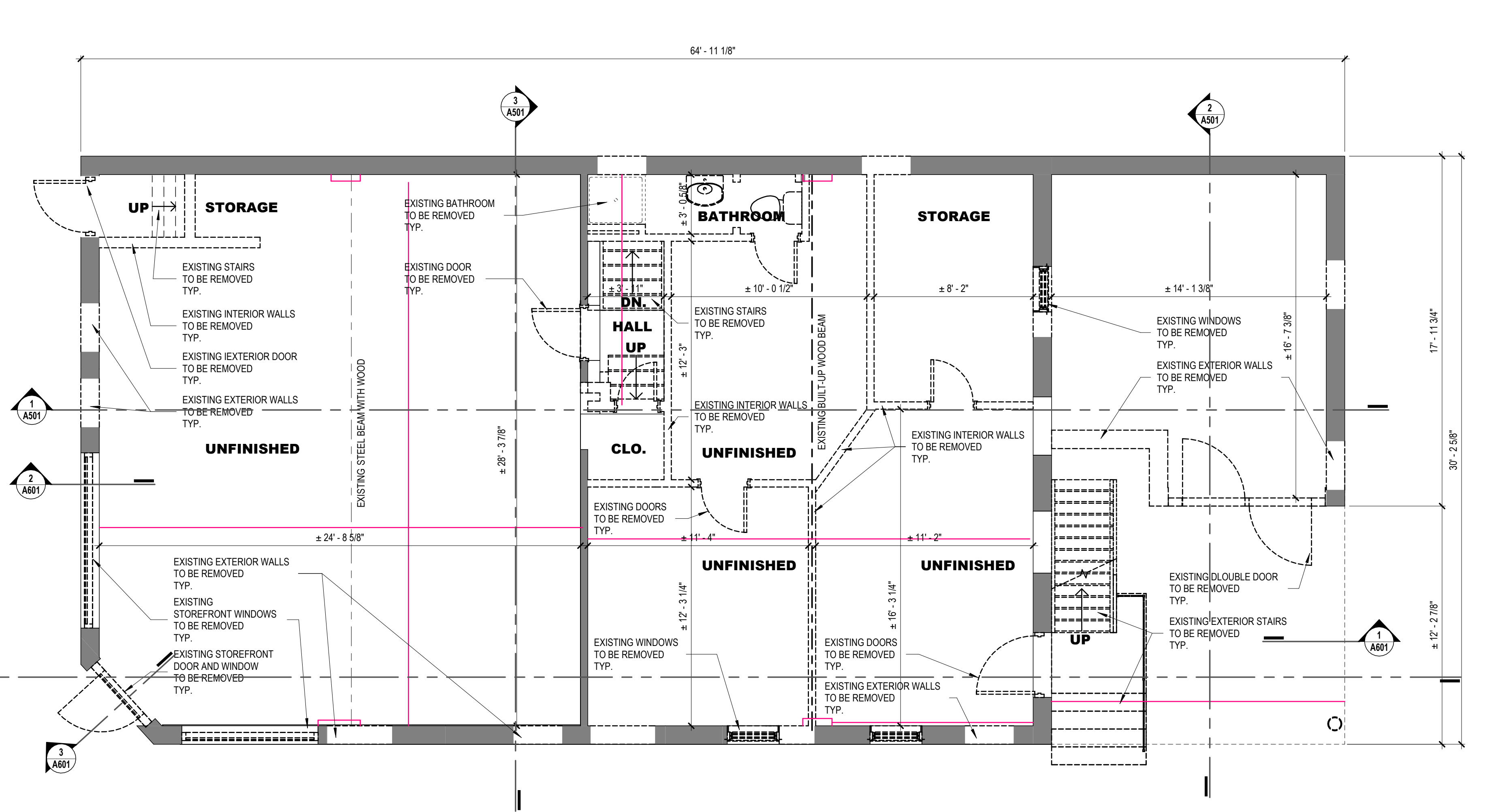
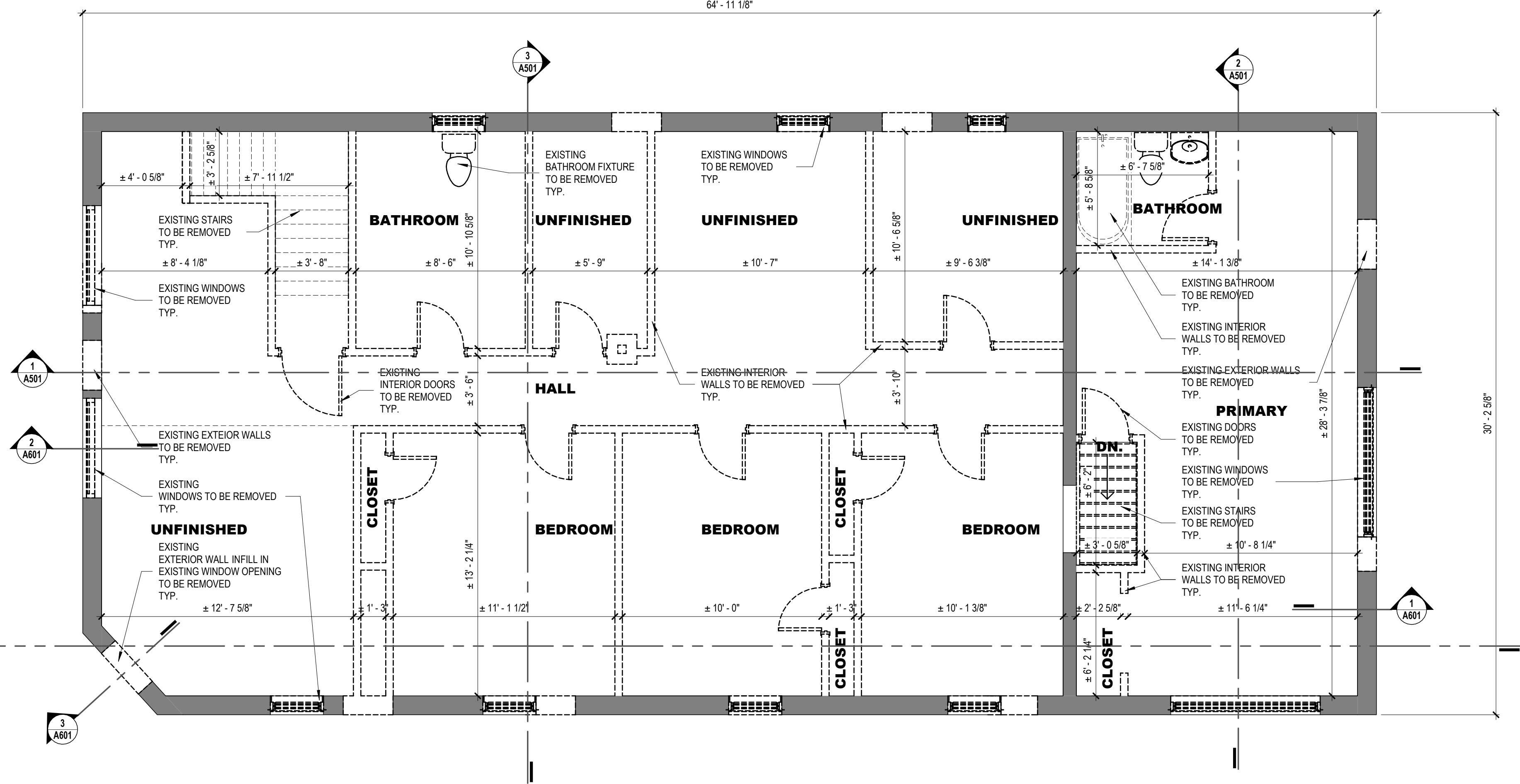
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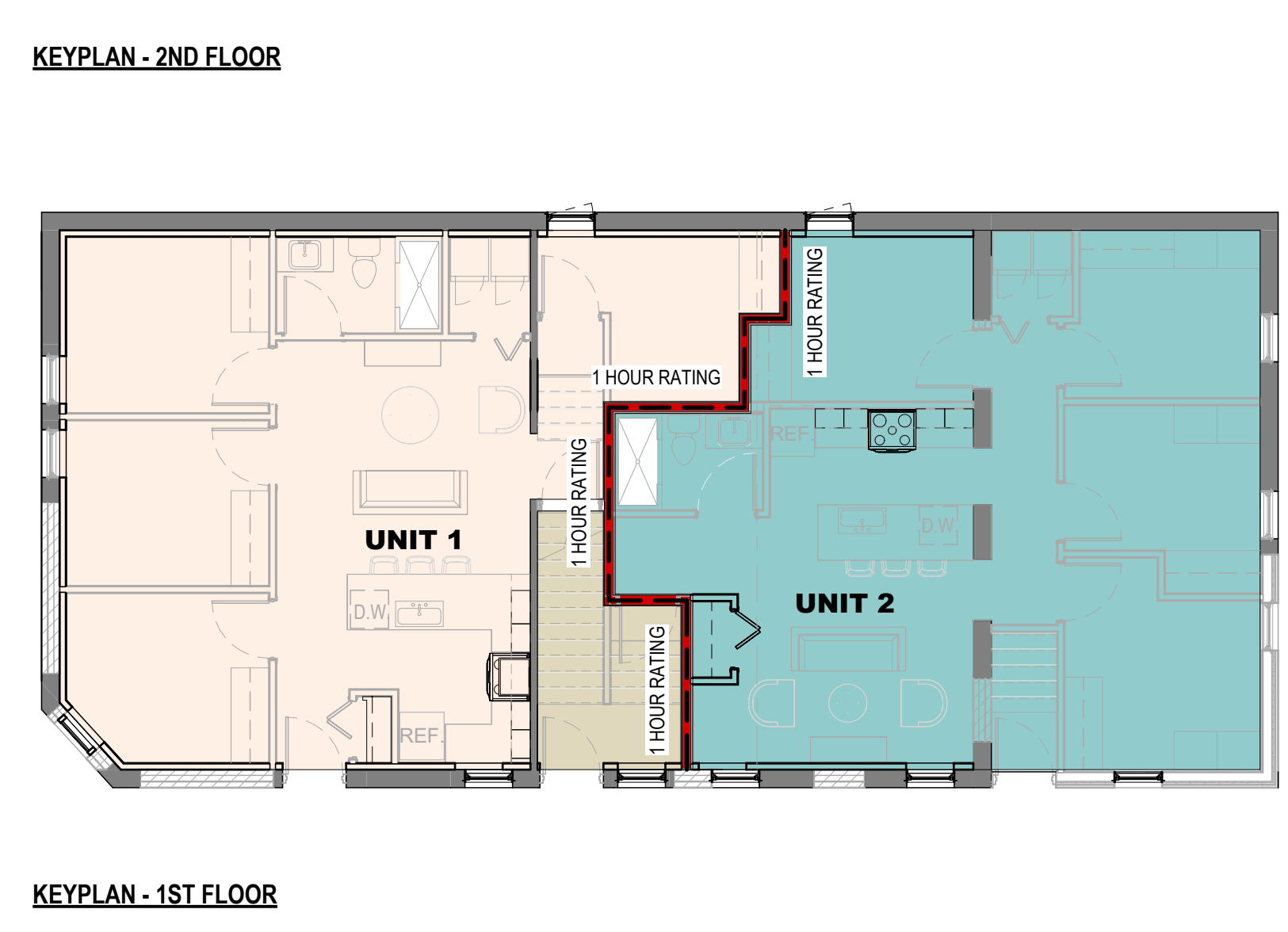
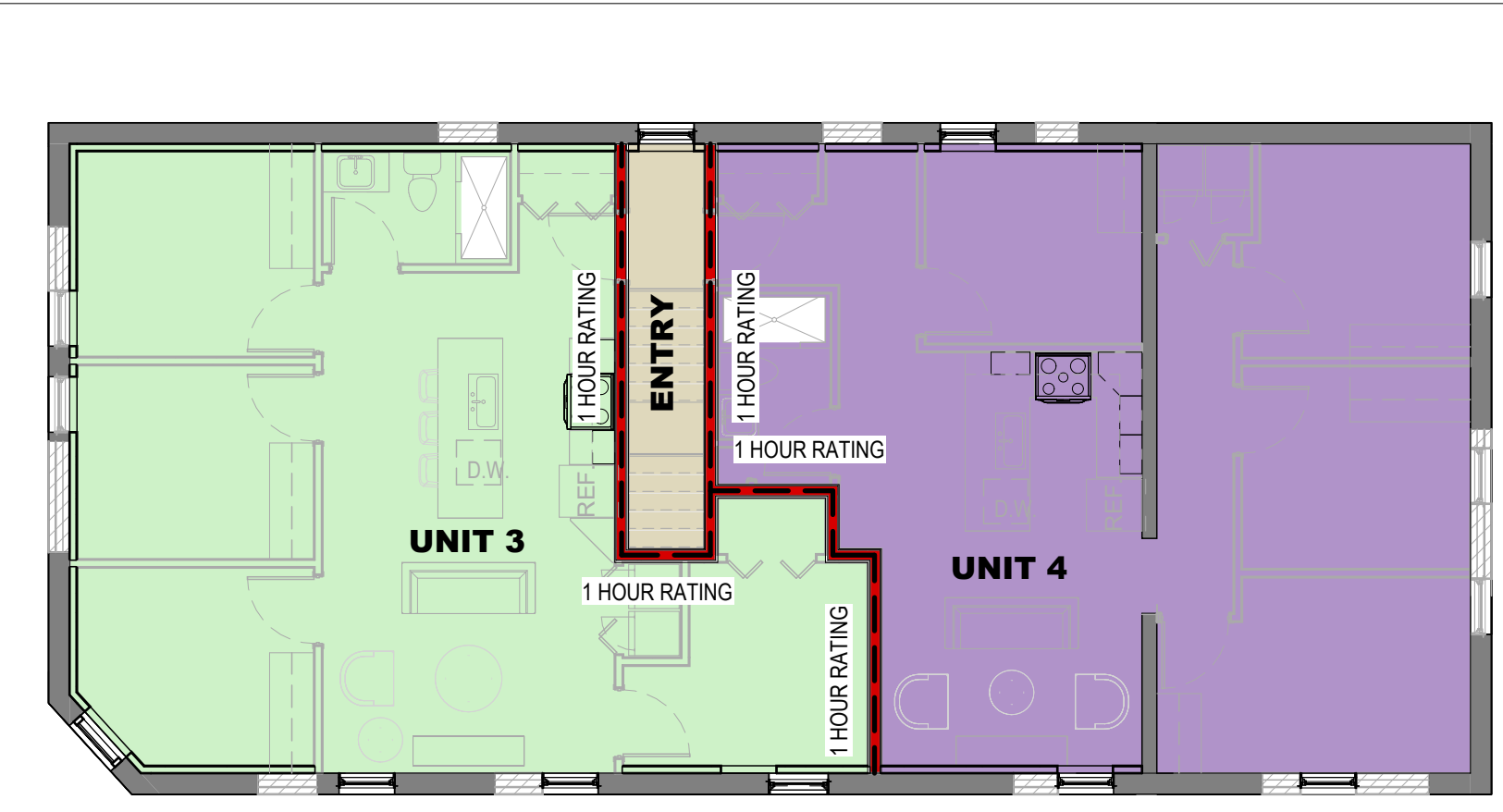
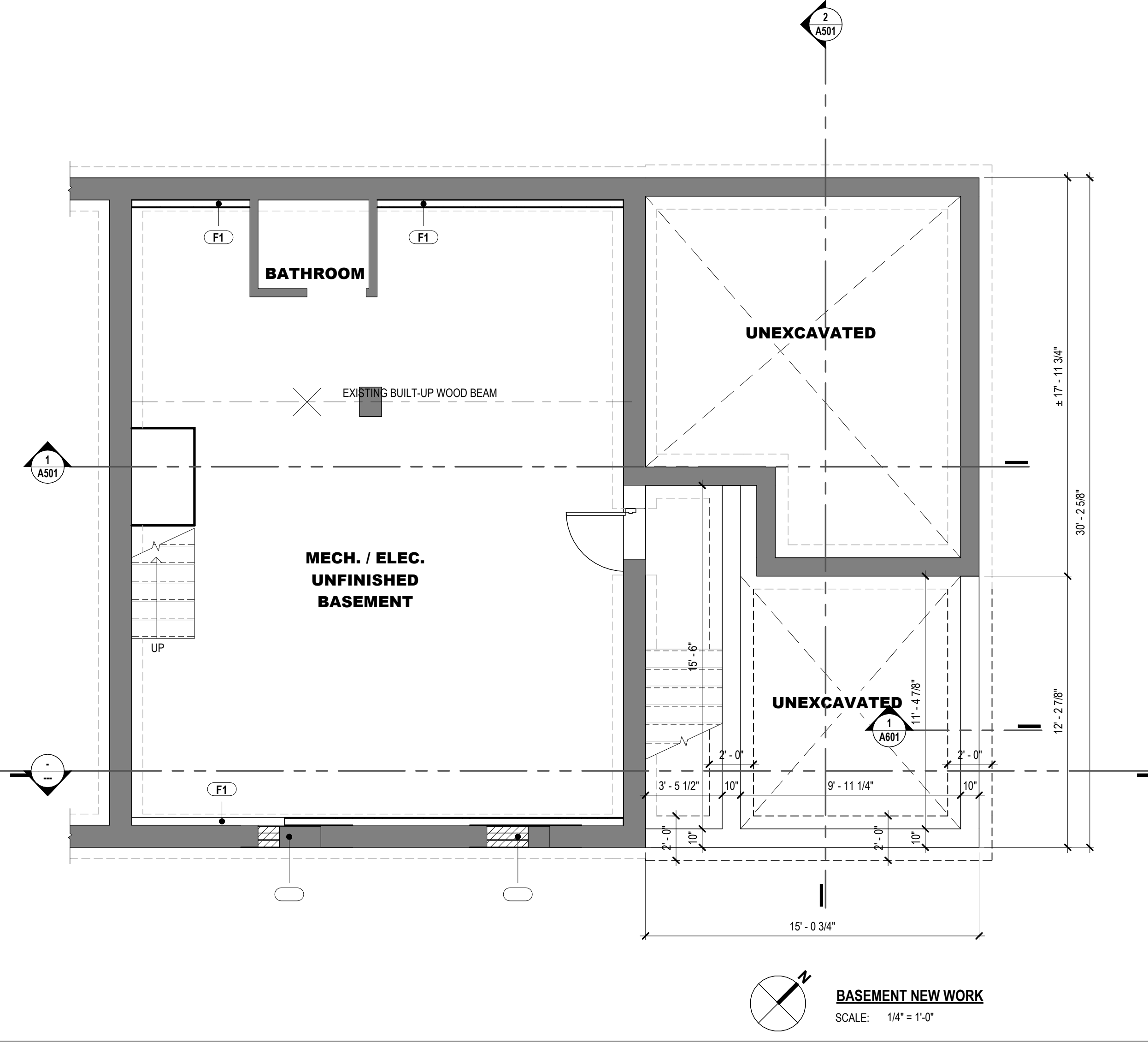
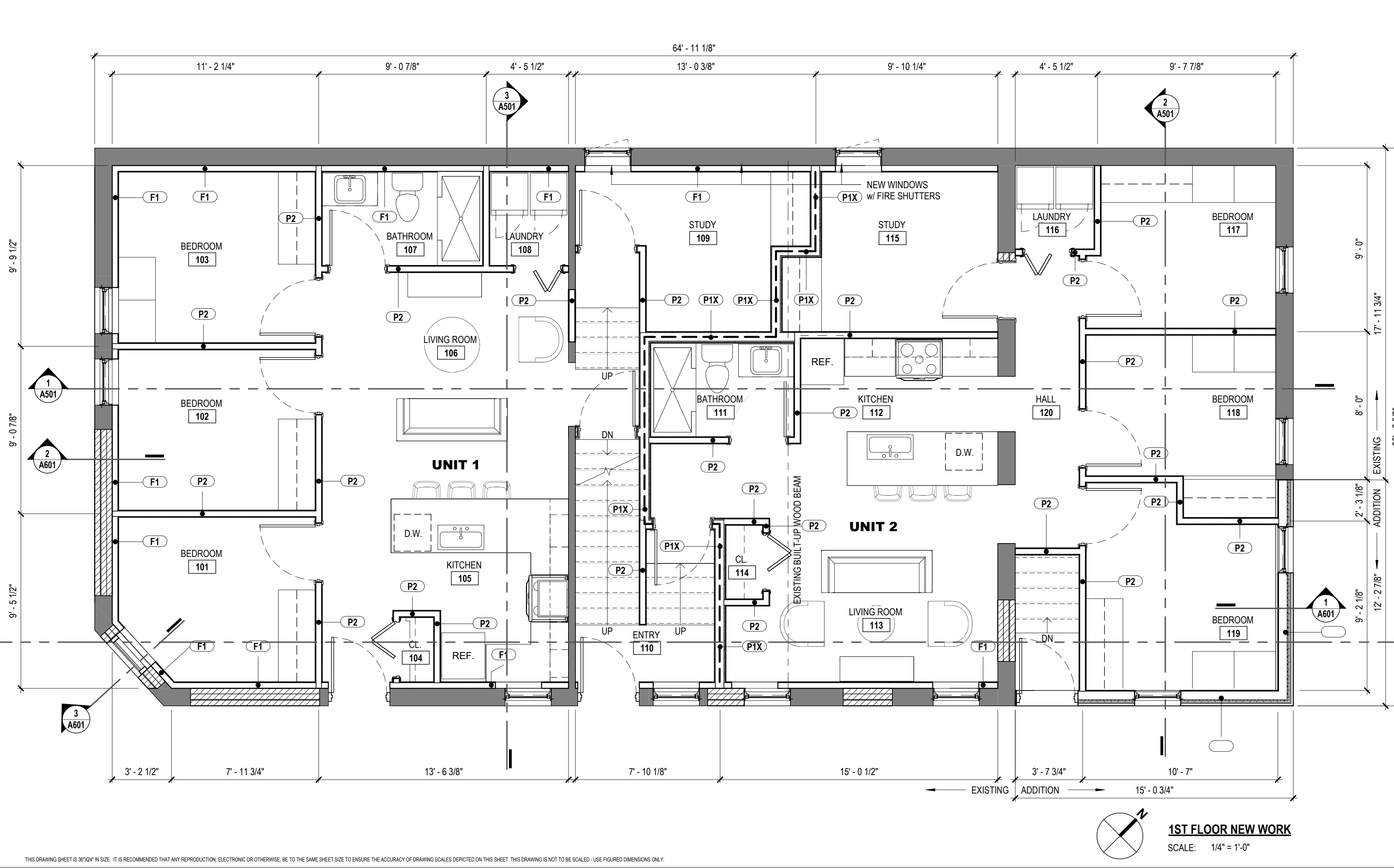
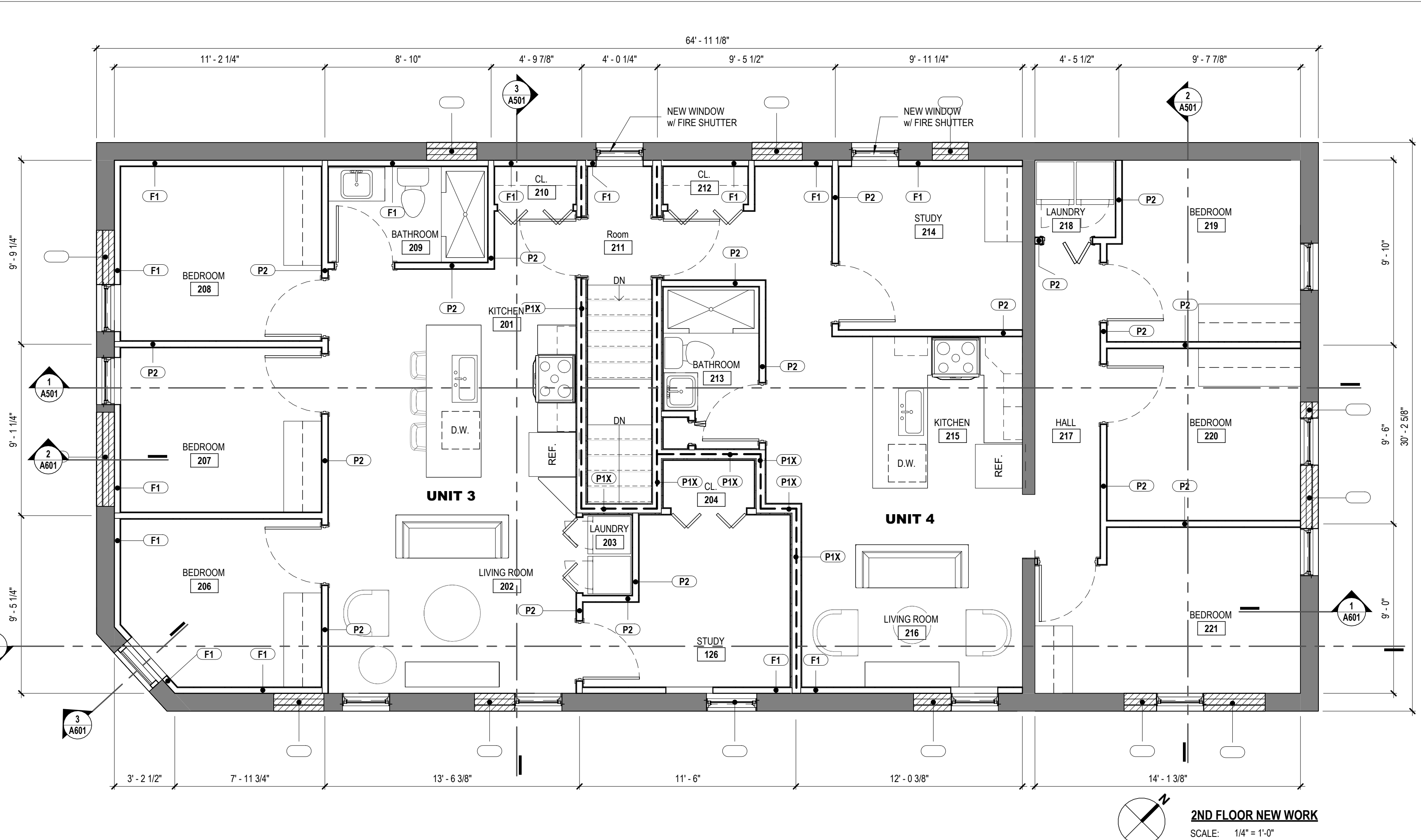
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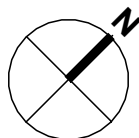
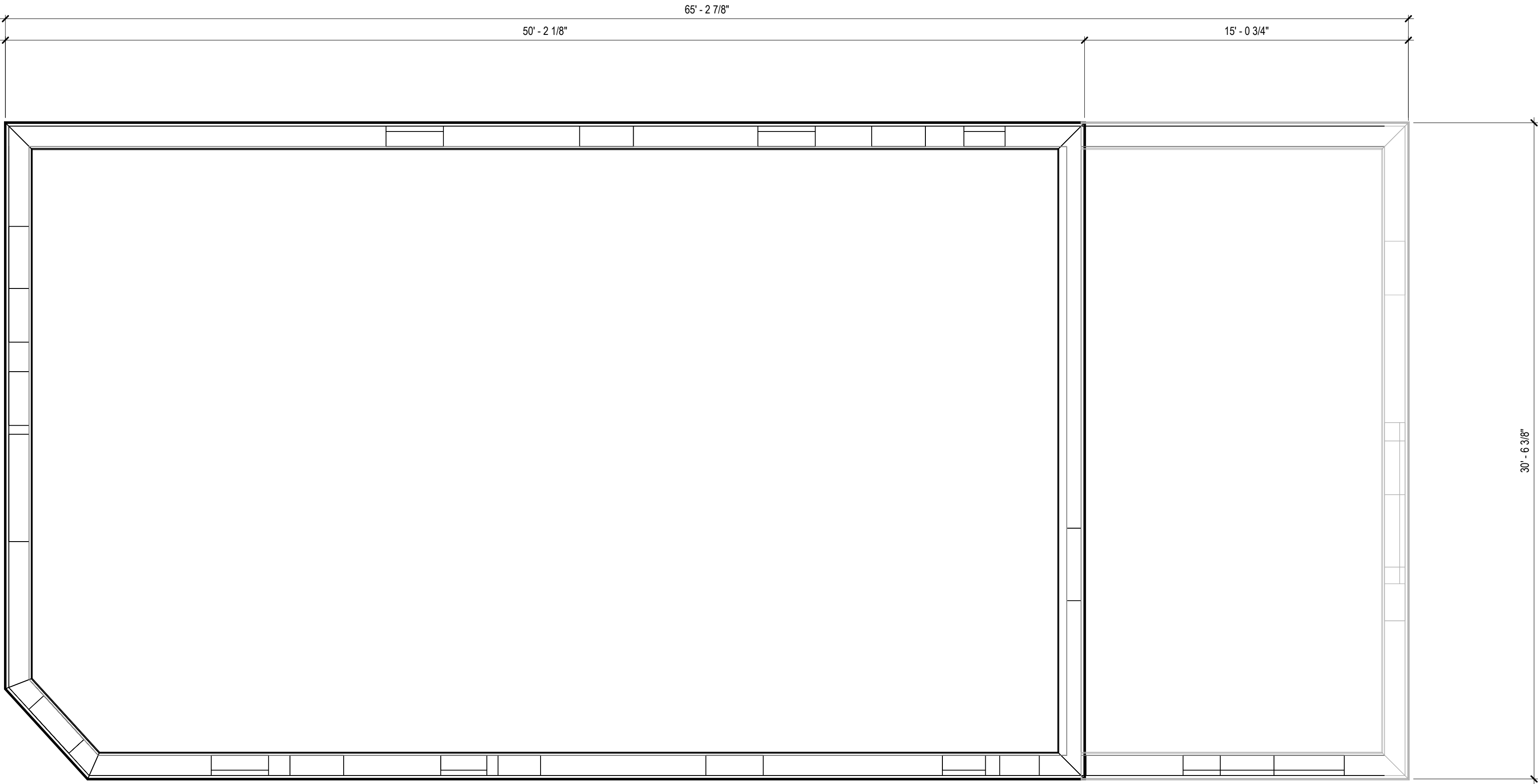
LEGEND	
	EXISTING WALL TO BE DEMOLISHED
	EXISTING WALL TO REMAIN
	EXISTING WINDOW TO BE DEMOLISHED
	EXISTING DOOR TO BE DEMOLISHED
	EXISTING STAIRS TO BE DEMOLISHED

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BLOC GROUP  
**RENOVATION 4-PLEX**  
1098 Albert Rd., Windsor, Ontario N8Y 3P3

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**Building Section 3**

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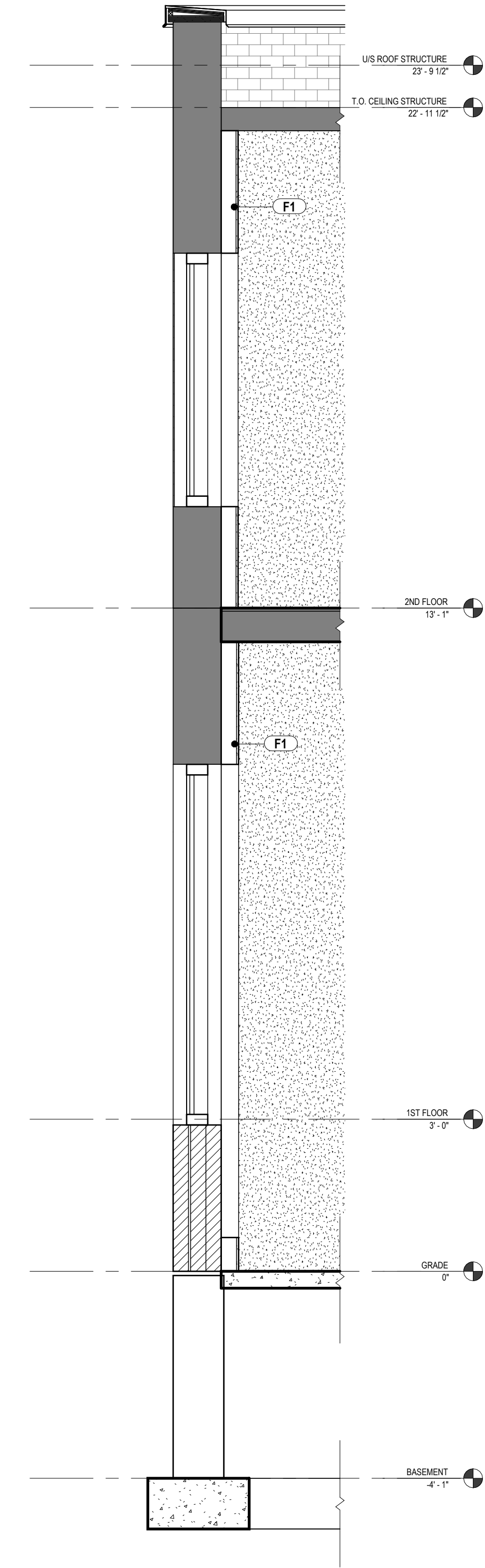
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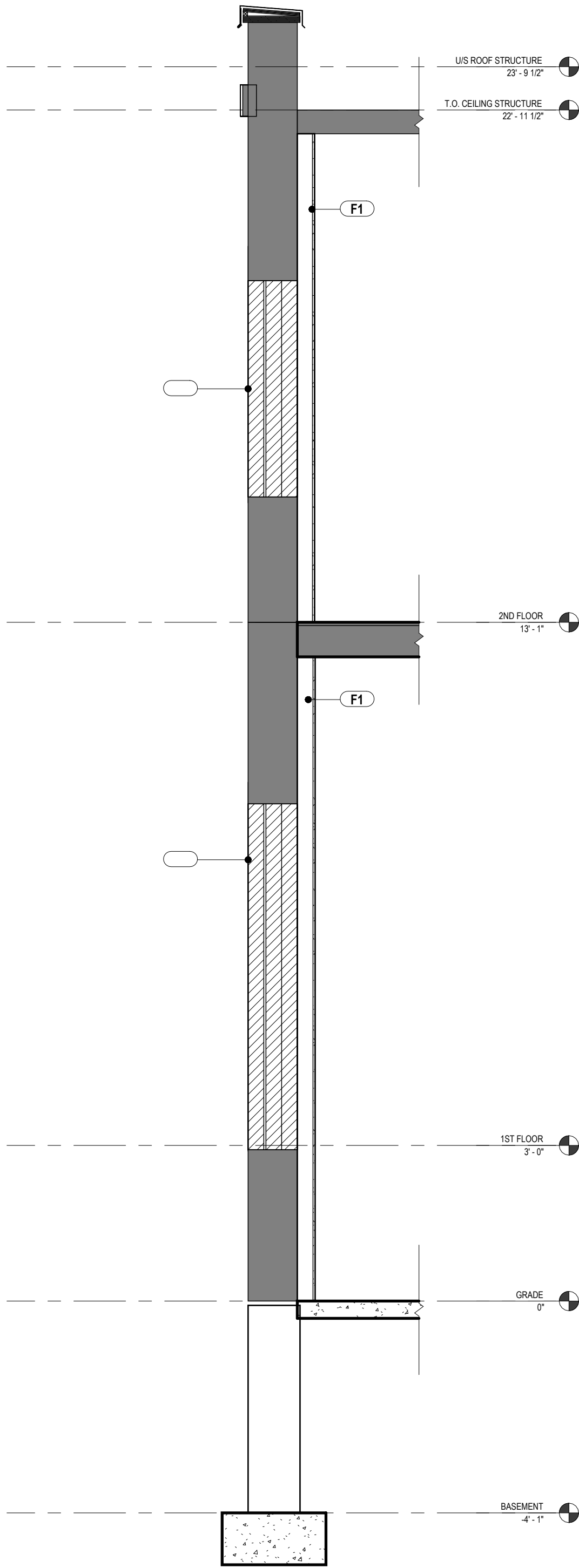
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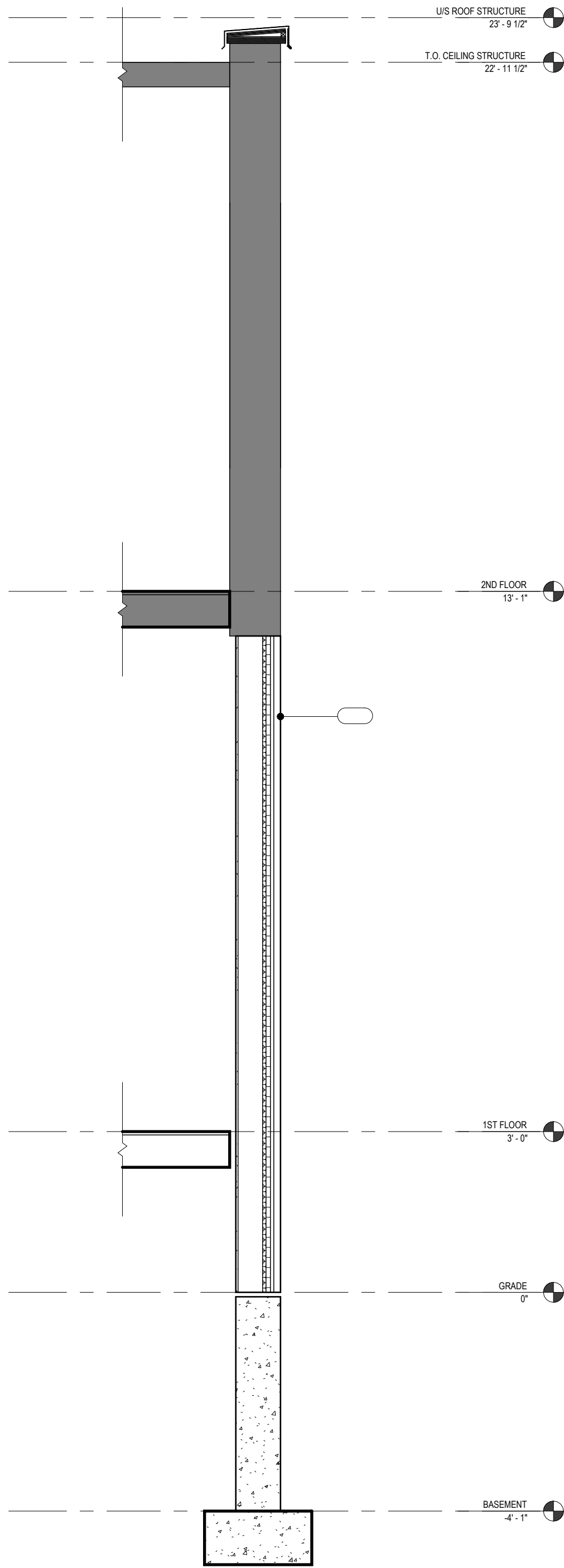




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2 Section 2  
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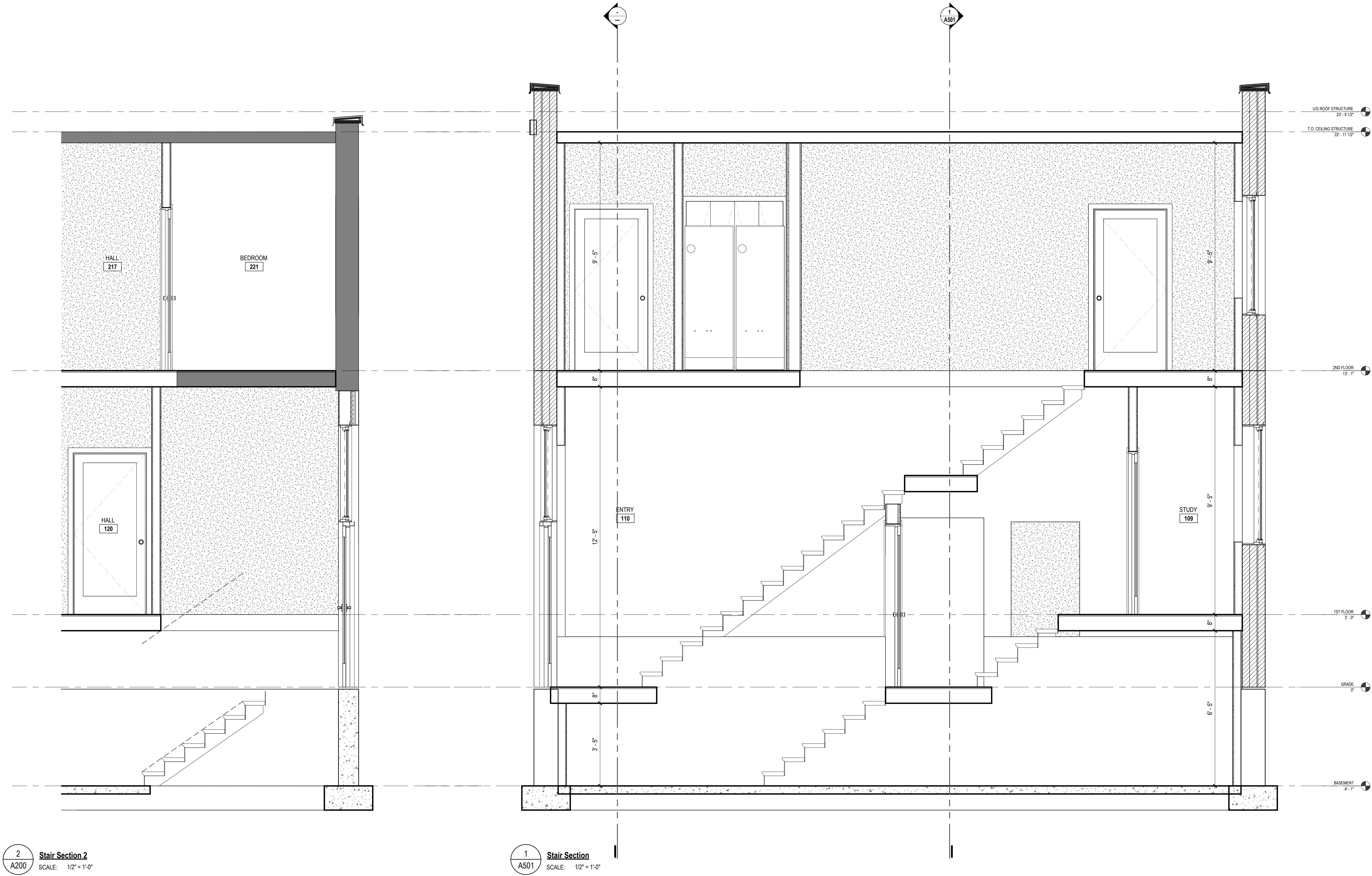


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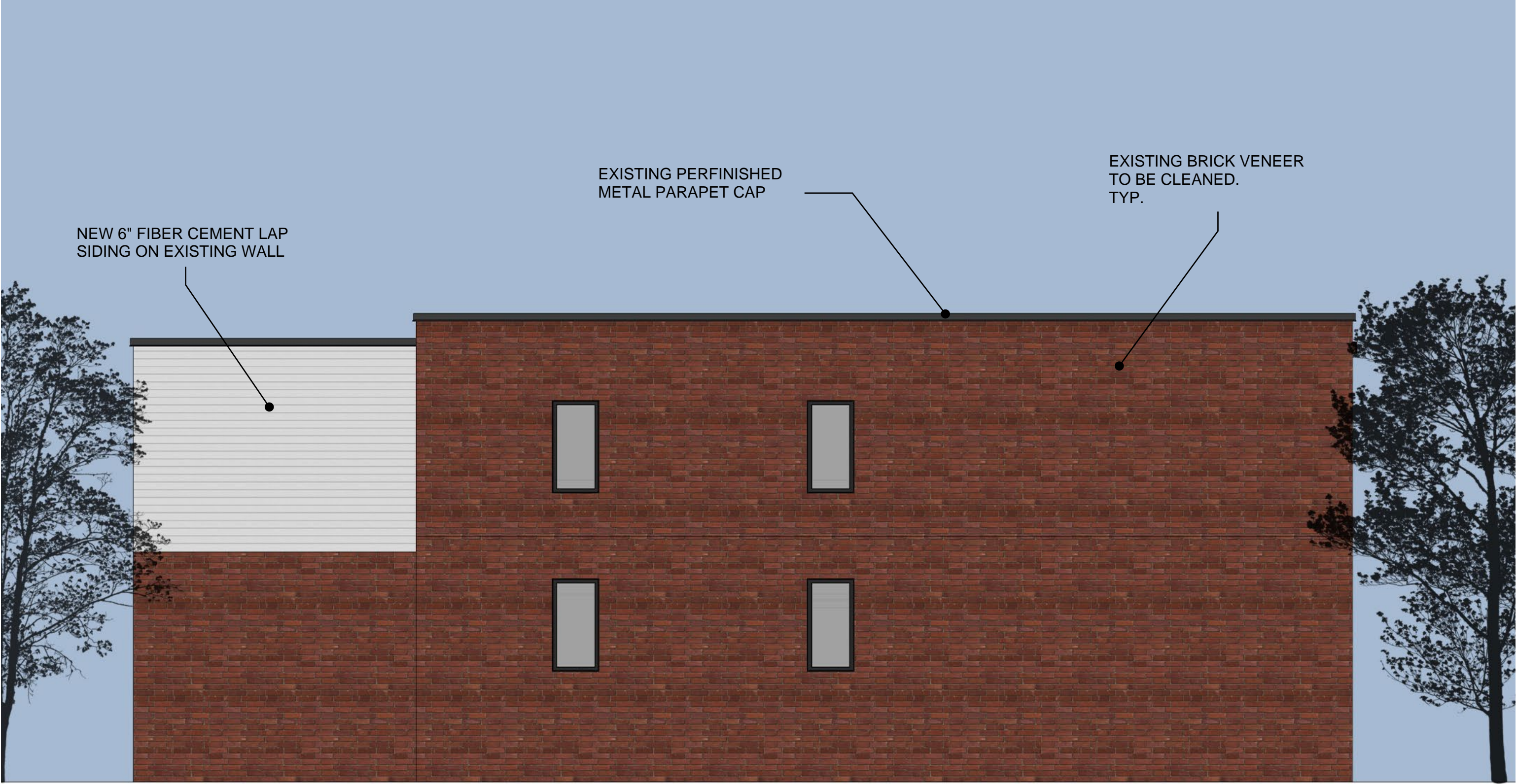


EXISTING PERFINISHED  
METAL PARAPET CAP

NEW 6" FIBER CEMENT LAP  
SIDING ON EXISTING WALL

EXISTING BRICK  
VENEER TO BE  
CLEANED.  
TYP.







EXISTING PERFINISHED  
METAL PARAPET CAP

EXISTING BRICK VENEER  
TO BE CLEANED.  
TYP.



# PLANNING RATIONALE REPORT

## ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

1098 Albert Road  
Windsor, Ontario

**March 8, 2024**

**Prepared by:**



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# Table of Content

1.0	INTRODUCTION	3
2.0	SITE AND SURROUNDING LAND USES	4
2.1	Description of Site and Ownership	4
2.2	Physical Features of the Site	4
2.2.1	Size and Site Dimension	4
2.2.2	Existing Structures and Previous Use	4
2.2.3	Vegetation	5
2.2.4	Topography, Drainage and Soil	5
2.2.5	Other Physical Features	5
2.2.6	Municipal Services	6
2.2.7	Nearby Amenities	6
2.3	Surrounding Land Uses	6
3.0	PROPOSAL AND CONSULTATION	9
3.1	Development Proposal	9
3.2	Public Consultation Strategy	13
4.0	APPLICATIONS AND STUDIES	14
4.1	Zoning By-Law Amendment	14
4.2	Other Application	14
4.3	Supporting Studies	14
4.3.1	Parking	14
4.3.2	Urban Design	15
5.0	PLANNING ANALYSIS	16
5.1	Policy and Regulatory Overview	16
5.1.1	Provincial Policy Statement	16
5.1.2	Official Plan	24
5.1.3	Zoning By-law	34
6.0	SUMMARY AND CONCLUSION	38
6.1	Context and Site Suitability Summary	38

6.1.1 Site Suitability	38
6.1.2 Compatibility of Design	38
6.1.3 Good Planning	38
6.1.4 Natural Environment Impacts	39
6.1.5 Municipal Services Impacts	39
6.1.6 Social, Heritage and/or Economic Conditions	39
6.2 Conclusion	39



# 1.0 INTRODUCTION

I have been retained by BLOCS GROUP LTD. (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed development located at 1098 Albert Road (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is made up of one (1) parcel of land in Ward 5 in the East Windsor Planning District.

The Site is also within the Ford City Community Improvement Plan (CIP) area.

The Site currently has a two (2) storey building with a partial basement.

It is proposed to renovate the existing building and create a multiple dwelling with four (4) residential units with on-site parking.

The Site has access to full municipal services.

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 building permit prior to any construction or site alterations.

Pre-consultation (stage 1) was completed by the Applicant. Comments dated January 8, 2023, and February 13, 2024 (City File #PC-061/23) 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 (PPS) 2020, 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, consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.





Figure 1b – Site Street View (Source: Pilon Abbs Inc.)

The previous use of the Site was for commercial purposes on the main floor and residential areas above.

The property is currently deemed as legal non-conforming with a combined use building which had a grocery store and 3 residential dwelling units (permitted in 1997).

### **2.2.3 Vegetation**

The Site has an existing grassed area. There are no 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 Windsor Area Drainage.

The Site is impacted by Source Water Protection and is within an Event Based Area (EBA) 2.

The soil is made up of Brookstone Clay Loan (Bcl).

### **2.2.5 Other Physical Features**

There is an existing vehicle driveway along Richmond Street.

There is fencing along the portions of the Site boundary.

There is an existing gravel alley along the east side of the Site.

### **2.2.6 Municipal Services**

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

Albert Road is a north/south local residential road, and Richmond Street is an east/west local residential road.

There is on-street parking in the area of the Site.

There are streetlights or sidewalks along Albert Road and Richmond Street.

The closest fire hydrant is located directly in front of the Site on the northeast corner of Albert Road and Richmond Street.

The Site has access to transit with the closest bus stop located at the corner of Richmond Street and Hickory Road (89 m), Stop ID: 1456 (Bus #3).

The Site is in close proximity to major transportation corridors, including Wyandotte Street East and Walker Road.

### **2.2.7 Nearby Amenities**

There are several schools nearby, including King Edward Public School, St. Anne French Immersion and Walkerville Secondary School.

There are many parks and recreation opportunities in close proximity to the Site, including Whelpton Park, Garry Dugal Park and Willistead Park.

The nearest library is Windsor Public Library – Seminole Branch.

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 5, in the East Windsor Planning District.

The Site is also within the Ford City Community Improvement Plan (CIP) area.

A site visit was undertaken on January 30, 2024. Photos were taken by Pilon Abbs Inc..

**North** – The lands directly north of the Site are used for residential use, with access from Albert Road (see Photo 1 - North).





Photo 1 – North

**South** – The lands directly south of the Site are used for residential use, with access from Richmond Street and Albert Street (see Photo 2 - South).



Photo 2 – South

**East** – The lands east of the Site (beyond the alley) are used for residential use, with access from the alley (see Photo 3 - East).



Photo 3 – East

**West** – The lands west of the Site are used for residential and commercial use, with access from Albert Road (see Photo 4 - West).



Photo 4 – West

## **3.0 PROPOSAL AND CONSULTATION**

### **3.1 Development Proposal**

The property is currently deemed as legal non-conforming with a combined use building which had a grocery store and 3 residential dwelling units (permitted in 1997).

It is proposed that the Site will be developed for residential purposes.

The Site currently has a two (2) storey building with a partial basement.

It is proposed to renovate the existing building and create a multiple dwelling with four (4) residential units with on-site parking.

The commercial use will be removed.

A Concept Plan has been prepared by Architecttura, Architects and Engineers (see Figure 2a – Concept Plan).



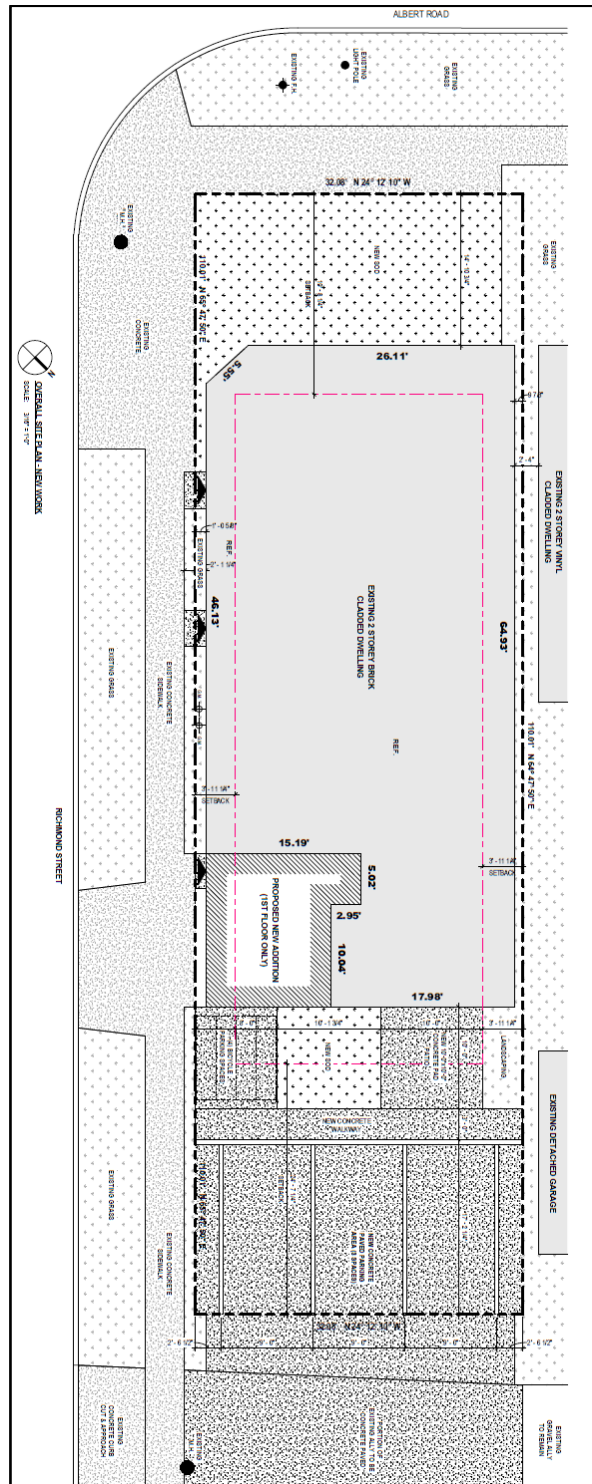


Figure 2a – Concept Plan



The concept plan illustrates a preliminary proposal.

Renovations will include the interior of the existing building.

Based on the size of the Site (0.033 ha), and the number of proposed residential units (4) the proposed gross density will be 121.21 units per hectare (uph).

The tenure of the units is proposed to be rental.

The existing building is 7.52 m in height (2-storeys).

The new building footprint will be maintained within the existing building's overall parameters and massing.

A proposed first floor addition is planned for the rear of the building.

The gross floor areas are proposed as follows;

- Main floor area = 181.53 m<sup>2</sup>
- Second floor plan = 181.53 m<sup>2</sup>
- Basement storage floor = 65 m<sup>2</sup>

The total building area will result in a total lot coverage of 55%.

The partial basement area will be maintained for services and storage.

Exterior renovations are proposed (see Figure 2b – Elevations).

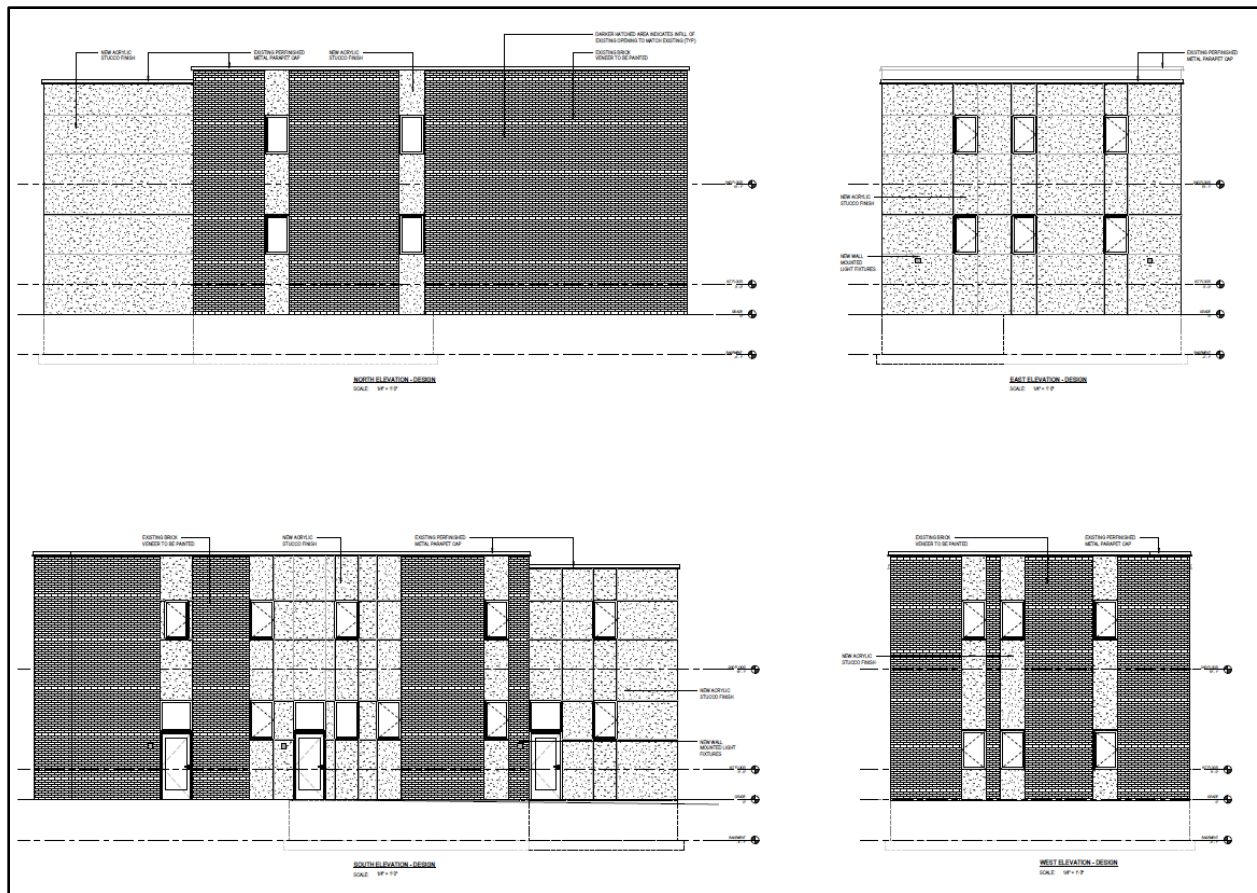


Figure 2b – Elevations

The elevations illustrate a preliminary design of the building.

The deteriorating vinyl siding is proposed to be replaced with an off-white acrylic stucco to emulate the tone of the limestone accents found in similar buildings in the area.

Windows will be black framed aluminum clad units.

Currently, the existing building possesses 3 entry points, which will be maintained.

Units range in size, with 3 bedrooms in each dwelling unit.

A new paved parking area with access from the alley is proposed. A total of 3 parking spaces are provided.

A total of 4 bicycle parking spaces will be provided.

Professional landscaping will be provided.

The concrete area in the front of the building will be removed and grass planted.

An outdoor amenity patio area will be provided in the rear yard.

Waste management (garbage and recycling) is handled indoors and will be brought to the curb.

The Site will be serviced with full municipal services, including water, storm and sewers.

## 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 Thursday, March 7, 2024, from 6:00 pm to 7:00 pm.

A total of 134 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 2 people attended.

Emails were also received.

The following is a summary of the comments and responses from the public open houses:

Topic Item	Comments and Questions	Response
Existing Sign	Can I have the old sign?	Request sent to the property owner.
Concrete	Will the concrete at the front the building remain?	The concrete will be removed, and the area will be grassed.
North Wall	What does the north wall look like?	Elevation was provided. The north wall will have 4 windows.
Abutting Lands	We have plants and flowers. Will they be protected during construction?	The building will be informed to ensure there is no damage to the plants and flowers.
Overall Support	This is a good development for the area.	Noted.

## **4.0 APPLICATIONS AND STUDIES**

Pre-consultation (stage 1) was completed by the Applicant. Comments dated January 8, 2023, and February 13, 2024 (City File #PC-061/23) 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 Zoning By-law Amendment (ZBA) is required to permit the proposed development.

The zoning for the Site is proposed to be changed from Residential District 1.3 (RD1.3) category to a site specific Residential District 1.3 (RD1.3 - S.20(1)(XXX)) category, as shown on Map 6 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 4 dwelling units as an additional permitted use, the proposed development will comply with all zone provisions set out in the RD1.3 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 building permit prior to any construction or site alterations.

### **4.3 Supporting Studies**

The following studies have been prepared to support the application.

#### **4.3.1 Parking**

A Parking Study was prepared by RC Spencer Associates Inc., Consulting Engineers, dated January 2024.

The purpose of the report was to assess the impact of the proposed reduction of parking spaces in the area of the Site.

The report concluded that the proposed parking supply is in keeping with the current sustainable policies intended to encourage non-auto modes of travel and adequately accommodate parking demand.

#### **4.3.2 Urban Design**

An Urban Design Brief (UDB) was prepared by Architectura, Architects and Engineers, dated February 1, 2024.

The purpose of the report was to assess the design of the building in order to be compatible with the area of the Site.

The Windsor Intensification Guidelines were taken into account in the design of the building.

The report concluded that the proposed residential development is appropriate for the area and consistent with good planning and urban design principles.

## 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.....	<p>Windsor has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns.</p> <p>Residential use on the Site represents an efficient development pattern that optimizes the use of land.</p> <p>The Site will provide for a new housing choice in an existing built-up area.</p>
1.1.1	Healthy, liveable and safe communities are sustained by:  a) promoting efficient development and land use patterns which sustain the	The proposed development is consistent with the policy to build strong, healthy, and livable communities as it provides for a development

PPS Policy #	Policy	Response
	<p>financial well-being of the Province and municipalities over the long term;</p> <p>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;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting.....cost-effective development patterns and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>h) promoting development and land use patterns that conserve biodiversity.</p>	<p>where people can live, work and play.</p> <p>The proposed development offers a new housing choice.</p> <p>There are no anticipated environmental or public health and safety concerns as the area is established.</p> <p>The development pattern does not require expansion of the settlement area as it is considered infilling and intensification.</p> <p>The proposed development will not change lotting or street patterns in the area.</p> <p>The Site has access to full municipal services and is close to existing local parks, places of worship, and schools.</p> <p>Accessibility of units will be addressed at the time of the building permit.</p> <p>Public service facilities are available, such as local schools.</p> <p>The development pattern is proposed to be an efficient use of the Site.</p>
1.1.2	Sufficient land shall be made available to accommodate an	The proposed development will help the City of Windsor

PPS Policy #	Policy	Response
	<p>appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years.</p> <p>Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.</p>	<p>meet the full range of current and future residential needs through intensification.</p> <p>The Site will provide for residential infilling within an existing settlement area.</p>
1.1.3.1	Settlement areas shall be the focus of growth and development.	<p>The proposal enhances the vitality of the Municipality, as the proposal is within an existing settlement area.</p> <p>There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.</p>
1.1.3.2	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> <li>a) efficiently use land and resources;</li> <li>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;</li> <li>c) minimize negative impacts to air quality and climate</li> </ul>	<p>The Site will provide for a new housing choice in an existing built-up area.</p> <p>The total density of the proposed development is considered appropriate.</p> <p>The Site provides for an infilling opportunity using an existing building.</p> <p>The existing building was underutilized and offers a new housing choice.</p> <p>The design and style of the building will blend well with the scale and massing of the</p>



PPS Policy #	Policy	Response
	<p>change, and promote energy efficiency;</p> <p>d) prepare for the impacts of a changing climate;</p> <p>e) support active transportation;</p> <p>f) are transit-supportive, where transit is planned, exists or may be developed; and</p> <p>g) are freight-supportive.</p>	<p>existing surrounding neighbourhood.</p> <p>Residents will have immediate access to local amenities, shopping, employment, recreational areas, and institutional uses.</p> <p>Transit is available for the area.</p> <p>The Site is located close to major transportation corridors.</p>
1.1.3.3	<p>Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.</p>	<p>The proposed development is located on a Site that is physically suitable.</p> <p>The Site is flat, which is conducive to easy vehicular movements.</p> <p>The intensification can be accommodated for the proposed development as it is an appropriate use of the Site.</p> <p>Parking will be provided on-site. Off-site parking is also available.</p>
1.1.3.4	<p>Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</p>	<p>The proposed renovations will be built with a high standard of construction, allowing seamless integration with the existing area.</p>

PPS Policy #	Policy	Response
		<p>There will be no risks to the public as identified in the support studies.</p> <p>The Site is outside of the ERCA regulated area.</p>
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.	<p>The proposed development does have a built form that is compact.</p> <p>The existing building size will allow for the efficient use of land, existing building, vehicle access, and infrastructure.</p>
1.4.1 - Housing	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are</p>	<p>The proposed development will provide for an infill and intensification opportunity in the existing built-up area.</p> <p>The Site offers an opportunity for intensification in an area with a mix of uses.</p> <p>Municipal services are available.</p>

PPS Policy #	Policy	Response
	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.	
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.	The proposed density is compatible with the surrounding area.  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	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of

PPS Policy #	Policy	Response
	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.	servicing for settlement areas.
1.6.6.7 - Stormwater	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> <li>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</li> <li>b) minimize, or, where possible, prevent increases in contaminant loads;</li> <li>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;</li> <li>d) mitigate risks to human health, safety, property and the environment;</li> <li>e) maximize the extent and function of vegetative and pervious surfaces; and</li> <li>f) promote stormwater management best practices, including stormwater</li> </ul>	<p>There will be no anticipated impacts on the municipal system, and it will not add to the capacity in a significant way.</p> <p>There will be no risk to health and safety.</p> <p>There are streetlights in the area of the Site.</p>

PPS Policy #	Policy	Response
	attenuation and re-use, water conservation and efficiency, and low impact development.	
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.  There are sidewalks in the area of the Site.
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 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 existing 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.	The Site is outside the regulated area of ERCA.

PPS Policy #	Policy	Response
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 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. 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).

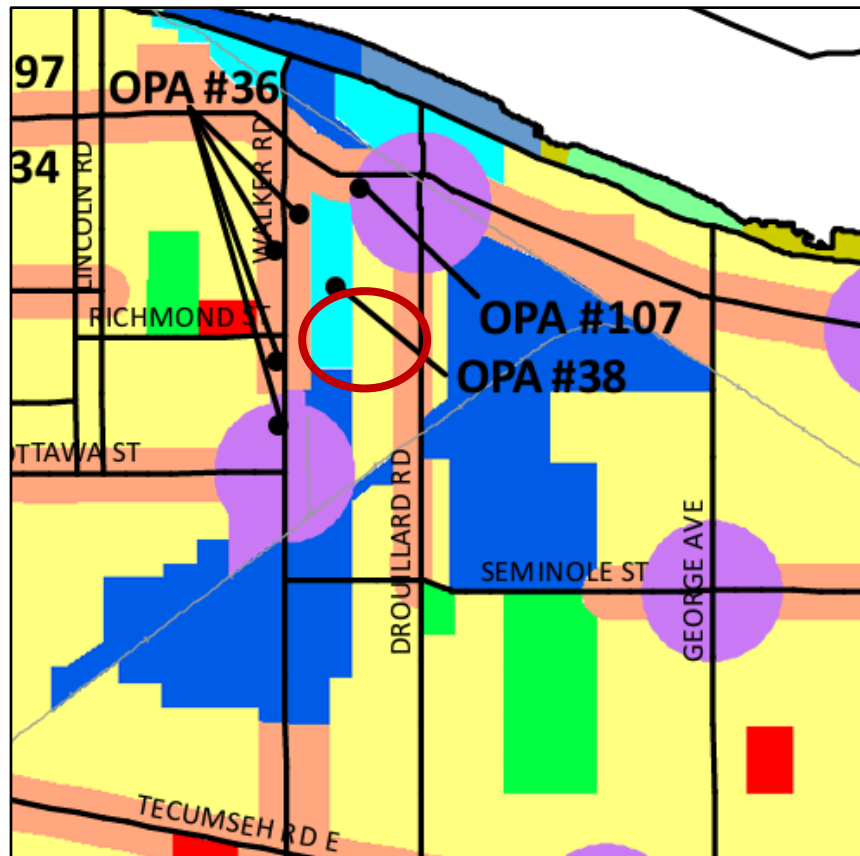


Figure 3 –OP

The 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.	<p>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.</p> <p>The proposed development will incorporate design features to protect, maintain and improve the quality of life for present and future generations by integrating the</p>

OP Policy #	Policy	Response
		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.	<p>The proposed development supports one of the City's overall development strategies of providing for a range of housing types in an existing neighbourhood.</p> <p>The Site will provide for a new housing choice in an existing built-up area.</p>
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 of the neighbourhood will be retained and enhanced.	The Site will provide for a new housing choice in an existing built-up area.
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.	<p>The proposed development will support the City's goal of promoting a healthy community.</p> <p>The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks.</p>
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development	The proposed development supports the policy set out in the OP as it is suited for the residential needs of the City.



OP Policy #	Policy	Response
	through an approach, which balances environmental, social and economic considerations.	
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.1 Safe, caring and diverse neighbourhoods.</p> <p>6.1.3 Housing suited to the needs of Windsor's residents.</p> <p>6.1.10 Pedestrian oriented clusters of <b>residential</b>, commercial, employment and institutional uses.</p>	<p>The proposed development supports the goals set out in the OP as it provides for the intensification of residential offering a new housing choice.</p> <p>Care in the design of the multiple dwelling has taken into consideration the built form in the area.</p> <p>The development uses an existing building.</p>
6.1.14 – Residential Intensification	To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.	The Site has access to transportation, full municipal services and local amenities.
6.2.1.2 – General Policies, Type of Development Profile	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p>(a) <b>Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</b></p> <p>(b) Medium Profile developments are buildings or</p>	<p>The proposed development is considered a low profile development as it is a 2 storeys existing building.</p> <p>The proposed development is in keeping with the neighbouring heights and densities found in the area.</p> <p>Renovations will include interior and exterior of the existing building.</p>

OP Policy #	Policy	Response
	<p>structures generally no greater than six (6) storeys in height; and</p> <p>(c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.</p>	
6.3.1.1 – Range of Forms & Tenures (Residential)	To support a complementary range of housing forms and tenures in all neighbourhoods	<p>It is proposed to use the existing 2 storey building to create the additional unit.</p> <p>The proposed development will offer a new housing choice which will complement the existing neighbourhood.</p> <p>The Site is a corner lot, and the existing building has a street presence with parking behind the building.</p>
6.3.1.2 - Neighbourhoods	To promote compact neighbourhoods which encourage a balanced transportation system.	<p>The proposed development takes advantage of the entire Site and access from the alley.</p> <p>The Site has access to transit and is in close proximity to major transportation corridors.</p>
6.3.1.3 – Intensification, Infill & Redevelopment	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	<p>The proposed development is considered infill and intensification.</p> <p>The use of the existing building is appropriate for development.</p> <p>The Site is large enough to accommodate the additional parking.</p>
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include	The proposed development is a permitted use in the OP as it is considered a low profile development.

OP Policy #	Policy	Response
	<p><b>Low Profile</b>, and Medium Profile dwelling units.</p> <p>High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.</p>	
6.3.2.4 – Location Criteria	<p>Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.</p> <p>New residential development and intensification shall be located where: 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.</p>	<p>The Site is located near major transportation corridors.</p> <p>Full services are available.</p> <p>Local amenities are close by.</p> <p>The proposed development is located close to nearby transit stops.</p>
6.3.2.5 – Evaluation of a Neighbourhood	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:</p> <p>(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate</p>	<p>This PRR has undertaken the required evaluation of provincial legislation.</p> <p>There are no development constraint areas that impact this Site.</p> <p>The Site will provide for a new housing choice in an existing built-up area.</p>

OP Policy #	Policy	Response
	<p>guidelines and support studies for uses:</p> <p>(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;</p> <p>(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;</p> <p>(iii) within a site of potential or known contamination;</p> <p>(iv) where traffic generation and distribution is a provincial or municipal concern; and</p> <p>(v) adjacent to heritage resources.</p> <p>(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;</p> <p>(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;</p> <p>(e) capable of being provided with full municipal physical services and emergency services; and</p>	<p>No anticipated traffic or parking concerns.</p> <p>A parking study has been completed.</p> <p>The proposed development will be strategically located to provide efficient ease of access to the proposed parking area from the alley.</p> <p>The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.</p> <p>Interior and exterior renovations are proposed (no new building).</p> <p>Full municipal services can be provided.</p> <p>An outdoor amenity patio area will be provided and new grassed area.</p> <p>The existing setbacks and the design features incorporated into the proposed development provide for a transition between uses in the area.</p> <p>City of Windsor Intensification Guidelines, dated June 2022, can be followed.</p> <p>The Ford City CIP policies will be respected.</p> <p>An UDB has been completed.</p>

OP Policy #	Policy	Response
	(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.	
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.
8.7.2.3 – Built Form, Infill Development	<p>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:</p> <ul style="list-style-type: none"> <li>(a) massing;</li> <li>(b) building height;</li> <li>(c) architectural proportion;</li> <li>(d) volumes of defined space;</li> <li>(e) lot size;</li> <li>(f) position relative to the road;</li> <li>(g) building area to site area ratios;</li> <li>(h) the pattern, scale and character of existing development;</li> <li>(i) exterior building appearance; and</li> <li>(j) Council adopted Design Guidelines that will assist in the design and review of</li> </ul>	<p>The Site provides for an infilling opportunity using an existing building.</p> <p>The proposed renovations will adhere to the Ford City IP policies.</p> <p><b>Massing</b> – The proposed development fits well into this Site, contributing to the overall architectural diversity in the area.</p> <p>The development is in keeping with the footprint extent of the existing second storey.</p> <p><b>Building height</b> – the height of the existing building is appropriate as it is located on a corner lot and provides for a transition between uses.</p>

OP Policy #	Policy	Response
	<p>applications for development in accordance with the policies noted above. (h) the pattern, scale and character of existing development; and</p> <p>(i) exterior building appearance,</p> <p>(j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above</p>	<p>The building's height and roofline will remain as it currently exists without change.</p> <p><b>Architectural proportion</b> – The proposed development will keep in character with the area through the proposed exterior renovations.</p> <p>The proposed development maintains a consistent street and block pattern.</p> <p><b>Volume of defined space</b> – The existing building maintains an active street frontage.</p> <p>The proposed development maintains a consistent and dominant percentage of original facebrick.</p> <p><b>Lot size</b> – This design approach strengthens the continuity and cohesive identity of the existing building on a corner lot.</p> <p><b>Building area</b> – The design considerations of the proposed development demonstrate a balance between fitting into the existing context and adding a unique architectural contribution to the area.</p> <p><b>Pattern, scale and character</b> – The Site is capable of accommodating the proposed development in terms of scale, massing,</p>

OP Policy #	Policy	Response
		<p>height and siting. The existing building will be used (no new building is proposed).</p> <p><b>Exterior building appearance</b> – The existing 2 storey residential development takes inspiration from the surrounding area for the design aesthetic.</p> <p>The proposed development maintains colour tones that reflect the existing red clay facebrick.</p>
<p>City of Windsor Intensification Guidelines, dated June 2022 – Section 1.2 – Purpose of the Design Guidelines</p>	<p>The objective of the Urban Design Guidelines is to provide direction for the design of future uses that respect the unique character of Windsor's neighbourhoods.</p>	<p>An UDB has been completed.</p> <p>The proposed development is consistent with the applicant guidelines set forth in the document.</p> <p>A low profile residential development is proposed, which is compatible with the area.</p> <p>The Site provides for an infilling opportunity, allowing a transition between uses within an existing established neighbourhood.</p> <p>The existing building height is in keeping with the zoning requirements.</p> <p>The design and style of the existing building, along with the proposed renovations, will blend well with the scale and massing of the existing surrounding neighbourhood.</p>

Therefore, the proposed development will conform to the City of Windsor OP, and an amendment is not required.

### 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 6 attached to the ZBL the Site is currently zoned Residential District 1.3 (RD1.3) category (see Figure 4 – Zoning).

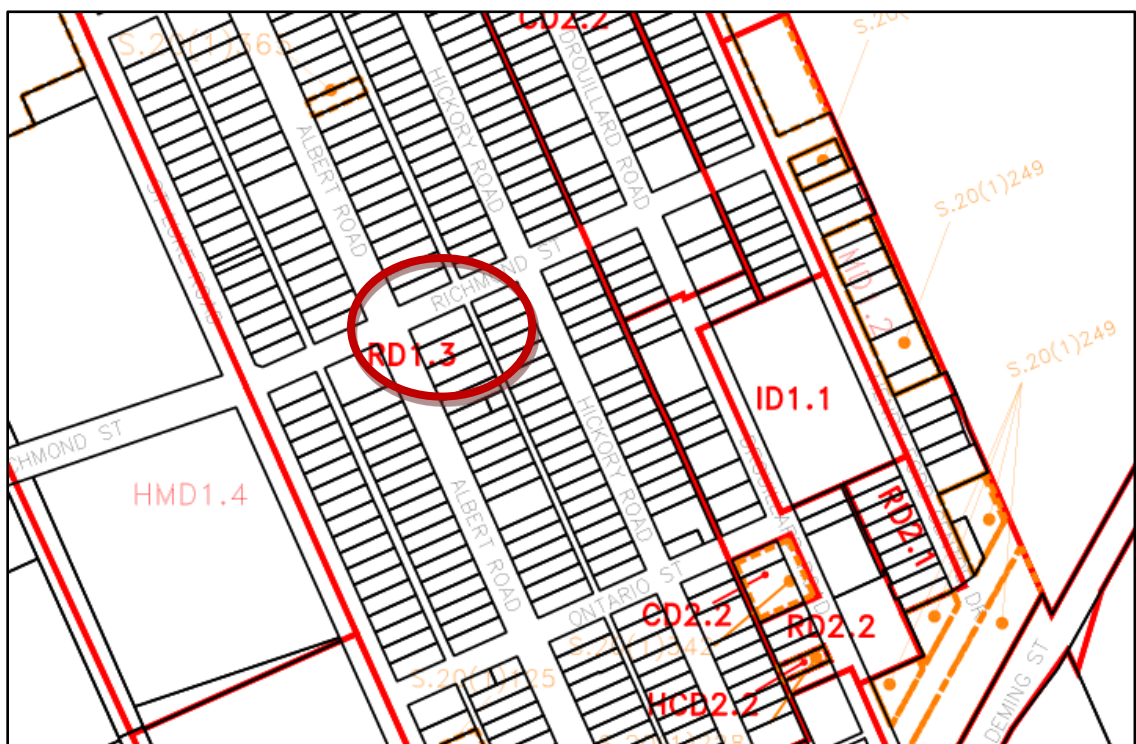


Figure 4 –Zoning

The property is currently deemed as legal non-conforming with a combined use building which had a grocery store and 3 residential dwelling units (permitted in 1997).

The zoning for the Site is proposed to be changed to a site specific Residential District 1.3 (RD1.3 - S.20(1)(XXX)) category as shown on Map 6 of the City of Windsor Zoning By-Law (ZBL) in order to permit a multiple dwelling with 4 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 RD1.3 zone provisions, as set out in Section 10.3 of the ZBL is as follows:

Zone Regulations (Section 10.3)	Required RD 1.3 Zone (using duplex dwelling)	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	Existing Duplex Dwelling Existing Semi-Detached Dwelling One Single Unit Dwelling Any use accessory to the preceding uses	Multiple dwelling with 4 dwelling units	A zoning amendment is required to permit the proposed development as an additional permitted use.  Similar to a double duplex.
Min. Lot Width	9.0 m	9.78 m along Albert Road - existing	Complies
Min. Lot Area	360.0 m <sup>2</sup>	327.0 m <sup>2</sup>	Relief required.  Relief is considered minor.  The lot is existing.
Max. Lot Coverage	45.0%	55.0 %	Relief required.  The building is existing. A small addition is proposed.  Interior and exterior renovation proposed.  The commercial use will be removed.  An outdoor amenity patio area will be provided.
Max. Building Height	9.0 m	7.52 m - existing	Complies
Min. Front Yard Depth	6.0 m	4.52 m	Relief required.  Relief is considered minor.

Zone Regulations (Section 10.3)	Required RD 1.3 Zone (using duplex dwelling)	Proposed	Compliance and/or Relief Requested Justification with
			The building is existing.
Min. Rear Yard Depth	7.50 m	9.19 m	Complies
Min. Side Yard	1.20 m	0.25 m – interior 0.30 m - exterior	Relief is required for both interior and exterior.  Relief is considered minor.  The building is existing.
Max. Gross Floor Area – main building	400 m2	363.06 m2 - total building	Complies
Min. Parking Spaces Required (Table 24.20.20.5.1)	Multiple Dwelling containing a maximum of 4 Dwelling units = 1.25 for each dwelling units  <b>= 5 Total</b>	3 parking spaces	Relief required.  Relief is considered minor.  A parking study has been completed.  A total of 4 bicycle parking spaces will be provided.
Min. Daylight Corner - 5.15.5	On a corner lot, any part of any building or structure shall have a <b>minimum separation of 6.0 metres from the point of intersection of any two streets</b> 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 of not more than one	Existing	Complies

Zone Regulations (Section 10.3)	Required RD 1.3 Zone (using duplex dwelling)	Proposed	Compliance and/or Relief Requested Justification with
	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 4 dwelling units, the proposed development will comply with all zone provisions set out in the RD1.3 Zone except for the following, which requires site specific relief:

1. *decrease minimum lot area from 360.0 m<sup>2</sup> to 327.0 m<sup>2</sup>,*
2. *increase the maximum lot coverage from the required 45.0 % to the proposed 55.0%,*
3. *decrease the minimum front yard depth from 6.0 m to 4.52 m,*
4. *decrease the minimum side yard from 1.20 m to 0.30 m for the exterior and 0.25 m for the interior, and*
5. *decrease the minimum parking spaces from 5 to 3.*

## **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 or parking 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 Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.

The existing building will be designed to address compatibility within uses in the area.

The proposed development will help diversify housing options in the surrounding neighbourhood and will help supply the housing units that are needed in the area.

#### **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.

The existing building is underutilized and provides an infilling opportunity.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

The previous commercial space is no longer needed.

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.

There are no parking or traffic concerns.

#### **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.

This 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 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 E – CONSULTATION COMMENTS

### BELL CANADA

The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications infrastructure and we appreciate the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

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](mailto: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](mailto: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.

### **ENBRIDGE – JOSE DELLOSA**

After reviewing the provided drawing at 1098 Albert Rd and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

#### **Please Note:**

- 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

### **TRANSIT WINDSOR – JASON SCOTT**

Transit Windsor has no objections to this development. The closest existing transit route is with the Central 3 with direct service along Richmond. The closest existing bus stop to this property is located on Richmond at Hickory Northeast Corner. This bus stop is approximately 80 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This will be maintained with Transit Windsor's City Council approved Transit Master Plan.

### **ENVIRONMENTAL SERVICES - ANNE-MARIE ALBIDONE**

The applicant must ensure compliance with both ZBL 8600 and By-law 2-2006 *A By-Law to Establish and Maintain a System for the Collection and Disposal of Waste in the City of Windsor*.

### **HERITAGE PLANNING – TRACY TANG**

Tracy Tang, Planner III – Economic Development (A) on behalf of Kristina Tang, Heritage Planner

## **Built Heritage**

The subject property is not recognized on the Windsor Municipal Heritage Register. However, it appears to be a traditional example of a c.1920s combined use building with historic red brick masonry units and details, particularly along the parapet. Please see below some general heritage best practices for your consideration.

- We are glad to see the intent to preserve and restore of the existing red brick cladding and façade details
- We discourage the painting of any previously unpainted masonry and details, including cast stone and parapet caps, as this can be very damaging to the building. It traps moisture in the masonry and causes deterioration in the long term
- A high-quality material like fibre cement board (E.g. James Hardie Board) or pre-engineered wood siding imitating traditional building materials for the horizontal lap siding is supported

## **Archaeology**

The subject property 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](mailto:ktang@citywindsor.ca), [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711,

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

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, [Archaeology@ontario.ca](mailto: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](mailto:Crystal.Forrest@ontario.ca)

## **TRANSPORTATION PLANNING – ELARA MEHRILLOU**

- The Official Plan classifies Albert 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.
- The Official Plan classifies Richmond Street as a Class I Collector with a required right-of-way width of 15.2 meters per Schedule X. The current right-of-way sufficient; therefore, no conveyance is required.

- A 4.6-meter corner cut-off is required at the corner of Albert Road and Richmond Street.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All parking must comply with ZBL 8600.

Transportation Planning has reviewed the submitted Parking Study titled "1098 Albert Road Residential Windsor, ON" File Number "24-1551" dated "January 2024" conducted by RC Spencer Associate Inc.

- We agree this project as being on the transit route.
- Being approximate of VIA Rail Station is irrelevant to the parking deficiency of the project.
- Sustainable policies intended to encourage non-auto modes of travel, addresses reduction of numbers of auto -travel not reduction of the number of automobiles. Therefore, this does not address the parking space deficiency.

After confirming with Parking Department, *this area is currently very tight for on-street parking particularly in the evening. The spill-over from this development due to lack of parking will make a on-street parking situation worse.*

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

## **ZONING – CONNER O’ROURKE**

- **Current Zoning Designation: RD 1.3**
- **Proposed Zoning Designation: RD 1.3 (no change)**
- **Proposed Use:**
  - Multiple Dwelling with four Dwelling Units
  - Not permitted in RD 1.3
  - By-law Amendment requested to permit use
- **Section 5 – General Provisions**
  - COMPLIES
- **Section 10.3 – Residential District 1.3**
  - COMPLIES
- **Section 24 – Parking, Loading and Stacking Provisions:**
  - Minimum Size of Parking Space: (24.20.10)
  - COMPLIES
- **Section 25 – Parking Area Regulations:**
  - NOT APPLICABLE

## **ENGINEERING – DAN LOPEZ**

We have reviewed the subject Rezoning application and have the following comments:

### **Required Drawing Revisions:**

**1. Driveway Approaches** – Do not conform to City of Windsor Standards, which must be constructed with straight flares and no raised curbs within the right-of-way.

- o Modify as per Standard Engineering Drawing AS-204.
- o Redundant curb cut must be restored
- o A new entrance off Richmond to parking area is preferred.

**2. Sewer Connections** – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- o Modify drawings to include all sewer connections and water services.
- o Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

**3. Boulevard Restoration** – Concrete flatworks East of sidewalk along Albert Road to be removed and boulevard restored as per Best Practice B.P.3.2.2.

**4. Alley Paving** – Proposal includes access off existing alley. Alley must be paved according to City of Windsor best practice BP2.3.2. The owner must also demonstrate that paving the alley will not cause adverse effects to the drainage pattern of the existing gravel alley. The owner must:

- o Submit topographic survey showing existing alley drainage
- o Demonstrate that proposed grades of alley paving will promote positive drainage
- o If necessary to allow drainage, remove and reconstruct the existing concrete alley approach.
- o Existing manhole and frame may need to be adjusted to provide positive drainage.
- o A survey with existing and proposed grading is required prior to the issuance of a street opening permit.

#### **Right-of-Way Permit Requirements:**

**CCTV Sewer Inspection** – The Owner further agrees to provide at its entire expense CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits;

**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, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

1. Commercial
  - a. Unless otherwise noted, to construct all non-residential driveway approaches of concrete in accordance with City of Windsor Standard Drawing AS-204.
  - b. Concrete flatworks on East side of sidewalk along Albert to be removed and boulevard restored as per Best Practice B.P.3.2.2.

**Sewer Connections** – The site is serviced by a 600mm combined sewer located on Albert Rd and a 375mm storm sewer located within the Richmond Street right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- o Modify drawings to include all sewer connections and water services.
- o Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
- o Alley Paving – The owner shall agree to drain and pave at their entire expense, the alley abutting the subject lands. The minimum acceptable cross-section will be 300 mm

Granular “A” and 100 mm base and surface course asphalt in accordance with Standard City of Windsor Specifications, Selected Granular Base Course (S4) and Hot Mix, Hot Laid Asphaltic Concrete (S-10). The geometrics of the pavement shall comply with City of Windsor Standard Drawing AS-201. All work shall be to the satisfaction of the City Engineer. The property owner shall also agree to the following.

- o A new catch basin and storm service may need to be installed to drain the alley.
- o Existing manhole and frame may need to be adjusted to provide positive drainage.
- o A survey with existing and proposed grading is required prior to the issuance of a street opening permit.
- o Demonstrate that proposed grades of alley paving will promote positive drainage
- o If necessary to allow drainage, remove and reconstruct the existing concrete alley approach.

If you have any further questions or concerns, please contact Thomas Huynh, of this department at [thuynh@citywindsor.ca](mailto:thuynh@citywindsor.ca)

## **ENWIN**

**HYDRO ENGINEERING: Keegan Morency Kendall**

No Objection, provided adequate clearances are achieved and maintained.

Please note the following.

- 1- ENWIN has 16kV overhead primary conductors behind the property.
- 2- ENWIN has 120/240V overhead secondary conductors behind the property.
- 3- ENWIN has a pole line behind the property.

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

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

## **WATER ENGINEERING: Bruce Ogg**

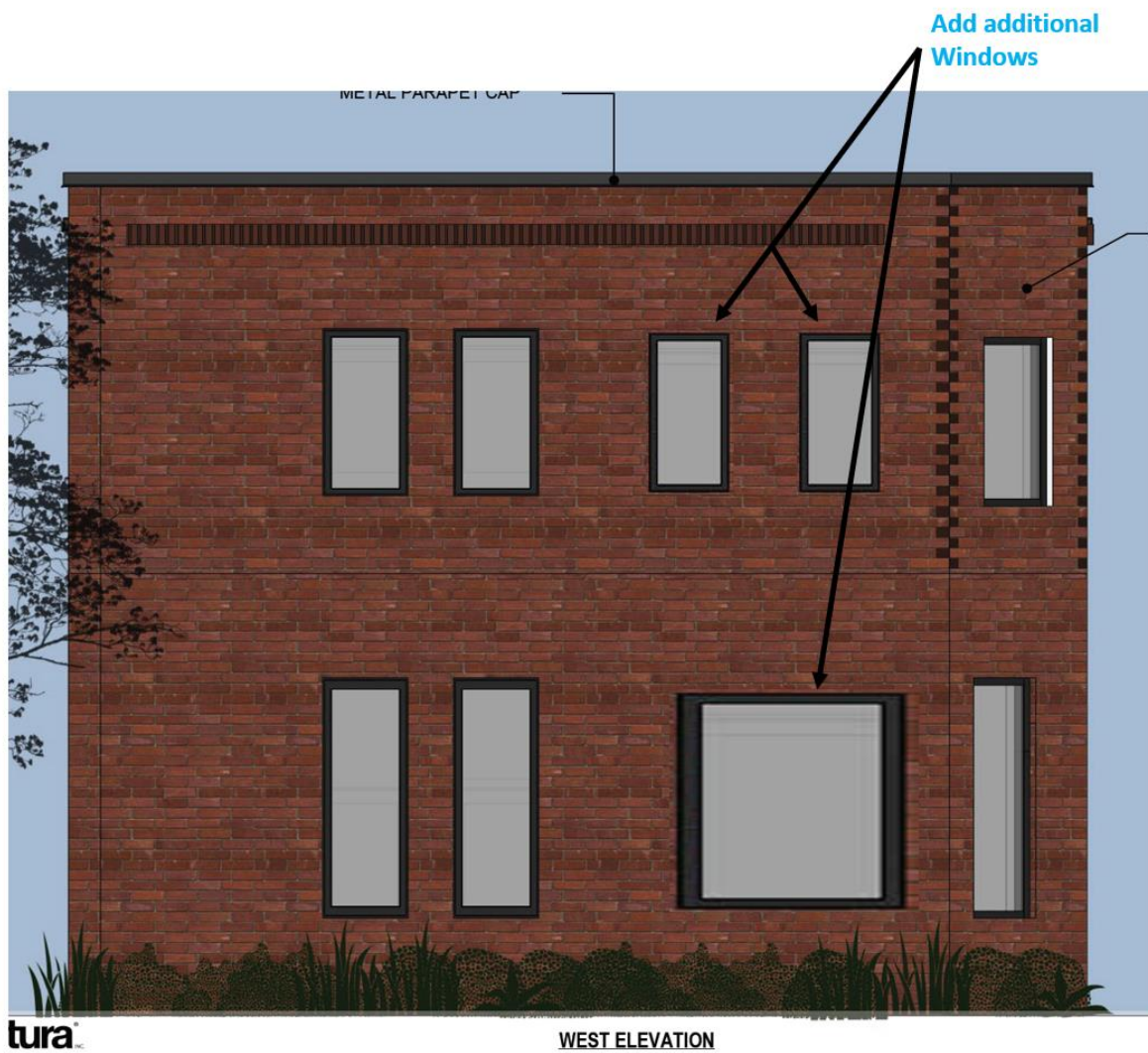
ENWIN water has no objections. The existing water service is 19mm which may not be an adequate size for the changes being proposed.



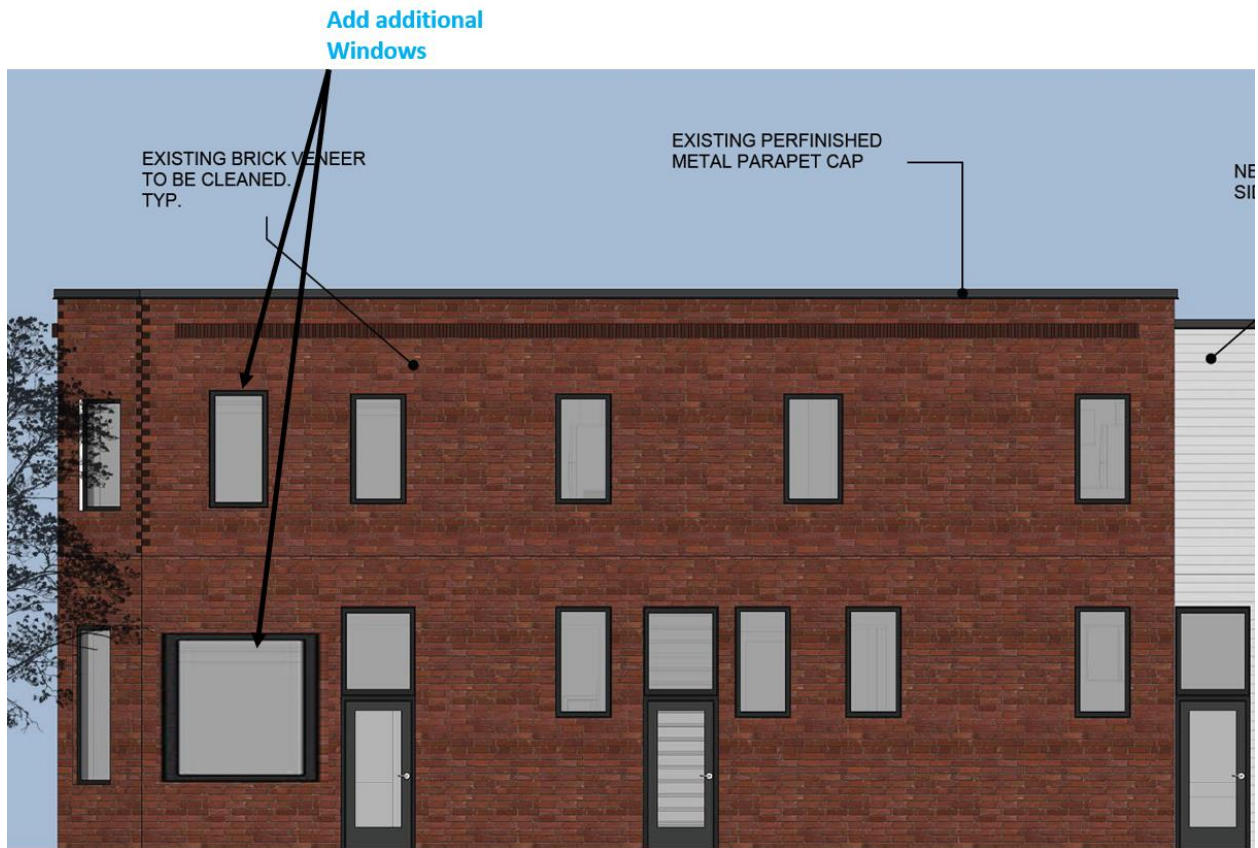


- Add additional windows on the second storey west and south facades facing

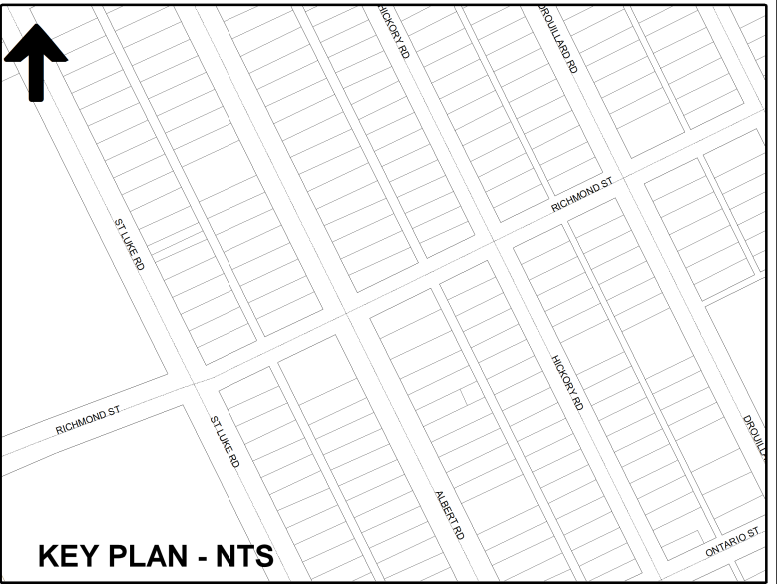
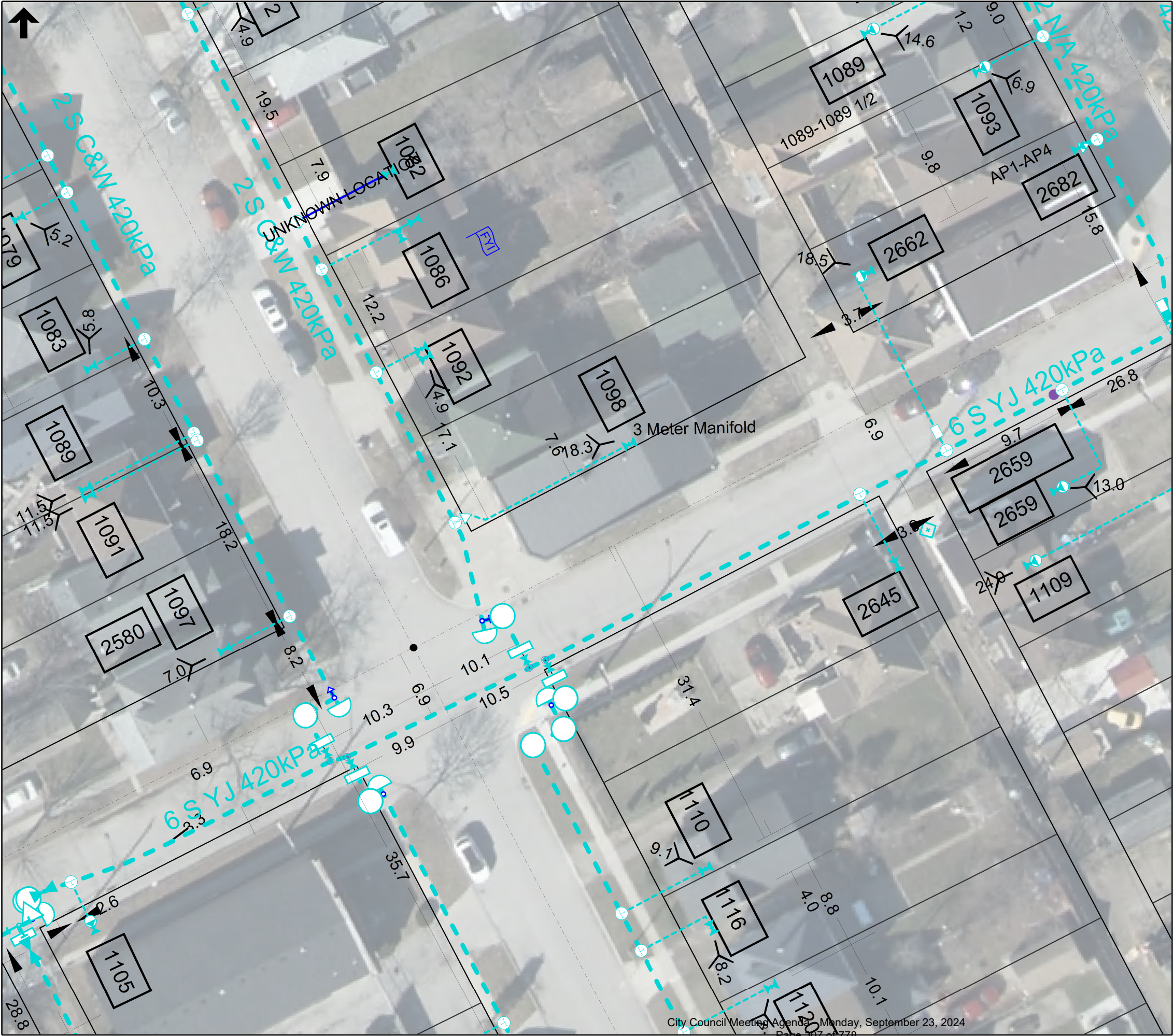












KEY PLAN - NTS

SOURCE DOCUMENT INFORMATION

Qualified Individual:		Pipeline Certificate No:	
Welder / Fuser:		Ticket Number:	
In-Service Date:		G-Tech Update By: Date:	
Testing	Design Pressure:		Test Medium:
	Time On:		Pressure:
	Time Off:		Pressure:

REVISIONS

Date	By	App'd	Remarks



AS-BUILT

Title :  
**1098 Albert Rd**

Description :  
  
.

Project # : .	MAXIMO Ref # : .	% SMYS :
District : <b>WINDSOR</b>	Municipality : <b>WINDSOR</b>	Authorized:
Drawn By : .	Date Drawn : [SYSDATE]	Corrosion:
Scale :	GTech # : [G3E_IDENTIFIER]	Drawing Number OF



## APPENDIX F – SITE PHOTOS



View northeast towards the subject parcel.



View from Richmond Street northeast towards the subject parcel.





View northwest towards the subject parcel.



View west towards the subject parcel.

**Development & Heritage Standing Committee**

**Tuesday, September 3, 2024**

**Item 7.1 – Written Submission**

**From:** Ian Clarkson < >

**Sent:** Wednesday, August 14, 2024 6:42 PM

**To:** Radulescu, Diana (She/Her) <dradulescu@citywindsor.ca>

**Subject:** File Numbers Z-019/24 [ZNG/7215]

Hi there,

I'm the owner of \_\_\_\_\_ and just wanted to voice my support for the zoning by-law amendment proposed in the file number listed in the subject. I just received the mailout today about the changes, and it wasn't clear to me how to just submit simple written feedback. I don't need to attend the meeting but wanted to mention I'm in favour of the changes.

Thank you!

Ian.



**Committee Matters: SCM 271/2024**

**Subject: Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133**

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 648**

- I. THAT the 2.44-metre-wide west half of the north/south alley located between Montrose Street and Tecumseh Boulevard West, and shown on Drawing No. CC-1849 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing infrastructure;
    - ii. Enbridge Gas Inc. to accommodate existing underground infrastructure; and,
    - iii. ENWIN Utilities Ltd. to accommodate existing aboveground infrastructure; and,
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1849; and,
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,

VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 85/2024

Clerk's File: SAA2024

**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 September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>



**Subject: Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133**

**Reference:**

Date to Council: September 3, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: July 3, 2024  
Clerk's File #: SAA2024

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

**Recommendation:**

- I. THAT the 2.44-metre-wide west half of the north/south alley located between Montrose Street and Tecumseh Boulevard West, and shown on Drawing No. CC-1849 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing infrastructure;
    - ii. Enbridge Gas Inc. to accommodate existing underground infrastructure; and
    - iii. ENWIN Utilities Ltd. to accommodate existing aboveground infrastructure.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1849.





## **Background:**

On December 7, 2020, Council approved the closure of the east half of the north/south alley located between Montrose Street and Tecumseh Boulevard West and shown on Drawing No. CC-1849 attached hereto as Appendix "A" and shown on the aerial photo attached hereto as Appendix "B" (CR610/2020 DHSC 219).

During the preparation of Reference Plan 12R-29404, it was discovered that the west half of the north/south alley, making up part of 10 properties ranging from 1304 Oak Street to 1370 Oak Street, had not been assumed and closed.

The west half of the north/south alley was established by By-law 310 on November 18, 1941. The alley is comprised of lands acquired by the City in 1932 via a Tax Arrears Certificate. Over the years, portions of the alley making up part of 1304 Oak Street, 1312 Oak Street, and 1356 Oak Street were inadvertently sold by the City with the respective properties, resulting in the City losing ownership over the lands. Regaining ownership of the lands through expropriation or a court order, only to convey them back to the property owners, is not a practical option, nor is it necessary. The portions of the alley making up part of the remaining seven (7) properties are still owned by the City and are being recommended for closure (the alley).

The alley is unmaintained (unpaved) and composed primarily grass, gravel and natural vegetation. The alley has been encroached on over the years by abutting properties with landscaping and a chain-link fence. There are no Encroachment Agreements on record for the use of the alley.

## **Discussion:**

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix "C". The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

### **Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The alley does not contain any sewers.

- d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
  - i. The alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
- e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
  - i. The alley does not contain any Fire Department connections.
2. Alley that, has some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has deemed the alley to serve no useful purpose.
3. Alley that appears to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley.
  - a. The Engineering - Right-of-Way Department has deemed the alley to serve no useful purpose.
4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the alley “dispensable” and recommends its closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section

herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

### **Risk Analysis:**

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

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

The rate for an alley conveyed to abutting lands zoned RD1.3 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The Planning Department has an operating budget of \$33,100.00 for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor in 2025.

The Finance Department has confirmed that funds allocated under Capital Fund 007 (Alley Closing Subsidy Program), as Expense 2950 (Other Prof Services-External) may be used for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. \$40,000.00 will be added annually to Expense 2950 until 2031, which may be used to cover survey invoices received in the corresponding year.

There are sufficient funds to cover the anticipated survey cost, expected to be invoiced in 2025.

### **Consultations:**

Consultations were held with the Legal, Real Estate & Risk Management Department.

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

### **Conclusion:**

The Planning Department recommends closure of the alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, Enbridge Gas Inc., and ENWIN Utilities Ltd. as in Recommendation II.

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

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

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

*JP*

*JM*

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

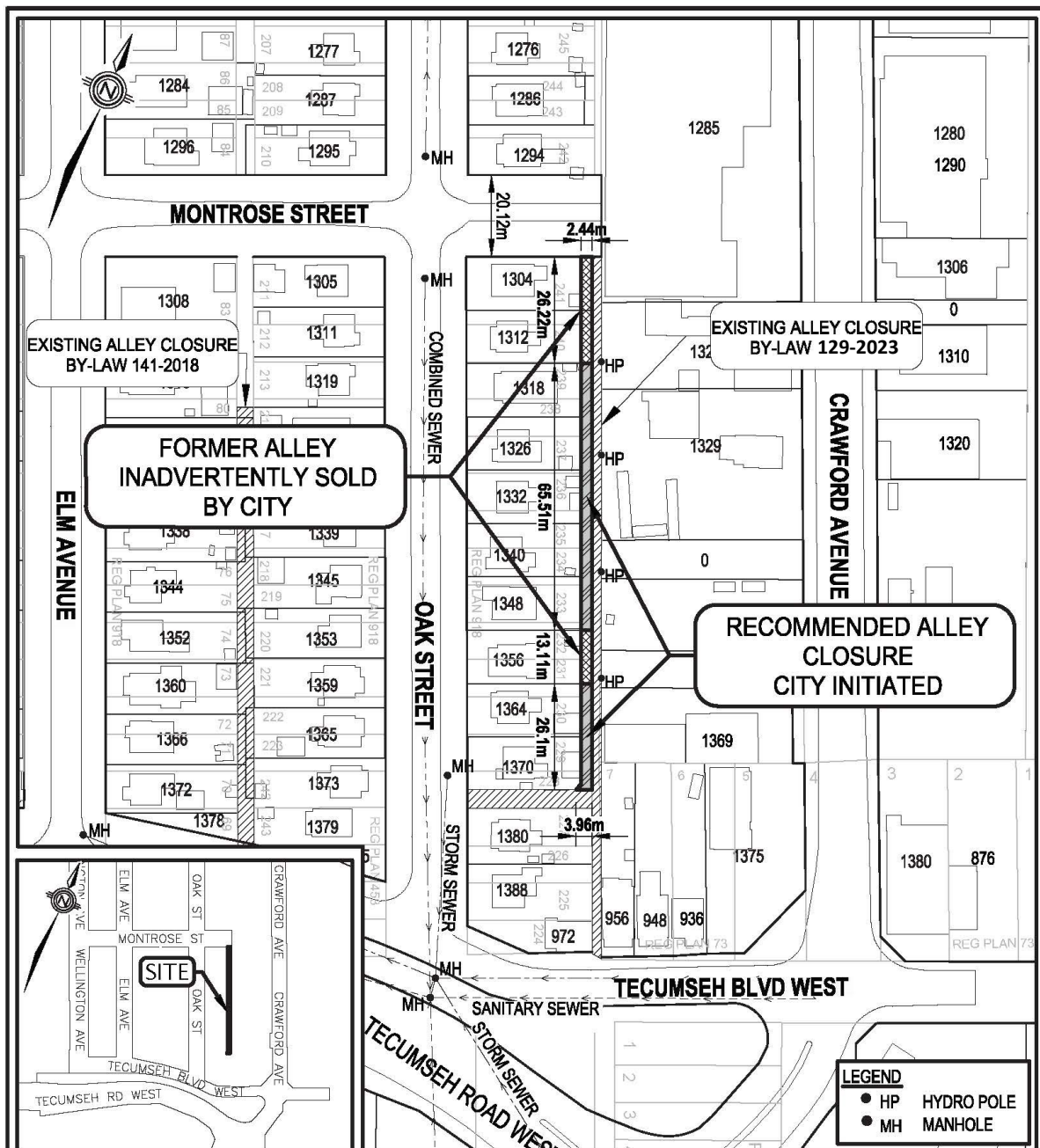
**Notifications:**

Name	Address	Email
Ward 3 Councillor Renaldo Agostino	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	ragostino@citywindsor.ca
Owners of properties abutting the alley		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1849
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Classification of Alleys and Suitability for Closure

# **APPENDIX "A"** **Drawing No. CC-1849**





## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/4133)

1:750

APPLICANT : CITY OF WINDSOR

ALLEY CLOSED BY CR610/2020

FORMER ALLEY INADVERTENTLY SOLD BY CITY

RECOMMENDED ALLEY CLOSURE (CITY INITIATED)

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: JUNE, 2024



## **APPENDIX “C”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

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

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

#### **Suitability for Closing:**

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

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





**Committee Matters: SCM 277/2024**

**Subject: Closure of east/west alley located between Church Street and Dougall Avenue, Ward 3, SAA-7138**

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 649**

- I. THAT the 4.57-metre-wide east/west alley located between Church Street and Dougall Avenue, and shown on Drawing No. CC-1843 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aboveground infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aboveground infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V and 600/347V hydro pole distribution;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aboveground infrastructure; and,
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned CD2.1, \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
  - b. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,

- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1843; and,
  - V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
  - VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
  - VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
- Carried.

Report Number: S 89/2024  
Clerk's File: SAA2024

**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 September 3, 2024.
- 3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>

**Subject: Closure of east/west alley located between Church Street and Dougall Avenue, Ward 3, SAA-7138**

**Reference:**

Date to Council: September 3, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: July 11, 2024  
Clerk's File #: SAA2024

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

**Recommendation:**

- I. THAT the 4.57-metre-wide east/west alley located between Church Street and Dougall Avenue, and shown on Drawing No. CC-1843 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aboveground infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aboveground infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V and 600/347V hydro pole distribution;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aboveground infrastructure;
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned CD2.1, \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of the survey costs as

b. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

- N/A



**Background:**

The applicant, 10741671 Canada Inc., owner of the property known municipally as 395 Tecumseh Road West (the subject property), applied to close the 4.57-metre-wide east/west alley located between Church Street and Dougall Avenue (the alley), and shown on Drawing No. CC-1843 attached hereto as Appendix “A”, and shown on the aerial photo attached hereto as Appendix “B”.

The applicant wishes to close the alley for the following reasons:

1. Eliminate ongoing vandalism to the commercial building on the subject property; and
2. Secure access to the commercial building’s street level pedestrian entrance/exit off the alley.

The alley is unmaintained (unpaved) and composed primarily of grass, gravel and natural vegetation (overgrown hedgerow along south limit). The alley contains a curb cut off Church Street, overhead hydro and utility lines and a utility pole. The alley serves the subject property as a means of access to the street level pedestrian entrance/exit on the south face of the existing commercial building thereon. The alley has been encroached on over the years by abutting properties with HVAC equipment, landscaping, refuse bin storage area and telecommunications equipment. There are no Encroachment Agreements on record for the use of the alley.

The alley was established by Registered Plan of Subdivision No. 925, registered on April 6, 1920.

**Discussion:**

The decision to recommend closure of an alley is derived from the City’s *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix “E”. The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

**Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The alley serves the subject property, providing a means of access to the street level pedestrian entrance/exit on the south face of the existing commercial building.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The subject property is located on Tecumseh Road West, a Class II Arterial Road.

- c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
    - i. The alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
  - e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
    - i. The alley does not contain any Fire Department connections.
- 2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
- 3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
- 4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

- 1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
- 2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
- 3. Alleys that serve no useful purpose should be closed if possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the alley “indispensable”.

Notwithstanding the alley being deemed indispensable, the Planning Department is recommending that it be closed and conveyed in **as is condition** to the abutting property owners for the following reasons:

- The aforesaid factors that deem the alley indispensable stem solely from the subject property’s street level pedestrian entrance/exit on the south face of the existing commercial building.
- This issue will be resolved by the applicant’s purchase of their half of the alley.

Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

### **Risk Analysis:**

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

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

The rate for an alley conveyed to abutting lands zoned CD2.1 is assessed at \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The rate for an alley conveyed to abutting lands zoned RD1.3 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The Planning Department has an operating budget of \$33,100.00 for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor in 2025.

The Finance Department has confirmed that funds allocated under Capital Fund 007 (Alley Closing Subsidy Program), as Expense 2950 (Other Prof Services-External) may be used for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. \$40,000.00 will be added annually to Expense 2950 until 2031, which may be used to cover survey invoices received in the corresponding year.

There are sufficient funds to cover the anticipated survey cost, expected to be invoiced in 2025.

## Consultations:

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

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

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

## Conclusion:

The Planning Department recommends closure of the alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada, Cogeco Connexion Inc., ENWIN Utilities Ltd. and Managed Network System Inc. (MNSi.) as in Recommendation II of this report.

The closed alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendation II report.

## Planning Act Matters:

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

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

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

## Planning Act Matters:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

## Notifications:

Name	Address	Email
Ward 3 Councillor Renaldo Agostino	350 City Hall Square West, Suite 220	ragostino@citywindsor.ca

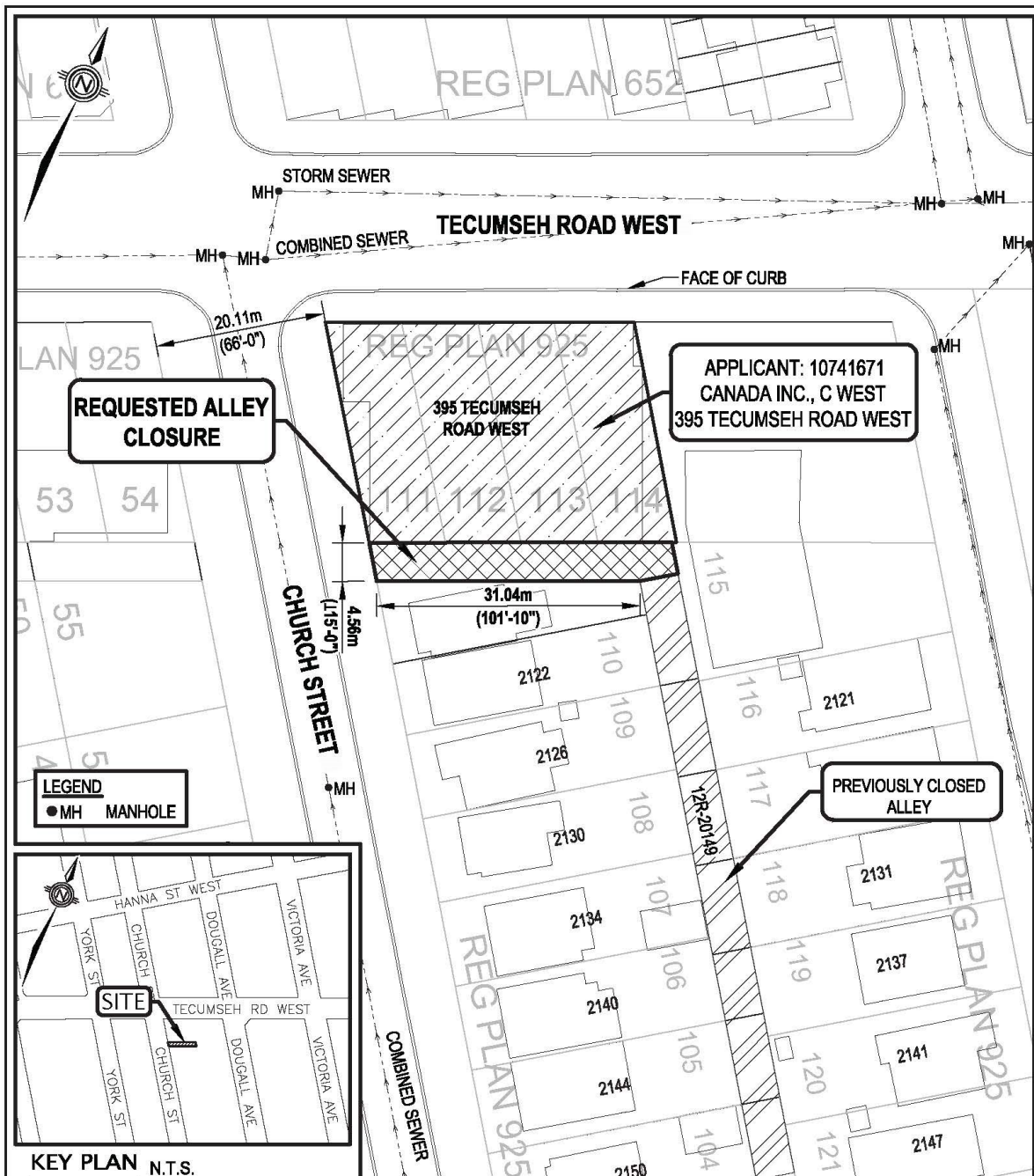


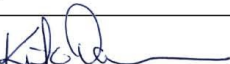
	Windsor, Ontario N9A 6S1	
10741671 Canada Inc.		
List of mailing labels for property owners abutting the alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1843
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

# **APPENDIX "A"** **Drawing No. CC-1843**



 Kirk Tamm, Manager of Geomatics				SCALE: 1:600 DWN BY: AZ	DATE: DEC 2023 CHKD BY: PJU / BN	REVISED: - REVISION NO.: -	DWG. NO. <b>CC-1843</b>
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[illegible]

1:700

 PREVIOUSLY CLOSED ALLEY

DATE: SEPTEMBER, 2023



## **APPENDIX “C”**

### **Consultations with Municipal Departments and Utility Companies**

#### **BELL CANADA**

No comments provided

#### **COGECO CONNEXION INC.**

Cogeco would need to be named on any easement for this section. We are aerial on the EnWin poles so we will just need access if we need to work on those attachments.

**[Daniel Haggins - Lead OSP Engineering Windsor and Essex]**

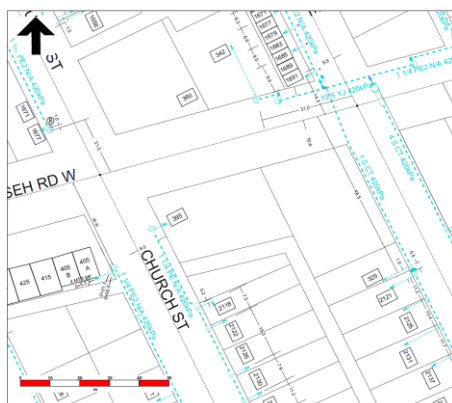
#### **ENBRIDGE GAS INC.**

After reviewing the provided drawing at 395 Tecumseh Rd W. and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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

Please contact me if you have any further questions or concerns.



**[Jose Dellosa - Drafter Estimator]**

**ENGINEERING (DEVELOPMENT & ROW)**

The proposed alley closure is approximately 4.6m (15'-2") wide and composed of grass. There is a wooden hydro pole and overhead wires located within the alley; an easement would be required for utilities. There is a driveway approach on the west side of the proposed closure. Should the abutting owners use this access, they will be required to obtain a permit to maintain the approach as per AS-204. If a permit is not issued, the driveway approach to the alley will be the responsibility of the city to remove in the future when funds exist. This alley appears to serve no useful purpose by CR146/2005; therefore, we have no objections to the closure.

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

**ENGINEERING (OPERATIONS)**

No comments provided

**ENVIRONMENTAL SERVICES**

No concerns from Environmental Services.

**[Anne-Marie Albidone - Manager, Environmental Services]**

**ENWIN UTILITIES LTD. (HYDRO)**

No Objection provided clearances are maintained from our distribution plant. However, an easement named to ENWIN Utilities Ltd., will be required for East to the West limit of the property to accommodate for the existing overhead 120/240V and 600/347V hydro pole distribution.

Please note the following distribution and services:

- Overhead 16kV primary distribution pole line and associated down guy wires/anchors at the entrance of the alleyway.
- Existing 16kV - 120/240V Overhead transformer at the entrance of the alleyway.
- Overhead 120/240V secondary triplex distribution going down the alleyway.
- Overhead 600/347V Secondary quadruplex distribution going down the alleyway.
- Secondary pole line with associated down guy wires and anchors.
- Overhead 600/347V secondary quadruplex service to adjacent dwelling at 325 Tecumseh Rd W.

Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the *Occupational Health and Safety Act* for minimum safe limits of approach during construction and the *Ontario Building Code* for adequate clearance requirements for New Buildings and/or Building Additions.

ENWINs easement guidelines:

Overhead

A 3 m (10 ft) Easement is required for a straight pole line 1.5 m (5 ft) (on each side). This takes into consideration a 0.3 m (1ft) pole diameter, 0.46 m (1.5 ft) primary insulator, and 0.9 m (3 ft) clearance from any nearby structure.

Guy and Anchor

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

**[Tia McCloskey - Hydro Engineering Technologist]**

**ENWIN UTILITIES LTD. (WATER)**

Water Engineering has no objections to the alley closing.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL & REAL ESTATE SERVICES**

Alley abutting lands zoned RD1.3 - \$1.00 plus deed prep and proportionate share of new 12R. Alley abutting lands zoned CD2.1 - \$20/square foot without easements or \$10/square foot with Easements plus deed prep and proportionate share of new 12R.

**[Stephanie Santos - Coordinator Real Estate Services]**

**MANAGED NETWORK SYSTEM INC. (MNSi)**

MNSi will require an aerial easement through this closure

**[Dave Hartleib - Outside Plant Manager]**

**PLANNING (DEVELOPMENT)**

No comments provided

**ROGERS**

No comments provided

**TELECON (TELUS)**

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

**[Meghna Patel - Permit Coordinator]**

**TRANSPORTATION PLANNING**

No parking would be allowed in the Right of way, else Transportation planning has no concerns with the closure of the alley.

**[Siddharth Dhiman - Transportation Planner I]**

**WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with the closure of this east-west alley that connects Church Street to the northern terminus of the previously closed north-south alley. The alley space in question, while relatively small and short in length, is visually discreet, making it more vulnerable to unlawful activity that is difficult to detect. Closure will not create problems for police to otherwise gain access for emergency incident response or vehicle patrol purposes within the immediate area, as this can still be accomplished for such purposes. Closure will help facilitate the capability to restrict/prevent discreet access that may lead to unlawful activity.

**[Barry Horrobin - Director of Planning & Physical Resources]**

**APPENDIX “D”**  
**Site Photos (Google Street View - December 2020)**



*Figure 1 - Looking east towards alley from Church Street (395 Tecumseh Road West on left) (2118 Church Street on right)*



## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

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

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

#### **Suitability for Closing:**

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

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



**Committee Matters: SCM 273/2024**

**Subject: Part Closure of east/west alley located between Belleperche Place and Fairview Boulevard, Ward 6, SAA-7135**

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 650**

- I. THAT the 4.27-metre-wide west part of the east/west alley located between Belleperche Place and Fairview Boulevard, and shown on Drawing No. CC-1845 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate to accommodate overhead utility infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate overhead utility infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 27.6kV and 120/240-volt hydro distribution, poles and down guy wires; and,
    - iv. Managed Network System Inc. (MNSi.) to accommodate overhead utility infrastructure; and,
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1845; and,
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,

- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
- Carried.

Report Number: S 92/2024  
Clerk's File: SAA2024

**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 September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>

**Subject: Part Closure of east/west alley located between Belleperche Place and Fairview Boulevard, Ward 6, SAA-7135**

**Reference:**

Date to Council: September 3, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: July 11, 2024  
Clerk's File #: SAA2024

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

**Recommendation:**

- I. THAT the 4.27-metre-wide west part of the east/west alley located between Belleperche Place and Fairview Boulevard, and shown on Drawing No. CC-1845 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate to accommodate overhead utility infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate overhead utility infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 27.6kV and 120/240-volt hydro distribution, poles and down guy wires; and
    - iv. Managed Network System Inc. (MNSi.) to accommodate overhead utility infrastructure.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1845.
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

### Executive Summary:

N/A



#### STREET & ALLEY CLOSING (SAA/7135)

APPLICANT : CATHY COOKE

 REQUEST FOR CLOSURE

 PREVIOUSLY CLOSED ALLEY

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MARCH, 2024

1:500



## Background:

The applicant, Cathy Cooke, owner of the property known municipally as 824 Belleperche Place (the subject property), applied to close the 4.27-metre-wide east/west alley located between Belleperche Place and Fairview Boulevard, and shown on Drawing No. CC-1845 attached hereto as Appendix "A", and shown on the aerial photo attached hereto as Appendix "B".

The applicant wishes to close the alley since it has been used and maintained by the owners of the subject property for the past several decades. The subject property has used the alley as a driveway and an extension of its rear yard since at least 1957 (Historic Aerials - 1951-2020 Aerial Photography, 1969-2023 City of Windsor Aerial Photography). The single unit dwelling on the subject property was constructed around 1946 (Plan of Survey, dated December 2, 1946, identifies the single unit dwelling under construction).

The Planning Department has determined that the east part of the east/west alley abutting 7365 Wyandotte Street East is indispensable for the following reasons:

1. It serves as the only vehicular means of access to the rear detached garage serving the dwelling at 821 Fairview Boulevard, which has insufficient lot width for a side drive.
  - a. The garage has been in place since at least 1947 (1947 ERCA Aerial Photo)
  - b. There is no way to confirm if the garage was constructed with or required a building permit from the former Town of Riverside, as there are no pre-amalgamation property records on file.
2. It serves a property (7365 Wyandotte Street East) fronting on a heavily traveled street (namely Wyandotte Street East, a designated Class II Arterial Road).
  - a. The alley has provided access to the parking area serving the multiple dwelling on the said property since its erection around 1966 (Historic Aerials - 1966 Aerial Photo, 1969-2023 City of Windsor Aerial Photography).
  - b. There is no way to confirm if the multiple dwelling and parking area were constructed with a building permit from the former Town of Riverside, as there are no pre-amalgamation property records on file.

The Planning Department is therefore recommending that the remaining west part of the east/west alley located between Belleperche Place and Fairview Boulevard (the alley) be closed and conveyed.

The alley is unmaintained and composed primarily of an asphalt driveway and landscaped open space yard (concrete walkway, flowers, grass, shrubs). The alley contains a curb cut off Belleperche Place, and utility poles with guy wires and anchors supporting overhead hydro and utility lines. The alley has been encroached on over the years by the subject property with the aforesaid asphalt driveway and landscaping, as well as a wood fence constructed between 2019 and 2021 (2019 & 2021 City of

Windsor Aerial Photography). There are no Encroachment Agreements on record for the use of the alley.

The alley was established by Registered Plan of Subdivision No. 1152, registered on November 22, 1924.

### **Discussion:**

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix "E". The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

### **Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
    - i. The alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
  - e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
    - i. The alley does not contain any Fire Department connections.
2. Alley that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has deemed the alley to have no usefulness.

3. Alley that appears to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has deemed the alley to have no usefulness.
4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
2. Alley having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alley that serves no useful purpose should be closed if possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alley that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the alley “dispensable” and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

Notwithstanding this recommendation, 7341 Wyandotte Street East’s half of the alley will be offered to the owner of the subject property. This is based on the owner of 7341 Wyandotte Street East not responding to the June 21, 2024, letter referenced under Consultations section of this report.

### **Risk Analysis:**

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

### **Climate Change Risks**

### **Climate Change Mitigation:**

N/A



## **Climate Change Adaptation:**

N/A

## **Financial Matters:**

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

The Planning Department has an operating budget of \$33,100.00 for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor in 2025.

The Finance Department has confirmed that funds allocated under Capital Fund 007 (Alley Closing Subsidy Program), as Expense 2950 (Other Prof Services-External) may be used for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. \$40,000.00 will be added annually to Expense 2950 until 2031, which may be used to cover survey invoices received in the corresponding year.

There are sufficient funds to cover the anticipated survey cost, expected to be invoiced in 2025.

## **Consultations:**

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

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

A letter was issued to the owners of 7325 Wyandotte Street East and 7341 Wyandotte Street East on June 21, 2024, by regular email. The letter requested that each property owner confirm if they will be executing or waiving their right to purchase the alley by completing and returning the enclosed *Distribution of Alley - Form 1* or *Waiving Releasing Interest - Form 2* respectively. The letter requested that forms be submitted by July 10, 2024. The owner of 7325 Wyandotte Street East returned a completed Form 1. No response was received from the owner of 7341 Wyandotte Street East.

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

## **Conclusion:**

The Planning Department recommends closure of the alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, Cogeco Connexion Inc. ENWIN Utilities Ltd. and Managed Network System Inc. (MNSi.), as in Recommendation II of this report.

The closed alley is to be conveyed in **as is condition** to the owner of the abutting properties as in Recommendation II of this report.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

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

*JP*

*JM*

**Planning Act Matters:**

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

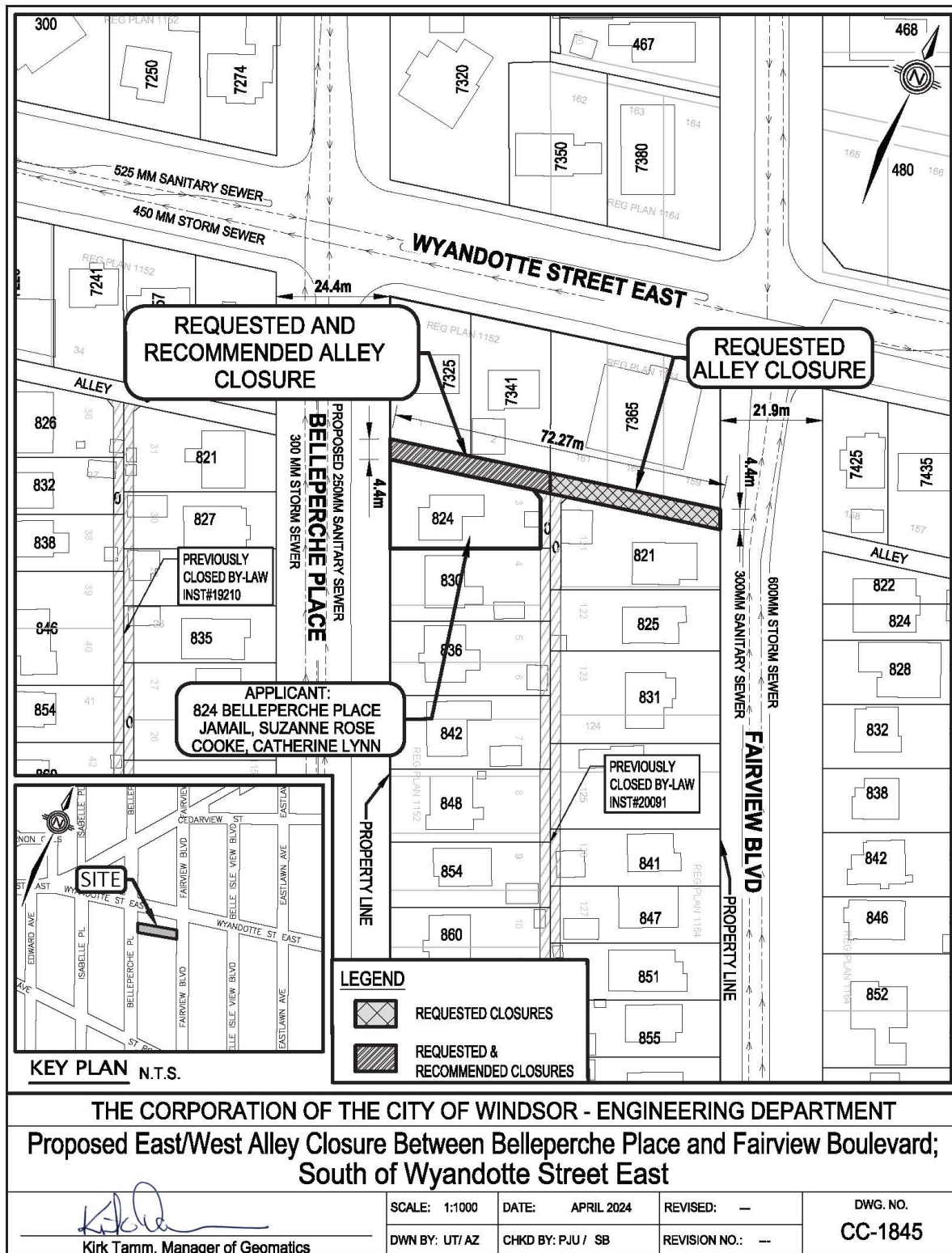
**Notifications:**

Name	Address	Email
Ward 6 Councillor Jo-Anne Gignac	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	joagnac@citywindsor.ca
Cathy Cooke (Applicant)		
List of mailing labels for property owners abutting alley issued to Clerks office		

**Appendices:**

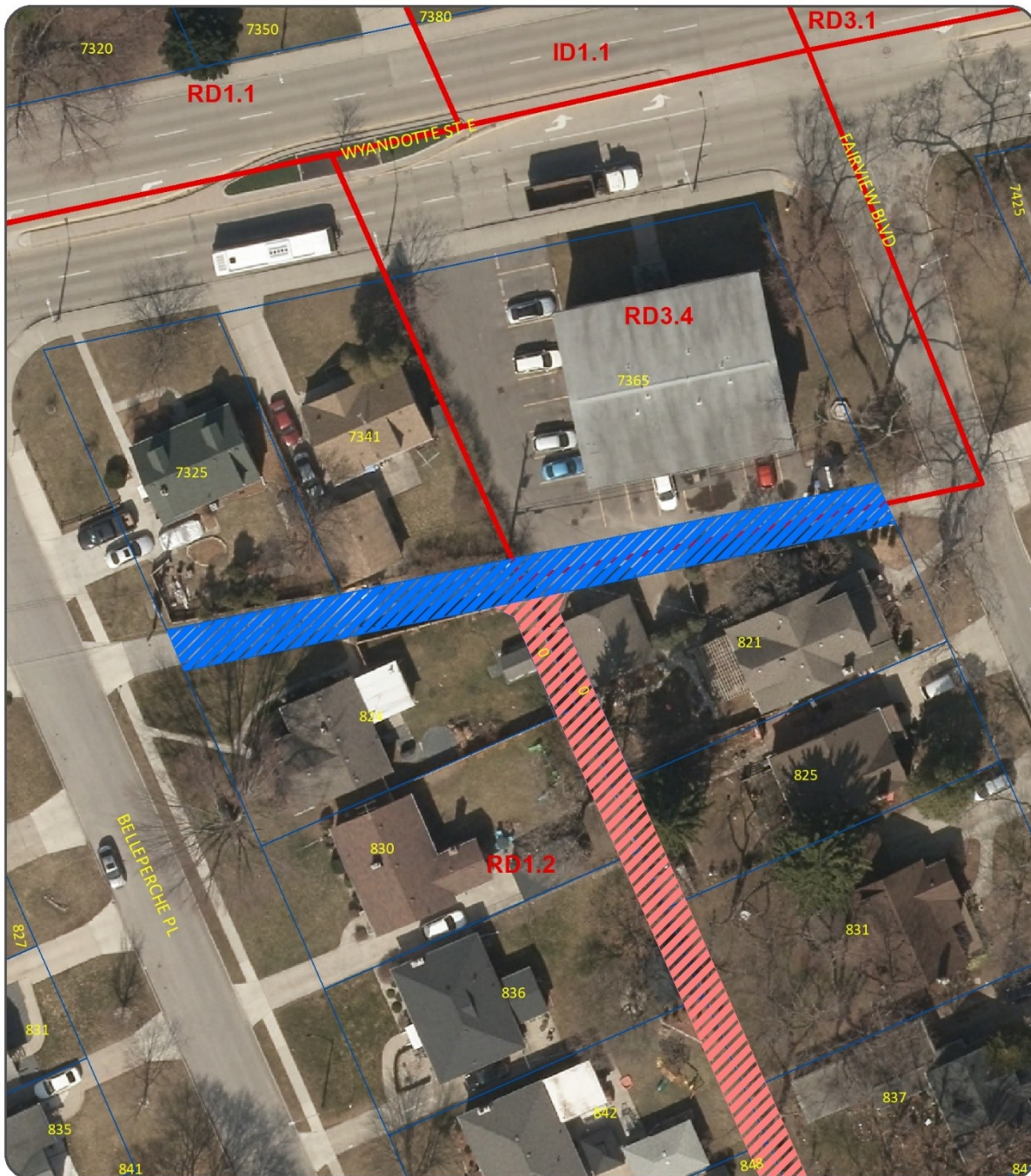
- 1 Appendix A - Drawing No. CC-1845
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

# **APPENDIX "A"** **Drawing No. CC-1845**



## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/7135)

1:500

APPLICANT : CATHY COOKE



REQUEST FOR CLOSURE



PREVIOUSLY CLOSED ALLEY



PLANNING DEPARTMENT - PLANNING POLICY

DATE: MARCH, 2024



## **APPENDIX “C”**

### **Consultations with Municipal Departments and Utility Companies**

#### **BELL CANADA**

No comments provided

#### **COGECO CONNEXION INC.**

Cogeco will need access to this alley after closure. We are on the EnWin/Bell poles that are there now.

Cogeco has put a green box over the area where our services are.



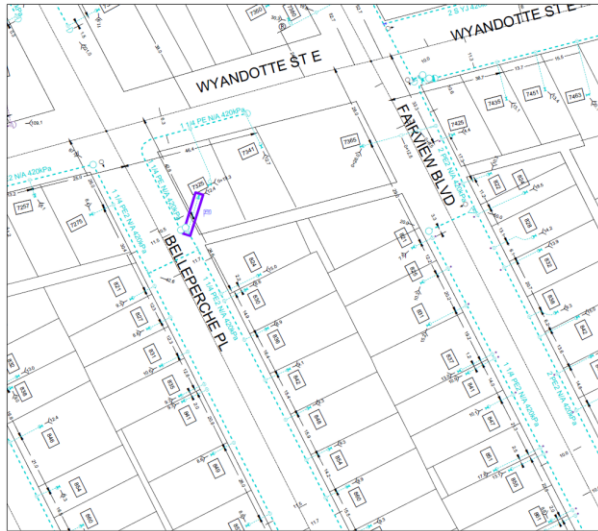
**[Daniel Haggins - Lead OSP Engineering Windsor and Essex]**

#### **ENBRIDGE GAS INC.**

After reviewing the provided drawing at 824 Belleperche PI and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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



**[Jose Delloso - Drafter Estimator]**

### **ENGINEERING (Right-of-Way)**

The proposed closure is approximately 72 m long and 4.35 m wide and made partly of asphalt and grass. There are no sewers running through this alley. There are hydro poles, guy wires and overhead wires in this alley; an easement would be required for utilities. There is a residential driveway approach at the west end of this alley that appears to be used by 824 Belleperche Place. A permit may be required by the property owner to keep and maintain the driveway approach to City Standard AS-221 or AS-222 if the alley is closed. There is the encroaching wooden fence running perpendicular to the midpoint of the alley. There is a driveway approach on the east side of the alley that allows 821 Fairview Boulevard garage access and 7365 Wyandotte Street East parking lot access and maneuvering. A permit may be required by the property owner to keep and maintain the driveway approach to City Standard AS-203 or AS-204 if the alley is closed. This subject alley has no usefulness by CR146/2005; therefore, Public Works has no objections to the alley closure.

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

### **ENGINEERING (OPERATIONS)**

The east half of alley is used by the multi-family residence and the single family residence on Wyandotte St & Fairview Blvd, only the west half has been used by the applicant for his parking purpose, so only the east half can be permitted for the closure, other than that traffic don't have any objections with this.

**[Dinesh Kumar Dhamotharan - Traffic Technician]**

**ENVIRONMENTAL SERVICES**

No comments provided

**ENWIN UTILITIES LTD. (HYDRO)**

No Objection, however, an easement named to EnWin Utilities Ltd. is required upon closing along the entire north limit of the alley to accommodate existing overhead 27.6kV and 120/240 volt hydro distribution, poles, and down guy wires.

**[Anwar Nagar - Senior Hydro Engineering Technologist]**

**ENWIN UTILITIES LTD. (WATER)**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL & REAL ESTATE SERVICES**

The alley abutting 824 Belleperche Place is zoned RD1.2.

Conveyance price is \$1.00 plus deed preparation and survey costs.

(Also, the north/south alley abutting this property at 824 Belleperche was previously closed, however, the property owner did not purchase their portion. Aerial photos suggest their fence extends over the property line and encloses ½ of the alley.)

You'll note a possible encroachment over the portion of the alley at the rear of their property. It is still owned by the City, but they've enclosed their portion with a fence to include it in their rear yard.

**[Stephanie Santos - Coordinator Real Estate Services]**

**MANAGED NETWORK SYSTEM INC. (MNSi)**

MNSi will require an aerial Easement through this area as we are currently on the Poles in this Alley

**[Dave Hartleib - Outside Plant Manager]**

**PARKS**

Parks Design & Development has no objection to this alley closure.

**[Hoda Kameli - Landscape Architect]**

We have no comments to this alley closure.

**[Karen Alexander - Naturalist & Outreach Coordinator]**

There are no Forestry concerns with this alley closure.  
The only vegetation would be the lilac bushes the homeowner has planted

**[Yemi Adeyeye - City Forester / manager Forestry & Natural Areas]**

#### **PLANNING (DEVELOPMENT)**

No comments provided

#### **PLANNING (LANDSCAPE)**

There are no objections from a landscape architectural perspective to the closure.

However, from an urban design perspective, the eastern half of the alley proposed for closure is current used for access to both a single family residence at 821 Fairview as well as the multifamily residence at 7365 Wyandotte Street East.

It appears that the applicant is currently using the western half of the alley to facilitate parking of vehicles at their premises.

Therefore, it is recommended from an urban design perspective that ONLY the western half of the east-west alley between Belleperche Place and Fairview Blvd be allowed for closure and subsequently purchased by the applicant.

**[Stefan Fediuk - Planner III - Senior Urban Designer]**

#### **ROGERS**

No comments provided

#### **TELECON (TELUS)**

TELUS has no infrastructure between Pavement Centerline & ROW line on the same side as the proposal.

Consent expires six (6) months from approval date. If the location of your proposed design changes, it will be necessary to re-apply. no underground infrastructure in your proposed work.

#### **Remarks:**

You are required to contact TELUS for route locates prior to digging/construction.

You must hand trench to expose TELUS' infrastructure at all locations, pressurized water technology (Hydro-Vacuuming) is not permitted as alternate form of hand trenching.

Please contact TELUS 72hrs prior to construction to witness hand trenching at all locations indicated (1-800-593-5558)

**[Frederic Sua - Design Specialist II - Access Engineering]**



**TRANSPORTATION PLANNING**

Transportation Planning has no concerns with closing the west portion of the alley. It seems vehicles are currently using the east portion of the alley to park.

There are two objections and a concern of the closing the east portion of the alley.

- 7365 Wyandotte has 15 parking spots. However, 7365 Wyandotte has access to 9 parking spots on west side of the property through Wyandotte St E; closing the east portion of the alley will result in losing the access to the 6 parking spots on the south side of the property.
- Closure of the east portion of the alley will prevent 821 Fairview Blvd from accessing their rear yard parking and the garage.
- There is utility pole located at southwest corner of 7365 Wyandotte, closing the east portion of the alley eliminate the access to this pole from the private property rather than from the right of way. Easement may be required to access utility pole if the alley is closed.

Please note that there is a closed section on east side of the applicant's property that they may interested of purchasing.

**[Elara Mehrilou - Transportation Planner I]**

**APPENDIX “D”**  
**Site Photos (Google Street View - February 2021)**



*Figure 1 - Looking northeast towards alley from Belleperche Place (824 Belleperche Place on right)*



*Figure 2 - Looking east towards alley from Belleperche Place (824 Belleperche Place on right)*

## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

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

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

#### **Suitability for Closing:**

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

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



Committee Matters: SCM 278/2024

**Subject: Closure of north/south alley, located between Clairview Avenue and Wyandotte Street East; and east/west alley located between Clover Street and Adelaide Avenue; Ward 7, SAA-6767**

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 651**

- I. THAT the 3.35-metre-wide north/south alley located between Clairview Avenue and Wyandotte Street East, and shown on Drawing No. CC-1815 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada for protection of existing facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240-volt distribution, poles and down guy wires; and,
    - iii. Owner of the property known municipally as 10655 Clairview Avenue (legally described as Lot 3, Plan 1077, PIN No. 01596-0041 LT) to accommodate access to repair and maintain existing water service; and,
- III. THAT the 4.88-metre-wide east/west alley located between Clover Street and Adelaide Avenue, and shown on Drawing No. CC-1815 (attached hereto as Appendix "A"), **BE DENIED** for subsequent closure; and,
- IV. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1815; and,

- VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VIII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 97/2024  
Clerk's File: SAA2024

**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 September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>

**Subject: Closure of north/south alley, located between Clairview Avenue and Wyandotte Street East; and east/west alley located between Clover Street and Adelaide Avenue; Ward 7, SAA-6767**

**Reference:**

Date to Council: September 3, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: July 16, 2024  
Clerk's File #: SAA2024

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

**Recommendation:**

- I. THAT the 3.35-metre-wide north/south alley located between Clairview Avenue and Wyandotte Street East, and shown on Drawing No. CC-1815 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada for protection of existing facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240-volt distribution, poles and down guy wires; and
    - iii. Owner of the property known municipally as 10655 Clairview Avenue (legally described as Lot 3, Plan 1077, PIN No. 01596-0041 LT) to accommodate access to repair and maintain existing water service.
- III. THAT the 4.88-metre-wide east/west alley located between Clover Street and Adelaide Avenue, and shown on Drawing No. CC-1815 (attached hereto as Appendix "A"), **BE DENIED** for subsequent closure;
- IV. THAT Conveyance Cost **BE SET** as follows:



- a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1815.
- VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VIII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

### Executive Summary:

N/A



Figure 1 - Location Map

## **Background:**

The applicant, Ruediger Fluit, owner of the property known municipally as 562 Clover Street (the subject property), applied to close the 3.35-metre-wide north/south alley located between Clairview Avenue and Wyandotte Street East, and the 4.27-metre-wide and 4.88-metre-wide east/west alleys located between Clover Street and Adelaide Avenue, and shown on Drawing No. CC-1815 attached hereto as Appendix "A", and also shown on the aerial photo attached hereto as Appendix "B".

The applicant wishes to close the alleys to enlarge the subject property. The closure is also necessary to address an Order to Comply (File No. VPW 22-122609) issued against the subject property for encroaching into the north/south alley.

The applicant sold the subject property to John Feldman on July 15, 2024. Mr. Feldman's lawyer confirmed by email that his client wishes to takeover this application and will serve as the new applicant.

The Planning Department has determined that the 4.88-metre-wide east/west alley is indispensable for the following reasons:

1. Serves as the only vehicular means of access to the rear garage at 540 Clover Street, which does not have sufficient lot width for a side drive.
2. The rear garage was constructed between 1967 and 1972 by Building Permit 67 B 26348, issued on November 2, 1967, and completed on March 17, 1972.

The Planning Department has confirmed that the 3.05-metre-wide east/west strip of land, together with the 1.22-metre-wide strip of land located between the north/south alley and the properties known municipally as 551 Adelaide Avenue, 561 Adelaide Avenue and 565 Adelaide Avenue, is a remnant parcel of Farm Lot 140, Concession 1, of the former Town of Riverside and previously the former Township of Sandwich East. The remnant parcel is neither a street nor an alley, so outside the scope of this report. It is unclear from the title search as to whether the lands belong to the City. Should the abutting owners desire to acquire any portion of these lands, they would need to work with the City's Real Estate Services Department.

Therefore, the Planning Department, will only recommending the closure and conveyance of the north/south alley (the alley).

The alley is unmaintained (unpaved) and composed primarily of dirt and grass and includes sporadic patches of natural vegetation. The alley contains overhead hydro and utility lines and utility poles with guy wires and anchors. The alley serves as the only vehicular means of access to a rear detached garage at 550 Clover Street. The alley has been encroached on over the years by abutting properties with buildings, landscaping and structures. There are no Encroachment Agreements on record for the use of the alley.

The alley was established by Registered Plan of Subdivision No. 1077, registered on May 3, 1923.



## Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix "E". The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

### Classification of Public Right-of-Ways

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
    - i. The alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
    - ii. 550 Clover Street has an illegal rear detached garage off the alley.
      1. The garage was established without a Building Permit between 2010 and 2013 through an addition and interior alterations to an existing 17.8 m<sup>2</sup> shed.
      2. The addition does not comply with the minimum separation for an accessory building from a rear lot line provision of Zoning By-law 8600.
      3. Vehicular access off the alley would not have been permitted for the following reasons:
        - a. 550 Clover Street has a driveway off Clover Street.
        - b. The alley is unmaintained.
        - c. Physical access to Clover Street from the abutting portion of the alley has been cut off by encroaching fences since at least 2002.

- e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
    - i. The alley does not contain any Fire Department connections.
- 2. Alley that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
- 3. Alley that appears to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
- 4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

- 1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
- 2. Alley having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
- 3. Alleys that serve no useful purpose should be closed if possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the alley “dispensable” and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

### **Risk Analysis:**

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

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

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

The Planning Department has an operating budget of \$33,100.00 for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor in 2025.

The Finance Department has confirmed that funds allocated under Capital Fund 007 (Alley Closing Subsidy Program), as Expense 2950 (Other Prof Services-External) may be used for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. \$40,000.00 will be added annually to Expense 2950 until 2031, which may be used to cover survey invoices received in the corresponding year.

There are sufficient funds to cover the anticipated survey cost, expected to be invoiced in 2025.

### **Consultations:**

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

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

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

### **Conclusion:**

The Planning Department recommends closure of the alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, and ENWIN Utilities Ltd. and the owner of 10655 Clairview Avenue as in Recommendation II.

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

### **Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

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

*JP*

*JM*

**Planning Act Matters:**

<b>Name</b>	<b>Title</b>
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

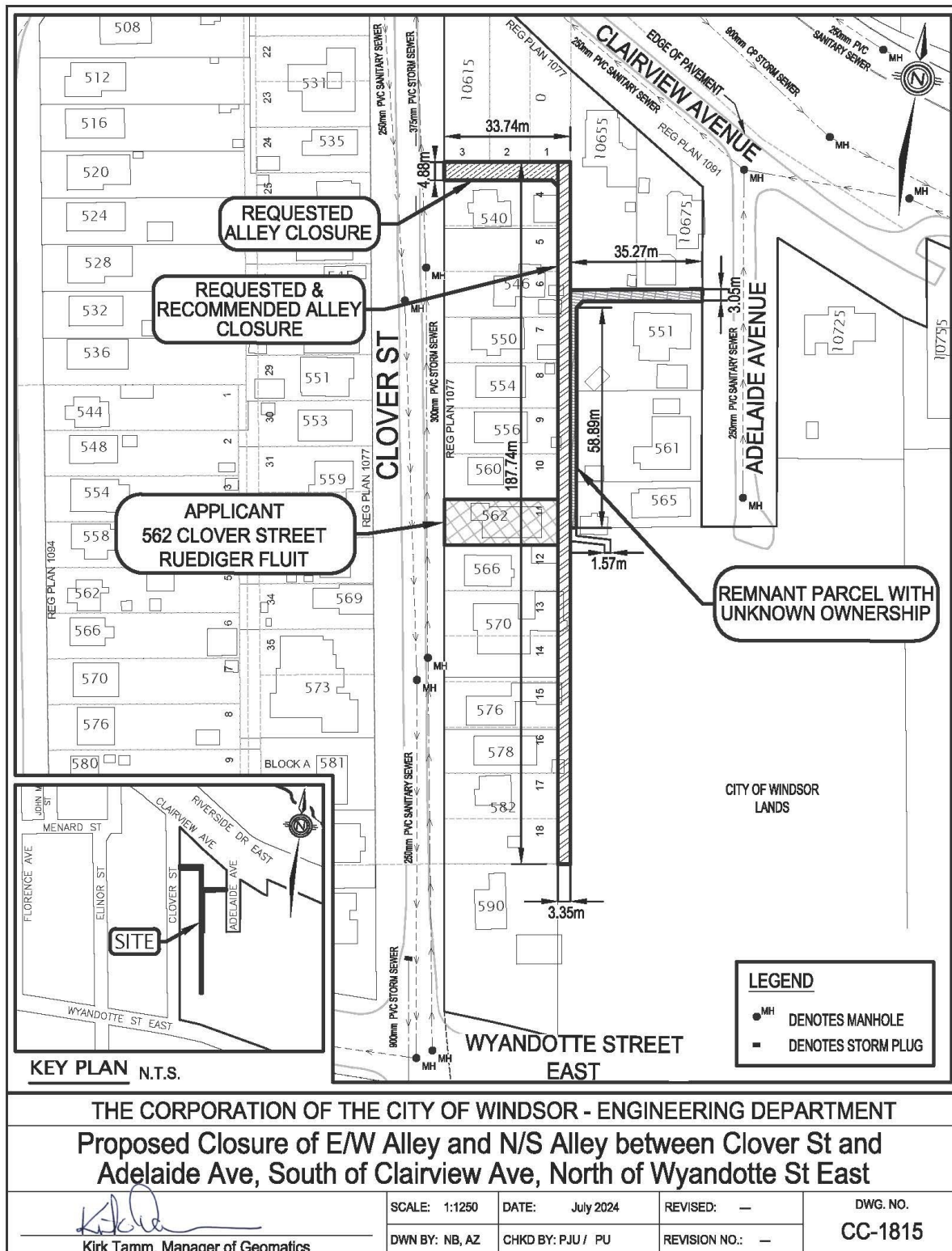
**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Ward 7 Councillor Angelo Marignani	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	amarignani@citywindsor.ca
John Feldman (Applicant)		
List of mailing labels for property owners abutting the north/south alley, east/west alley and remnant parcel issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1815
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

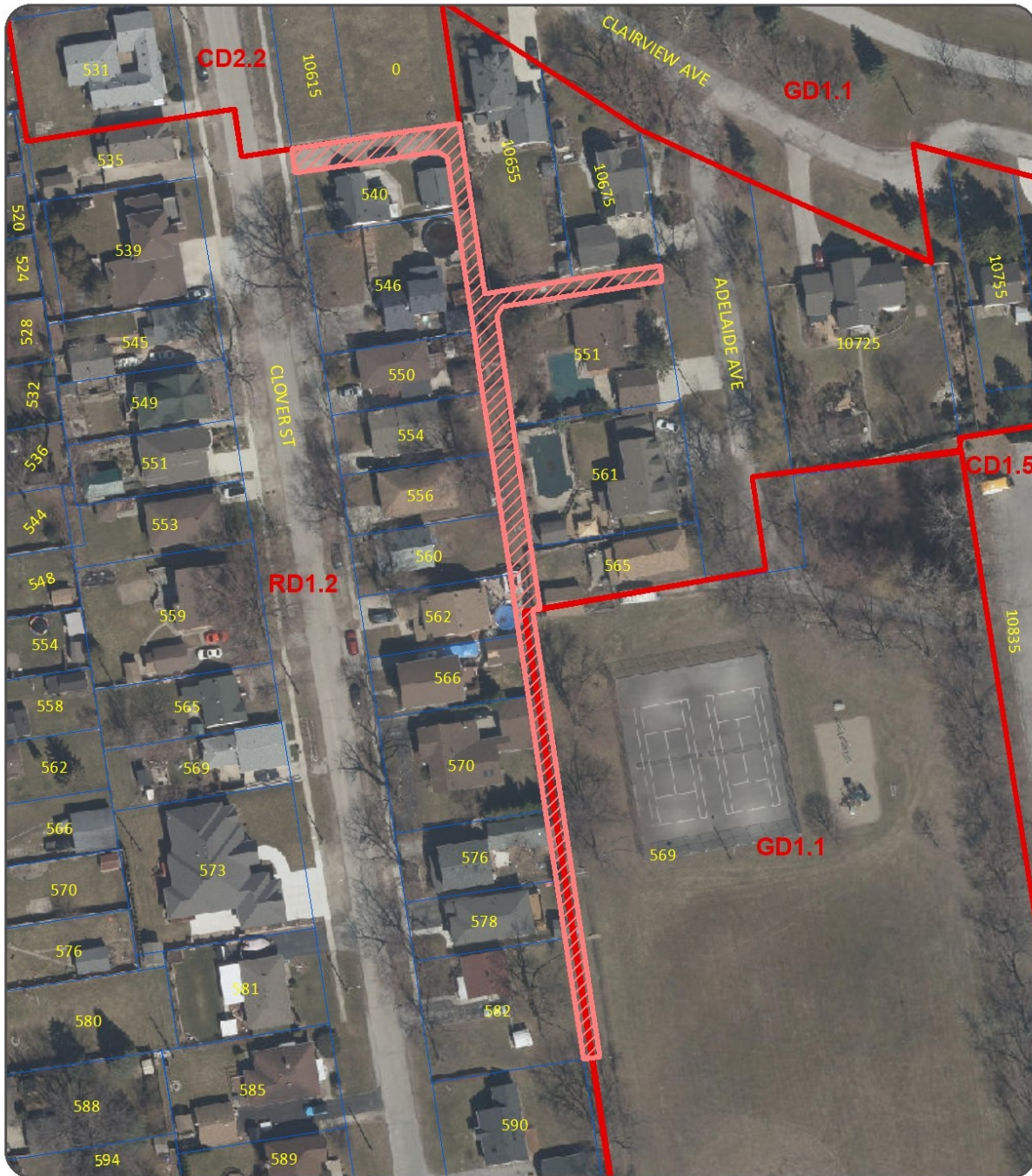
# **APPENDIX "A"** **Drawing No. CC-1815**





## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/6767)

1:1,000

APPLICANT : RUEDIGER FLUIT

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MAY, 2022



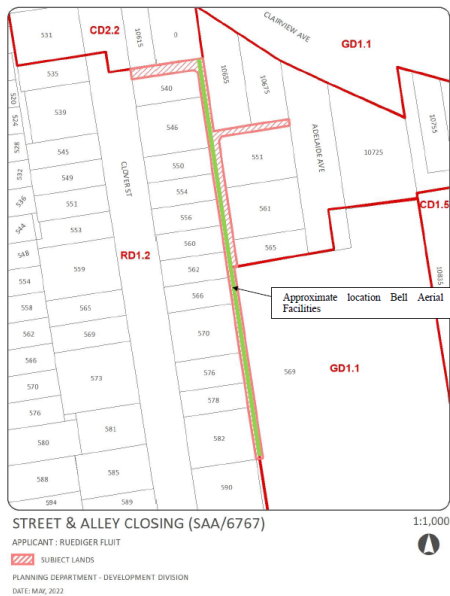
## APPENDIX “C”

### Consultations with Municipal Departments and Utility Companies

#### BELL CANADA

Bell Canada requests an easement over the entire alley.

#### [Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]



#### COGECO CONNEXION INC.

No comments provided

#### ENBRIDGE GAS INC.

After reviewing the provided drawing at 540 Clover Street and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Please Note:

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

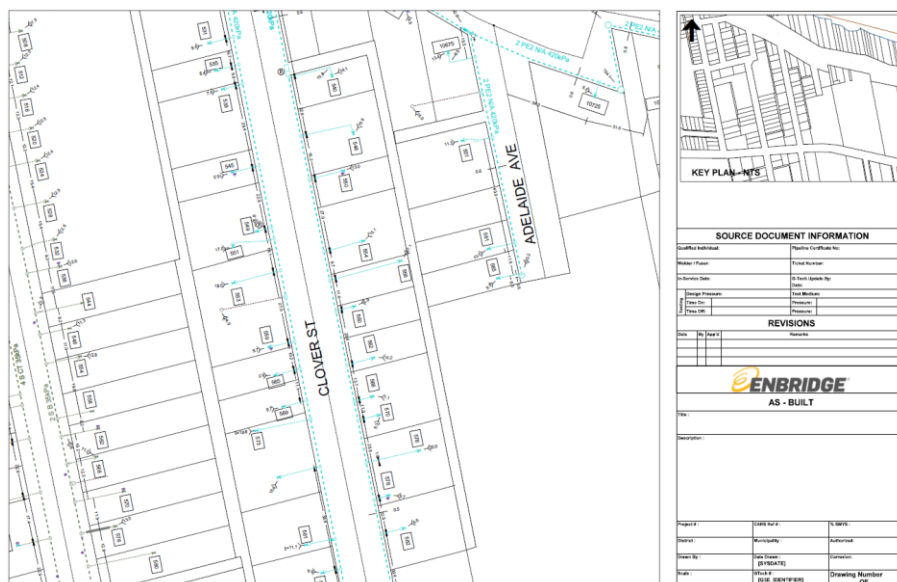
Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, 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 any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

**[James Makhoul - Summer Student, Drafting]**



## ENGINEERING (DEVELOPMENT & ROW)

There are no sewers or manholes located within the alley closure. There are no hydro poles or guy wires located within the alley. There is a driveway approach off Clover Street, the driveway approach is composed of gravel and is currently being used by 540 Clover Street. A driveway permit will be required by the property owner of 540 to keep and maintain the driveway approach to City Standard AS-221 or AS-222. This subject alley appears to have no usefulness by CR146/2005; therefore, we have no objections to the closure.

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



**ENGINEERING (OPERATIONS)**

The alley system shown has been cut off and inaccessible. The alley system is not necessary for pedestrian pathways, and only provides vehicular access to the garage at the rear of 540 Clover. 540 Clover would need enough of the ROW in order to complete a turning maneuver in/out of their garage – weather it remains City ROW or purchased by the owner. There are no concerns with closing the remainder of the alley system as shown.

**[Mike Spagnuolo - Signal Systems Analyst]**

**ENVIRONMENTAL SERVICES**

No concerns from Environmental Services.

**[Anne-Marie Albidone - Manager, Environmental Services]**

**ENWIN UTILITIES LTD. (HYDRO)**

No Objection, however, an easement named to ENWIN Utilities Ltd is required upon closing along the entire west limit of the site to accommodate existing overhead 120/240-volt distribution, poles and down guy wires.

**[Steve Zambito - Senior Hydro Engineering Technologist]**

**ENWIN UTILITIES LTD. (WATER)**

Water Engineering has no objections. An easement to the owner of 10655 Clairview will be required as their water service goes from Clover through the alley to their property. See below.

**[Bruce Ogg - Water Project Review Officer]**



**LEGAL & REAL ESTATE SERVICES**

No comments provided

**MANAGED NETWORK SYSTEM INC. (MNSi)**

MNSi does not require an easement through the subject lands

**[Dave Hartleib - Outside Plant Manager]**

**PARKS**

**December 12, 2022**

After reviewing this Liaison again and all sent emails that forwarded to you now the answer is:

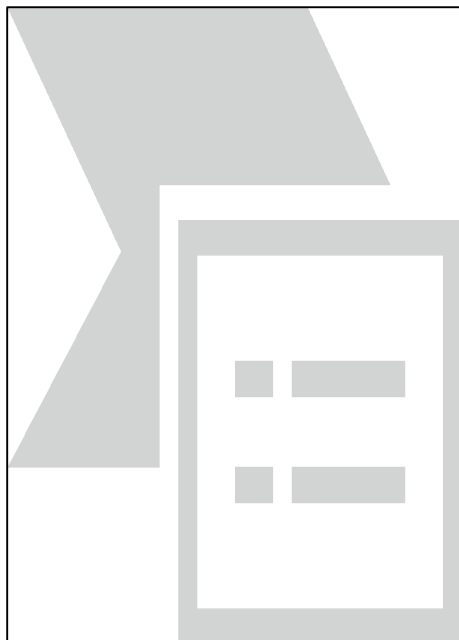
Allowing the abutting Clover Street properties, the right to purchase it.

**June 10, 2022**

After reviewing the SAA/6767 LIAISON and discussing the existing site conditions with Laura Ash, again Parks Development has no comments for this liaison.

**[Sherif Barsom - Landscape Architect]**

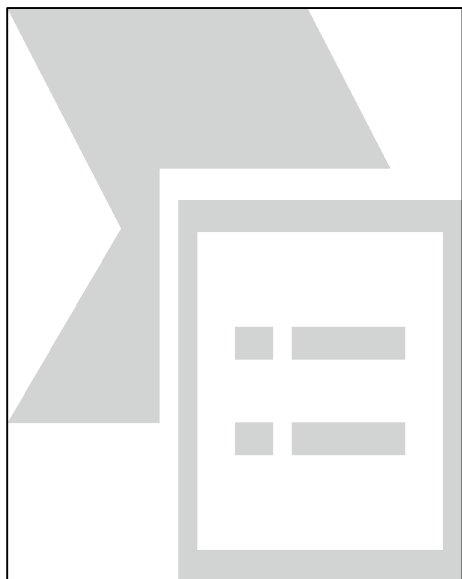
We had a public open house on May 19<sup>th</sup> to review the conceptual designs for the Sandpoint Beach Master Plan. Below is a snapshot of one of the display boards ([full set here](#)) showing a potential future parking area (yellow) in the privately owned vacant lot on the southeast corner of Clover and Clairview:



This property owner told me during the public meeting that he offered to sell this property to the City in the past but it wasn't purchased at that time, and he has plans to either sell or look into developing the lots for business/commercial. If another business is permitted here, and the beach is moved to the east, parking in the area may continue to be a problem unless other parking areas are considered.



From my perspective with respect to this project, it would be ideal to leave the e/w portion of the alley open until we know what will happen with the 2 vacant properties. It looks like the owner of 540 Clover is using that part of the alley already, but it could be useful if future parking is considered here.



**[Laura Ash - Supervisor, Parks Projects]**

**PLANNING (DEVELOPMENT)**

No comment provided

**PLANNING (LANDSCAPE)**

While the northern half of this proposed closure does not show an concern, the southern half (from 566 Clover) abuts East End Park. There appears to be encroachment in to the alley already by 570, 576, 578, 582 and 590 Clover. Parks has expressed no concern with the closure, abutting East End Park.

Therefore, there are no objections to the proposed closure from a landscape architectural or Parks perspective.

**[Stefan Fediuk - Landscape Architect]**

**PUBLIC WORKS - DESIGN**

We are completing a road and sewer rehabilitation on Clover and Clairview, approximate extent of construction including the fronting homes are shown below. Construction is tentatively proposed for Summer 2023. It appears there are two alley files SAA/6767 and SAA/6845. Also a few closed alleys within the project area.

Are you able to provide any details on the open alley files?

For the eastern alley access off of Clover, my initial thought is that this alley access would be replaced with a commercial concrete driveway approach. However, this may not be the recommendation if the alley is closed at the time of construction. The current access is granular.

All other alley access locations would be restored if grass as needed. They do not appear to be use for vehicular access today.

**[Ian Wilson - Engineer II]**



**ROGERS**

No comments provided

**TELECON (TELUS)**

TELUS has no underground infrastructure in your proposed work.

**[Meghna Patel - Permit Coordinator]**

**TRANSPORTATION PLANNING**

The east/west portion of the alley north of 540 Clover St is currently being used by 540 Clover St for parking and access to their garage in the rear. The portion of the alley used by 540 Clover St should still be accessible to them or sold to them. The remainder of the alley in question is not used for transportation purposes and there are no concerns with the proposed closure.

**[Shannon Deehan - Transportation Planning Coordinator]**

**WINDSOR FIRE**

No comments provided

**WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with the closure of these sections of alleys. The result from this closure will not affect the ability of the police to provide incident response or other service delivery activities to the abutting or surrounding properties.

**[Barry Horrobin - Director of Planning & Physical Resources]**

**APPENDIX “D”**  
**Site Photos (June 29, 2022)**



*Figure 1 - Looking east towards east/west alley from Clover Street (540 Clover Street on right)*



*Figure 2 - North/south alley looking south from east/west alley (540 Clover Street on right)*





*Figure 3 - North/south alley looking north (566 Clover Street on left) (565 Adelaide Avenue on right)*



*Figure 4 - Looking west towards east/west part of remnant parcel from Adelaide Avenue (551 Adelaide Avenue on left)*



*Figure 5 - East/west part of remnant parcel looking west (551 Adelaide Avenue on left) (10655 Clairview Avenue on right)*



*Figure 6 - North/south alley looking south (551 Adelaide Avenue on left) (remnant parcel runs along fence on left)*





*Figure 7 - North/south alley looking south (550 Clover Street on right)*



*Figure 8 - North/south alley looking south (556 Clover Street on right)*



*Figure 9 - North/south alley looking north (554 Clover Street on left)*



*Figure 10 - North/south alley looking north (546 Clover Street on left)*





*Figure 11 - East/west part of remnant parcel looking east (551 Adelaide Avenue on right)*



*Figure 12 - East/west part of remnant parcel looking east (551 Adelaide Avenue on right)*

## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

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

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

#### **Suitability for Closing:**

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

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



**Committee Matters: SCM 272/2024**

**Subject: Closure of north/south alley located between Millen Street and Girardot Street, Ward 2, SAA-6996**

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 562**

- I. THAT the north/south alley located between Millen Street and the north limit of Lot 17, Plan 1208, and shown on Drawing No. CC-1833 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V distribution; and,
    - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities; and,
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1833; and,
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,

VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 98/2024

Clerk's File: SAA2024

**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 September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>

**Subject: Closure of north/south alley located between Millen Street and Girardot Street, Ward 2, SAA-6996**

**Reference:**

Date to Council: September 3, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: July 16, 2024  
Clerk's File #: SAA2024

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

**Recommendation:**

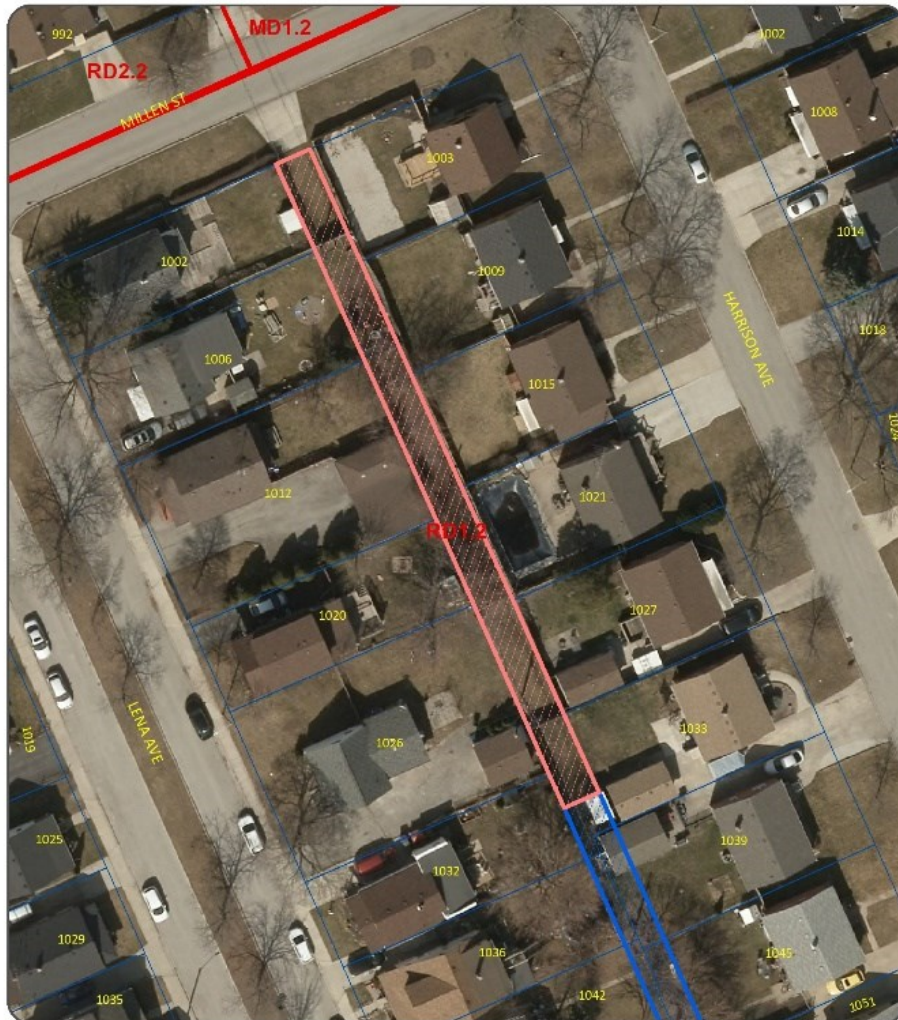
- I. THAT the north/south alley located between Millen Street and the north limit of Lot 17, Plan 1208, and shown on Drawing No. CC-1833 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V distribution; and
    - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1833.



- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

**Executive Summary:**

N/A



**STREET & ALLEY CLOSING (SAA/6996)**

1:500

APPLICANT : KAELE MCLELLAN



REQUESTED CLOSURE



PREVIOUS CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MARCH, 2023



## **Background:**

The applicant, Kaela McLellan, owner of the property known municipally as 1006 Lena Avenue (the subject property), applied to close the north/south alley located between Millen Street and the north limit of Lot 17, Plan 1208 (the alley), and shown on Drawing No. CC-1833 attached hereto as Appendix "A", and shown on the aerial photo attached hereto as Appendix "B". The remaining south portion of the north/south alley was closed by By-law 8651 in 1987.

The applicant wishes to close the alley for the purpose eliminating criminal activity that has occurred therein (i.e. theft, drug use, etc.).

The alley is unmaintained (unpaved) and composed primarily grass and natural vegetation. The alley contains a curb cut off Millen Street, overhead hydro and utility lines and utility poles with guy wires and anchors. The alley has been encroached on over the years by abutting properties with a building, landscaping and fences. There are no Encroachment Agreements on record for the use of the alley.

The alley was established by Registered Plan of Subdivision No. 1075, 1092 and 1208, registered on April 28, 1923, September 10, 1923, and March 19, 1926, respectively.

## **Discussion:**

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix "E". The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

### **Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?

- i. The alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
- e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
  - i. The alley does not contain any Fire Department connections.
- 2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
- 3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
- 4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

- 1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
- 2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
- 3. Alleys that serve no useful purpose should be closed if possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the alley “dispensable” and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

**Risk Analysis:**

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

**Climate Change Risks****Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

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

The Planning Department has an operating budget of \$33,100.00 for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor in 2025.

The Finance Department has confirmed that funds allocated under Capital Fund 007 (Alley Closing Subsidy Program), as Expense 2950 (Other Prof Services-External) may be used for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. \$40,000.00 will be added annually to Expense 2950 until 2031, which may be used to cover survey invoices received in the corresponding year.

There are sufficient funds to cover the anticipated survey cost, expected to be invoiced in 2025.

**Consultations:**

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

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

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

**Conclusion:**

The Planning Department recommends closure of the alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, ENWIN Utilities Ltd., and Managed Network System Inc. (MNSi.) as in Recommendation II of this report.

The closed alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendation II report.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

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

*JP*

*JM*

**Planning Act Matters:**

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

**Notifications:**

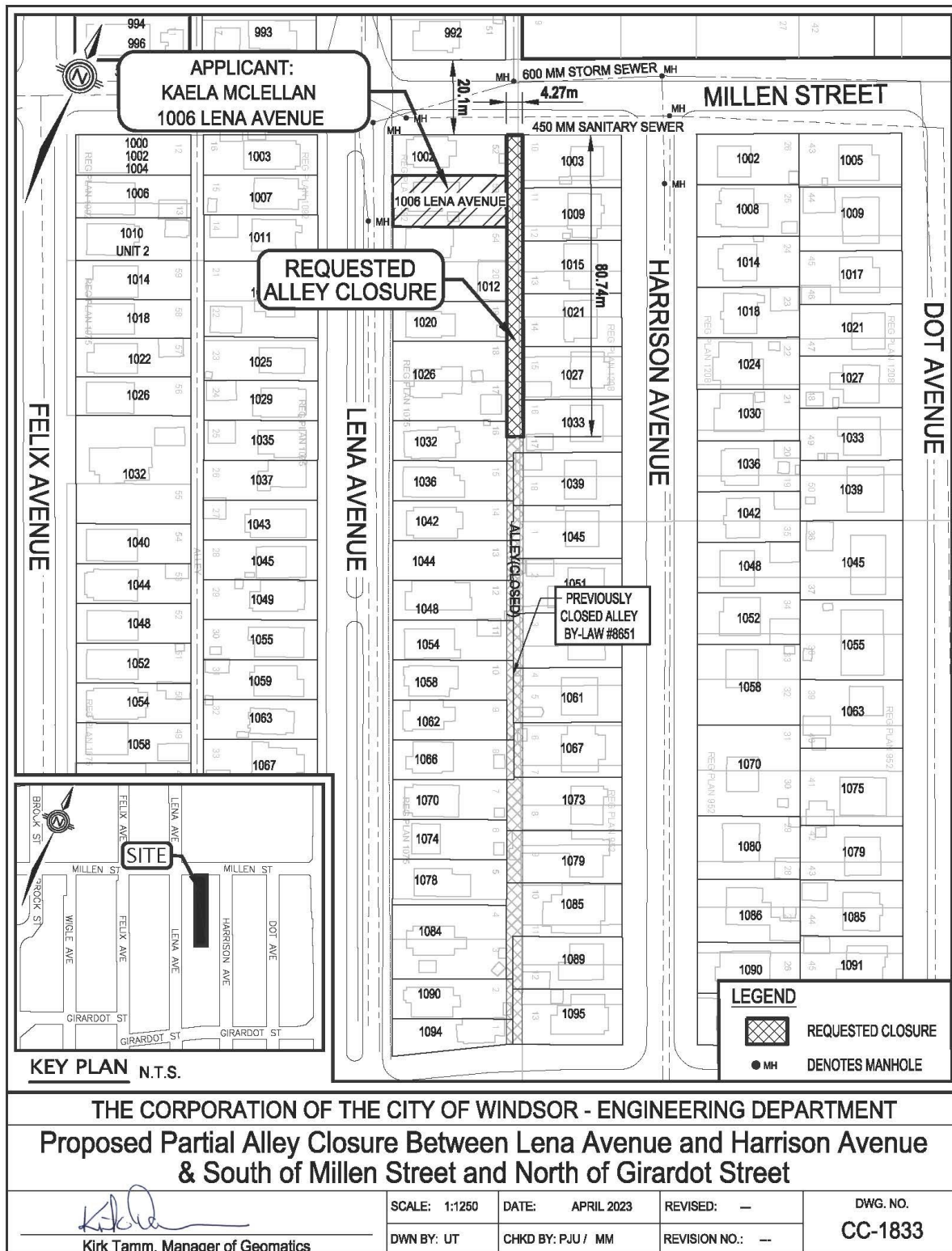
Name	Address	Email
Ward 2 Councillor Fabio Costante	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	fcostante@citywindsor.ca
Kaela McLellan (Applicant)		
List of mailing labels for property owners abutting the alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1833
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

# APPENDIX "A"

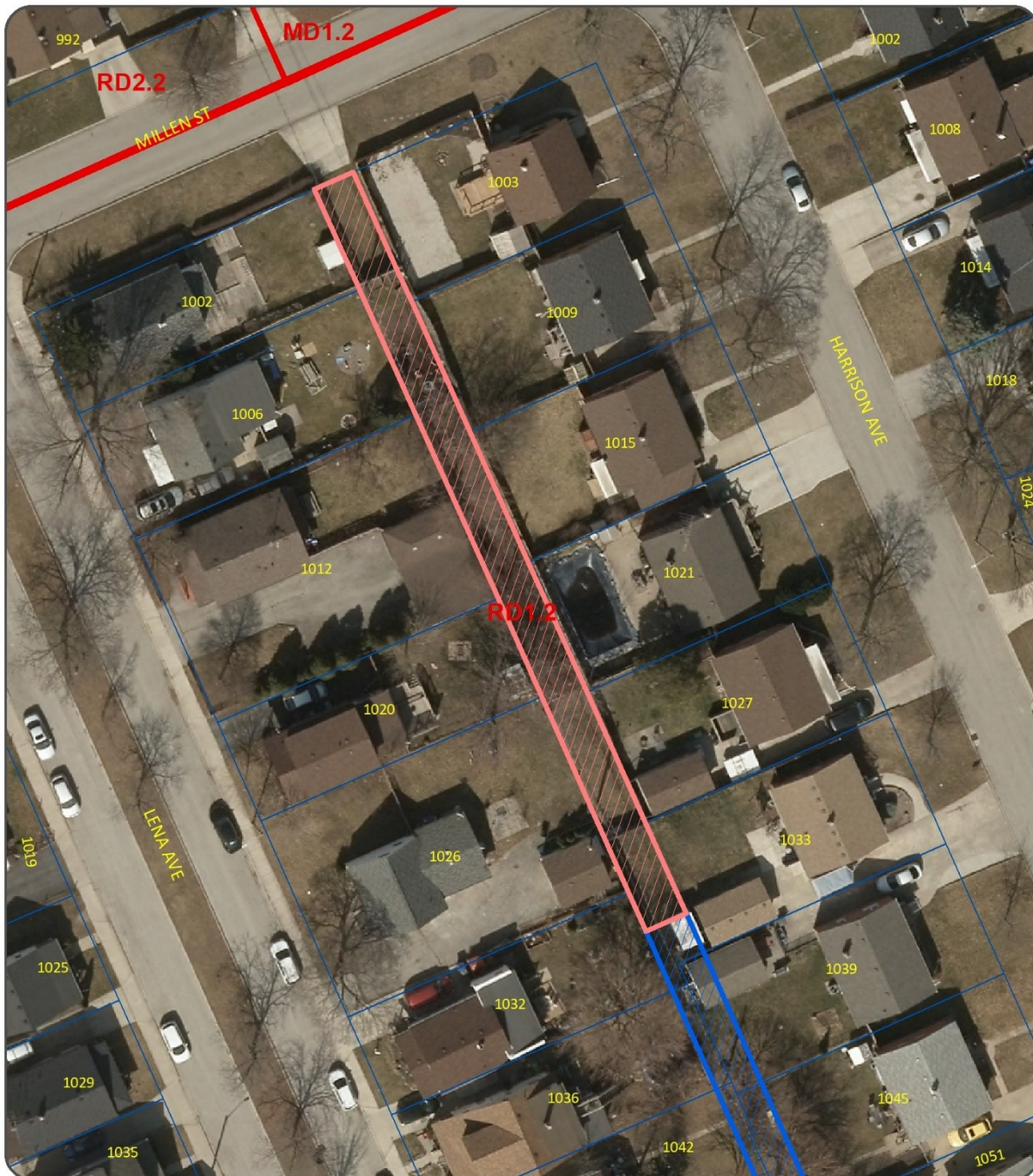
## Drawing No. CC-1833





## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/6996)

1:500

APPLICANT : KALEA MCLELLAN



REQUESTED CLOSURE



PREVIOUS CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MARCH, 2023





## APPENDIX “C”

### Consultations with Municipal Departments and Utility Companies

#### BELL CANADA

Bell Canada requests a 3.0 m wide easement to measure 1.5 m on either side of existing aerial facilities. We would welcome an easement over the entire alley if our request cannot be accommodated.

#### [Charleyne Hall - Bell Canada External Liaison - R.O.W. & Indigenous Relations]



#### COGECO CONNEXION INC.

No comments provided

#### ENBRIDGE GAS INC.

After reviewing the provided drawing at Lena Ave Alley closure. and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

- Any pipe that is excavated, please assume that it is live
- If during any job, any pipe is found that is not on the locate sheet and conflicts with your work, please call our emergency number (1-877-969-0999), and one of

our Union Gas representatives will respond to determine if that plant is in fact live or dead

- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.

**[Gord Joynson - Drafter Estimator]**



### **ENGINEERING (DEVELOPMENT & ROW)**

The subject alley closure is approximately 4.2 m (14.0 ft) wide, appears to be untraveled, and is composed of grass. There are no municipal sewers or manholes located in the closure. There are hydro poles, guy wires, and overhead wires. An easement will be required for the utilities. There are numerous encroaching objects within the closure. There is an existing alley approach off Millen Street; it may be the responsibility of the city to remove the curb cut in the future when funds exist. Should the abutting owners purchase the entire alley and plan to use this approach, they will be required to obtain a driveway permit to maintain the approach to City Standard AS-222. This alley appears to serve no useful purpose as per CR146/2005; therefore, we have no objections to the closure.

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

### **ENGINEERING (OPERATIONS)**

There is an existing fence preventing access at the south property line of 1002 Lena. The alley is not required for pedestrian or vehicular access. There are no objections to closing the alley as proposed.

**[Mike Spagnuolo - Signals System Analyst]**

### **ENVIRONMENTAL SERVICES**

No comments provided

**ENWIN UTILITIES LTD. (HYDRO)**

No Objection provided clearances are maintained from our distribution plant. However, an easement named to ENWIN Utilities Ltd., will be required for North to the South limit of the purposed alley closure to accommodate for the existing overhead 120/240V distribution.

ENWINs easement guidelines:

Overhead

A 3 m (10 ft) Easement is required for a straight pole line 1.5 m (5 ft) (on each side). This takes into consideration a 0.3 m (1 ft) pole diameter, 0.46 m (1.5 ft) primary insulator, and 0.9 m (3 ft) clearance from any nearby structure.

Guy and Anchor

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

Underground Cable

A 0.6 m (2 ft) easement on either side of a duct bank is required for underground installations.

Please note the following.

1. ENWIN has 120/240V overhead secondary conductors along the back of the properties.
2. All poles in the alley are Bell owned poles.

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

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

**[Keegan Morency-Kendall - Hydro Engineering Technologist]**

**ENWIN UTILITIES LTD. (WATER)**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL & REAL ESTATE SERVICES**

\$1 plus deed preparation and proportionate share of survey costs.

**[Stephanie Santos - Coordinator Real Estate Services]**

**MANAGED NETWORK SYSTEM INC. (MNSi)**

MNSi would like an Aerial Easement through the subject properties please.

**[Dave Hartleib - Outside Plant Manager]**

**PARKS**

Parks Design & Development has no objection to this alley closure.

**[Sherif Barsom - Landscape Architect]**

Natural Areas has no objections to this alley closure.

**[Karen Alexander - Naturalist & Outreach Coordinator]**

Forestry has no objection to this alley closure.

There are a few trees/shrubs behind addresses in this alley: if the alley is not fully purchased these may become orphaned sections with no access available to forestry.

At this time this alley way is already blocked off by private fencing installed by homeowners across several sections of the alley.

No loss of access to any City owned Street or Park Trees

**[Yemi Adeyeye - City Forester / manager Forestry & Natural Areas]**

**PLANNING (DEVELOPMENT)**

No comments provided

**PLANNING (LANDSCAPE)**

I have no issues from a landscape or urban design perspective related to this application.

**[Stefan Fediuk - Planner III - Senior Urban Designer]**

**ROGERS**

No comments provided

**TELECON (TELUS)**

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

**[Meghna Patel - Permit Coordinator]**

**TRANSIT WINDSOR**

No comments from Transit.

**[Jason Scott - Manager Transit Planning]**

**TRANSPORTATION PLANNING**

The alley does not seem to be used by pedestrians or vehicles since the north end of the alley is blocked by a fence which is preventing access. Transportation Planning has no objections to the proposed alley closure.

**[Clare Amicarelli - Transportation Planning Coordinator]**

**WINDSOR FIRE**

No comments provided

**WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with the closure of this alley. From Google Earth/Street View, the alley space in question appears to already be physically closed off to a large degree, greatly limiting random access. The closure, if approved, would presumably “clean up” the encroachment changes that have been made to date by abutting property owners. Closure will also not create any problems for police to otherwise gain access to affected properties for emergency incident response or vehicle patrol purposes within the immediate area as other options remain available to the police for such purposes.

**[Barry Horrobin - Director of Planning & Physical Resources]**

**APPENDIX “D”**  
**Site Photos (April 20, 2023)**



*Figure 1 - Looking south towards alley from Millen Street (1002 Lena Avenue on right)*



*Figure 2 - Alley looking north towards Millen Street (1002 Lena Avenue on left)*





*Figure 3 - Millen Street looking west from Alley (1002 Lena Avenue on left)*



*Figure 4 - Millen Street looking east from Alley (1003 Harrison Avenue on right)*



## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

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

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

#### **Suitability for Closing:**

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

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



**Committee Matters: SCM 279/2024**

**Subject: Ford City CIP Application for 1306 Drouillard Road. Owner: Charbel Semaan (C/O: Maged Basiliou) – Ward 5**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 653**

- II. THAT the request for incentives under the Ford City CIP Financial Incentive Programs made by Charbel Semaan, (c/o: Maged Basiliou), Owner of the property located at 1306 Drouillard Road for the construction of a two (2) storey auto body shop **BE APPROVED** for the following incentive programs:
  - i. Municipal Development Fees Grant Program to a maximum amount of \$30,000;
  - ii. Building/Property Improvement Tax Increment Grant Program for 100% of the municipal portion of the tax increment for up to 10 years in an estimated amount of \$16,358 per year.
- III. THAT Administration **BE AUTHORIZED** to prepare the agreement between the City and Charbel Semaan (C/O: Maged Basiliou; Maged Basiliou Architect) to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- IV. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor; and,
- V. THAT funds in the amount of up to a maximum of \$30,000 under the *Municipal Development Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Ford City CIP Fund (Project #7181046) once the work is completed; and,
- VI. THAT grants **BE PAID** to Charbel Semaan upon the completion of the of the auto body shop building from the Ford City CIP Fund (Project #7181046) to the satisfaction of the City Planner and Chief Building Official; and,

- VII. THAT should the construction of the two (2) storey auto body shop not be completed within three (3) years following Council approval of Report S101/2024, City Council **RESCIND** the approvals under the Municipal Development Fees Grant and the Building/Property Improvement Tax Increment Grant programs and that the funds under the Municipal Development Fees Grant Program **BE UNCOMMITTED** and returned to CIP Reserve Fund 226.

Carried.

Report Number: S 101/2024

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 11.6 from the Development & Heritage Standing Committee held on September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>

**Subject: Ford City CIP Application for 1306 Drouillard Road. Owner: Charbel Semaan (C/O: Maged Basilious) – Ward 5**

**Reference:**

Date to Council: September 3, 2024  
Author: Kevin Alexander, MCIP RPP  
Senior Planner-Special Projects  
519-255-6543 x. 6732  
kalexander@citywindsor.ca

Gabriel Lam  
Community City Development Planning Assistant  
519-255-6543 x. 6438  
glam@citywindsor.ca  
Planning & Building Services  
Report Date: July 23, 2024  
Clerk's File #: SPL2024

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

**Recommendation:**

- I. **THAT** the request for incentives under the Ford City CIP Financial Incentive Programs made by Charbel Semaan, (c/o: Maged Basilious), Owner of the property located at 1306 Drouillard Road for the construction of a two (2) storey auto body shop **BE APPROVED** for the following incentive programs:
  - i. Municipal Development Fees Grant Program to a maximum amount of \$30,000;
  - ii. Building/Property Improvement Tax Increment Grant Program for 100% of the municipal portion of the tax increment for up to 10 years in an estimated amount of \$16,358 per year.
- II. **THAT** Administration **BE AUTHORIZED** to prepare the agreement between the City and Charbel Semaan (C/O: Maged Basilious; Maged Basilious Architect) to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications;

- III. **THAT** the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor;
- IV. **THAT** funds in the amount of up to a maximum of \$30,000 under the *Municipal Development Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Ford City CIP Fund (Project #7181046) once the work is completed; and,
- V. **THAT** grants **BE PAID** to Charbel Semaan upon the completion of the of the auto body shop building from the Ford City CIP Fund (Project #7181046) to the satisfaction of the City Planner and Chief Building Official; and,
- VI. **THAT** should the construction of the two (2) storey auto body shop not be completed within three (3) years following Council approval of Report S101/2024, City Council **RESCIND** the approvals under the Municipal Development Fees Grant and the Building/Property Improvement Tax Increment Grant programs and that the funds under the Municipal Development Fees Grant Program **BE UNCOMMITTED** and returned to CIP Reserve Fund 226.

### **Executive Summary:**

N/A

### **Background:**

On November 19, 2018, City Council approved the Ford City Community Improvement Area and Ford City Community Improvement Plan (CIP) (CR625/2018 PHED 603) adopted through by-laws 171-2018 and 172-2018. These By-laws came into effect in January of 2019. In addition, on November 19, 2018, City Council activated the following financial incentive programs from the Ford City CIP:

1. Municipal Development Fees Grant Program
2. Building/Property Improvement Tax Increment Grant Program

### **Discussion:**

On May 15, 2023, Charbel Semaan (C/O: Maged Basiliou; Maged Basiliou Architect), owner of the property located at 1306 Drouillard Road, submitted an application for grants under the *Ford City CIP* Financial Incentive Programs for the construction of a two (2) storey auto body shop. The property is located within the Ford City CIP Area. The property is zoned Commercial District (CD) 4.1.

On July 13, 2021, a Demolition permit was issued to demolish the previous combined use building (completed a year later; July 13, 2022). The parcel is currently vacant, with a mix of residential and commercial lots within its proximity.

## Ford City CIP Financial Incentive Programs

The applicant is eligible for the following programs under the Ford City CIP Financial Incentive Programs:

*Municipal Development Fees Grant Program*—intended to encourage development within Ford City by providing an incentive to offset the costs associated with seeking the appropriate planning approvals and building permits for a project. Property owners will be eligible to receive a grant for 100% of the specified *Municipal Development Fees*, up to a maximum of \$50,000 per property. The Building Permit drawings have not been submitted and fees will need to be determined in the future. Recommendation I. i. of the report will include a maximum amount of \$30,000 to ensure that all fees are captured. Based on the information we have at the time of this report the following fees are required:

- Site Plan Control Application Fee—to be determined
- Building Permit Fee—to be determined
- Public Works Permit Fees—to be determined
- Parkland Dedication Fee—to be determined

### **TOTAL: To Be Determined to a maximum of \$30,000**

*Building/Property Improvement Tax Increment Grant*—intended to provide financial incentive for the physical improvements to properties whereby registered property owners and/or assignees would be eligible to receive a grant for 100% of the municipal portion of the tax increment generated from the improvements made to the building or property for up to 10 years.

To be eligible for the *Building/Property Improvement Tax Increment Grant*, improvements to the building/property must result in an annual grant (or tax increment) of at least \$500 for properties that are taxed at the Residential tax rate; and \$1,000 for properties taxed at all other tax rates.

The confirmed current value assessment of the property located at 1306 Drouillard Road is \$35,500. The owner currently pays annual property taxes of \$970.35 (\$678.49 for the municipal portion) based on a commercial tax rate only.

Based on the information and drawings provided by the applicant, Administration estimates the post project assessment value to be \$450,000. However, the actual amount of the new assessment will be dependent upon a full review of the building after the completion of renovations as determined by the Municipal Property Assessment Corporation (MPAC).

As identified in the table below, the estimated annual value of the grant is \$16,358. Over 10 years, this grant is estimated to be \$163,580.

The applicant indicates that the estimated eligible costs for the project is \$600,000. The *Planning Act* stipulates that the grants under a CIP cannot be more than the eligible costs. The total grant amount of \$163,580 plus developments fees is less than the estimated eligible costs.

Estimated Building/Property Improvement Tax Increment Grant for 1306 Drouillard Rd		
Annual Pre Development Municipal Taxes	Annual Estimate Post Development Municipal Taxes	Annual Estimate Value of Grant
\$ 678.49	\$ 17,036.62	\$ 16,358.00

#### **Assumptions**

Current Property Value Assessment (2024 – Commercial)	\$35,500
Estimate Post Development Property Assessment - Commercial	\$450,000

Because the Grant Program does not exempt the property from taxes, the owner must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre-development and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program; however, will be foregoing any incremental property taxes which could otherwise be used to offset future budget pressures.

#### **Risk Analysis:**

The approval of these grants does not carry significant risk, as there are sufficient funds within the CIP reserve fund approved by Council on February 22, 2021. The applicant will not receive any grants until all work is completed and inspected to the satisfaction of the Planning and Building Department. 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.

#### **Climate Change Risks**

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

The construction of the auto body shop affects climate change, because the previous combined use building was demolished, and not repurposed and new materials will have to be brought in. However, the infill of the site contributes to the revitalization of Ford City by filling out the cityscape. The construction of the building will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

Utilizing an existing lot and infrastructure in an existing built-up area of the City also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.

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

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property appears to be located within a Heat Vulnerability area. However, the rehabilitation of the building will utilize modern building methods, which will conform to the Ontario Building Code in regards to 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 \$404,809.95 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

If approved, funds will be transferred from the CIP reserve fund to the Ford City CIP Fund (Project #7181046) to disperse the maximum amount of \$30,000 for the *Municipal Development Fees Grant Program.*

The *Building/Property Improvement Tax Increment Grant* would be based upon the municipal tax increase and will be calculated by the Finance Department in consultation with the Municipal Property Assessment Corporation (MPAC) once the project is completed.

## **Consultations:**

The owner and architect for the property located at 1306 Drouillard Road have been consulted regarding grants and the design of the building related to the improvements outlined in this report. The design of the building fits within the context of the Drouillard Road Main Street and other factory style buildings historically found within the area. The development addresses the design guidelines and goals and objective of the Ford City CIP.

Carolyn Nelson, Manager of Property Valuation & Administration, Taxation & Financial Projects and Jose Mejalli Assessment Management Officer were consulted with respect to the Ford City CIP *Building/Property Improvement Tax Increment Grant.* Josie Gualtieri, Financial Planning Administrator was also consulted regarding the Ford City CIP grants, and related capital project/reserve fund balances.

## **Conclusion:**

The proposed auto body shop for 1306 Drouillard Road meets all eligibility criteria identified in this report, for the *Municipal Development Fees Grant Program* and the *Building/Property Improvement Tax Increment Grant* through the *Ford City Community Improvement Plan.*

The improvements address the urban design guidelines and goals and objectives of the Ford City CIP. The development will contribute to the revitalization of Ford City, through the infill of an existing vacant lot in the area.

There are sufficient funds in the CIP reserve fund to provide grants for the proposed improvements. Administration recommends approval of the grants identified in this report.

## **Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Kevin Alexander	Senior Planner – Special Projects
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner – Growth
John Revell	Chief Building Official
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Commissioner of Economic Development
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Dan Seguin	On behalf of Commissioner Finance/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix 'A' Location Map
- 2 Appendix 'B': Proposed Improvements; 1306 Drouillard Road

## APPENDIX 'A' – Location Map and Existing Condition



### LOCATION MAP: 1306 DROUILLARD ROAD



SUBJECT PROPERTY

0 5 10 20 30 Meters





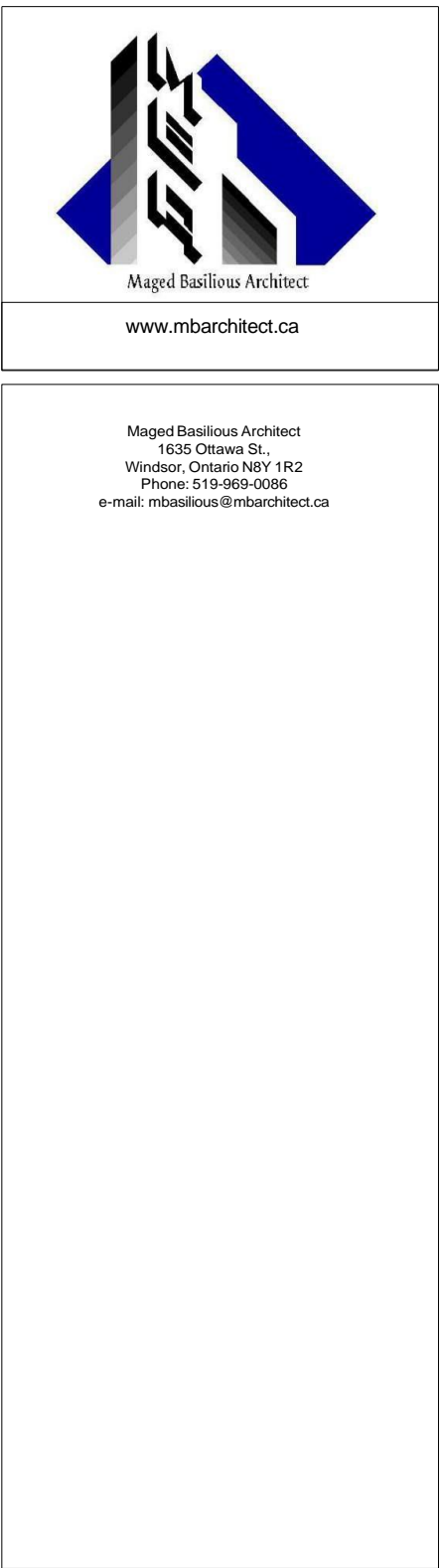
**GENERAL NOTES:**

1. ALL WORK IN THIS PROJECT SHALL BE ACCORDING TO THE CITY OF WINDSOR STANDARDS.
2. REFER TO SITE GRADING & SERVICING SITE PLANS FOR ALL EXISTING & NEW LOCATIONS OF SERVICES AND ENTRY OF SERVICES INTO THE BUILDING ENVELOPE. ALL MECHANICAL & ELECTRICAL INFORMATION INDICATED ON ARCHITECTURAL SITE DWG IS FOR GENERAL REFERENCE AND CO-ORDINATION ONLY.
3. REFER TO SITE GRADING PLAN FOR PROPOSED FINAL FINISH GRADE ELEVATIONS AND DRAINAGE SLOPES.
4. TYPICAL DRIVEWAY & PARKING LOT CONCRETE CURBS AS INDICATED ON DRAWING REFER TO OPSD DETAILS IN SPEC'S. FOR TYPICAL CURB TYPES. SITE DIMENSIONS ARE TYPICALLY DIMENSIONED TO FACE OF CURB.
5. EXISTING TREES TO REMAIN TO BE PROTECTED DURING CONSTRUCTION. REFER TO LANDSCAPE SPECIFICATIONS AND DRAWINGS.
6. PROVIDE 4" (100mm) WIDE PAINTED PARKING STALL LINE MARKINGS, HANDICAP SYMBOLS AND CROSS MARKINGS ON TOP OF FINISHED ASPHALT LAYER.
7. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE CITY OF WINDSOR
8. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: BUILDING PERMIT, ROAD CUT PERMITS, APPROACH APPROVAL PERMITS, COMMITTEE OF ADJUSTMENTS, SEWER AND WATER PERMITS, RELOCATION OF SERVICES, ENCRoACHMENT AGREEMENTS (IF REQUIRED).
9. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE ENGINEERING SERVICES DEPARTMENT, CITY OF WINDSOR, FOR THE PURPOSES OF VEHICULAR ACCESS TO THE PROPERTY, (ENTRANCE PERMIT), AND SERVICING EXCAVATIONS WITHIN THE MUNICIPAL ROAD ALLOWANCE, (ROAD OCCUPANCY PERMIT).
10. PRIOR TO THE COMMENCEMENT OF ANY WORKS ON THIS SITE, HOARDING SHALL BE INSTALLED AROUND THE PERIMETER AS PER GOOD CONSTRUCTION AND SITE SAFETY PRACTICE OR AS DETERMINED BY THE MANAGER, DEVELOPMENT ENGINEERING, UNTIL SUCH TIME AS OTHERWISE DIRECTED BY THE MANAGER, DEVELOPMENT ENGINEERING.
11. SITE SILTATION CONTROL MEASURES/FENCING SHALL BE ERECTED FROM COMMENCEMENT OF THE PROJECT THROUGHOUT THE DURATION OF THE PROJECT AS PER OPSD 219.110.

- GENERAL NOTES:**
1. ALL WORK IN THIS PROJECT SHALL BE ACCORDING TO THE CITY OF WINDSOR STANDARDS.
  2. REFER TO SITE GRADING & SERVICING SITE PLANS FOR ALL EXISTING & NEW LOCATIONS OF SERVICES AND ENTRY OF SERVICES INTO THE BUILDING ENVELOPE. ALL MECHANICAL & ELECTRICAL INFORMATION INDICATED ON ARCHITECTURAL SITE DWG IS FOR GENERAL REFERENCE AND CO-ORDINATION ONLY.
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  10. PRIOR TO THE COMMENCEMENT OF ANY WORKS ON THIS SITE, HOARDING SHALL BE INSTALLED AROUND THE PERIMETER AS PER GOOD CONSTRUCTION AND SITE SAFETY PRACTICE OR AS DETERMINED BY THE MANAGER, DEVELOPMENT ENGINEERING, UNTIL SUCH TIME AS OTHERWISE DIRECTED BY THE MANAGER, DEVELOPMENT ENGINEERING.
  11. SITE SILTATION CONTROL MEASURES/FENCING SHALL BE ERECTED FROM COMMENCEMENT OF THE PROJECT THROUGHOUT THE DURATION OF THE PROJECT AS PER OPSD 219.110.

## Appendix 'B': Proposed Improvements

Site Plan, Floor Plans, & Elevation Drawings



The logo for Maged Basiliou Architect is a stylized graphic. It features a large, bold letter 'M' in white and grey, with a blue geometric shape behind it. The 'M' is composed of several vertical and horizontal lines, creating a sense of depth and structure. The blue shape is a large, irregular polygon that frames the 'M'. The overall design is modern and architectural.

[illegible]

Auto Body Shop	
1306 Drouillard Rd. WINDSOR, ON	
Site Plan	
Project number	2259
Date	June 2022
Drawn by	A. B.
Checked by	M. B.
A 101	
Scale	1" = 10'-0"

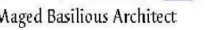
Auto Body Shop	
1306 Drouillard Rd. WINDSOR, ON	
Site Plan	
Project number	2259
Date	June 2022
Drawn by	A. B.
Checked by	M. B.
A 101	
Scale	1" = 10'-0"

Auto Body Shop	
1306 Drouillard Rd. WINDSOR, ON	
Site Plan	
Project number	2259
Date	June 2022
Drawn by	A. B.
Checked by	M. B.
A 101	
Scale	1" = 10'-0"

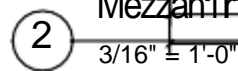
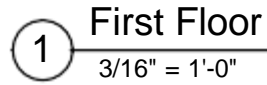
Auto Body Shop	
1306 Drouillard Rd. WINDSOR, ON	
Site Plan	
Project number	2259
Date	June 2022
Drawn by	A. B.
Checked by	M. B.
A 101	
Scale	1" = 10'-0"

Auto Body Shop	
1306 Drouillard Rd. WINDSOR, ON	
Site Plan	
Project number	2259
Date	June 2022
Drawn by	A. B.
Checked by	M. B.
A 101	
Scale	1" = 10'-0"

Auto Body Shop	
1306 Drouillard Rd. WINDSOR, ON	
Site Plan	
Project number	2259
Date	June 2022
Drawn by	A. B.
Checked by	M. B.
A 101	
Scale	1" = 10'-0"



Maged Basiliou Architect  
1635 Ottawa St.,  
Windsor, Ontario N8Y 1R2  
Phone: 519-969-0086  
Email: mbasiliou@mbarchitect.ca



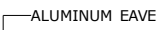
## Auto Body Shop

## First & Mezzanine Floor Plans

Project number	2259
Date	June 2022
Drawn by	A.B
Checked by	M.B

A 201

Scale  $3/16" = 1'-0"$



0.25

~~—~~PREFINISHED METAL ROOF

1  $3/16" = 1'-0"$

[illegible]

1306 Drouillard Rd.  
WINDSOR, ON

Project number 2259

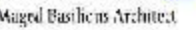
Date June 2022

Drawn by M. B.

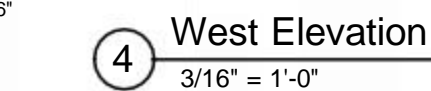
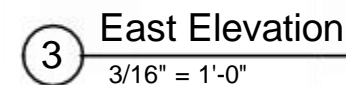
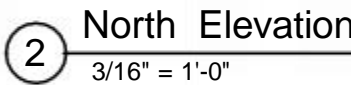
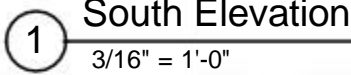
Checked by M. B.

Scale  $3/16" = 1'-0"$



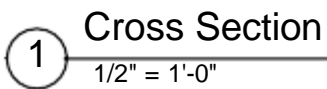
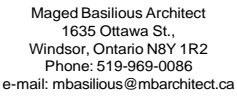


**Maged Basillious Architect**  
1635 Ottawa St.,  
Windsor, Ontario N8Y 1R2  
Phone: 519-969-0086  
Email: [mbasillious@mbarchitect.ca](mailto:mbasillious@mbarchitect.ca)



Auto Body Shop	
1306 Drouillard Rd. WINDSOR, ON	
Elevations	
Project number	2259
Date	June 2022
Drawn by	A. B.
Checked by	M. B.
A 301	
Scale	3/16" = 1'-0"



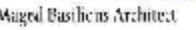
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1306 Drouillard Rd.  
WINDSOR, ON

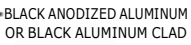
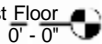
Project number	2259
Date	June 2022
Drawn by	A. B.
Checked by	M. B.

A 401

Scale	$1/2" = 1'-0"$
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Windsor, Ontario N8Y 1R2  
Phone: 519-969-0086  
Email: mbasiliou@mbarchitect.ca



BLACK ANODIZED ALUMINUM  
MUNTINS

$$\frac{3}{4}'' = 1'-0''$$
$$\frac{3}{4}'' = 1'-0''$$
[illegible]

1306 Drouillard Rd.

1306 Drouillard Rd.  
WINDSOR, ON

Project number	2259
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Date	June 2022
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Drawn by	A. B.
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Checked by	M. B.
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$3/4'' = 1'-0''$
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**Committee Matters: SCM 280/2024**

**Subject: Closure of north/south alley located between Wyandotte Street West and Rooney Street, Ward 2, SAA-7032**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 654**

- I. THAT the 3.05-metre-wide north/south alley located between Rooney Street and the south limits of Lot 102, Plan 369 and Lot 12, Plan 1042, and shown on Drawing No. CC-1840 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240-volt distribution, poles and down guy wires; and
    - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities; and,
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1840; and,
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,

VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 102/2024

Clerk's File: SAA2024

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.7 from the Development & Heritage Standing Committee held on September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>

**Subject: Closure of north/south alley located between Wyandotte Street West and Rooney Street, Ward 2, SAA-7032**

**Reference:**

Date to Council: September 3, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: July 25, 2024  
Clerk's File #: SAA2024

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

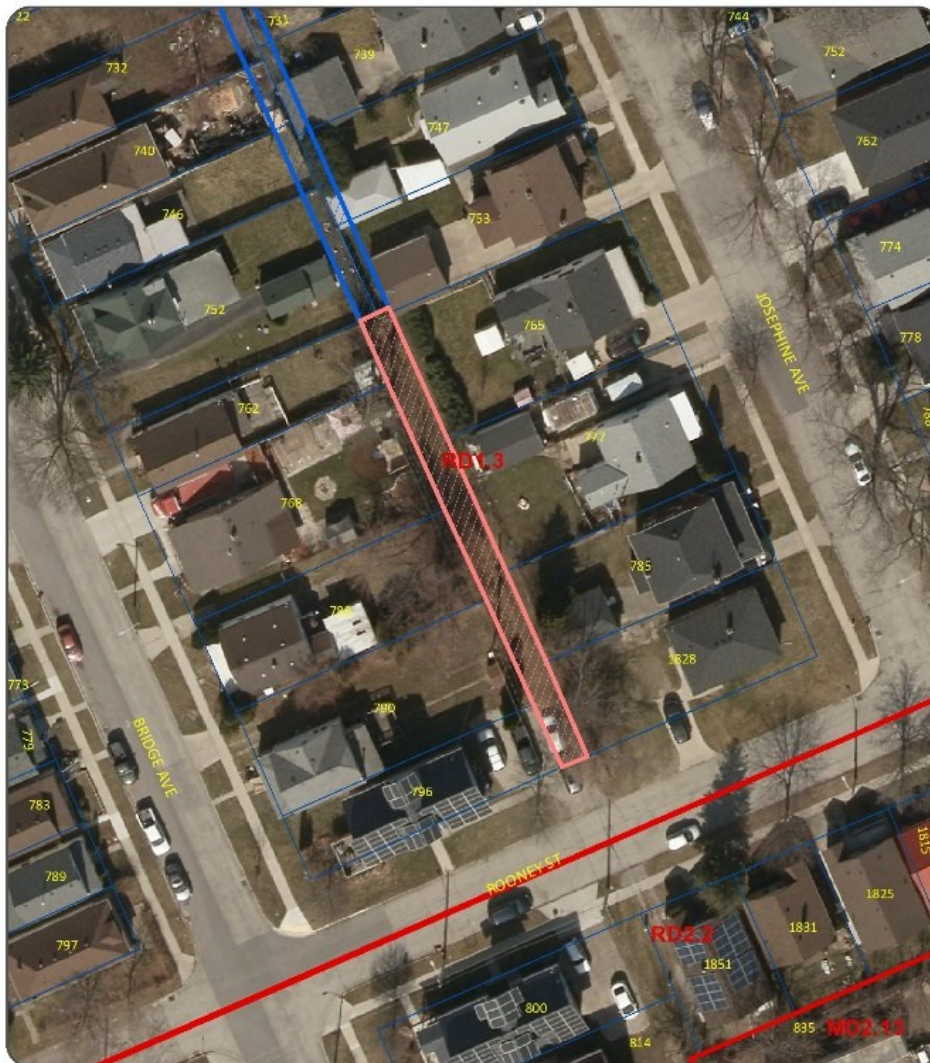
**Recommendation:**

- I. THAT the 3.05-metre-wide north/south alley located between Rooney Street and the south limits of Lot 102, Plan 369 and Lot 12, Plan 1042, and shown on Drawing No. CC-1840 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240-volt distribution, poles and down guy wires; and
    - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1840.

- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

### Executive Summary:

N/A



### STREET & ALLEY CLOSING (SAA/7032)

1:500

APPLICANT : RICK GEBAL

 APPLICATION TO CLOSE

 PREVIOUS CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MAY, 2023





## **Background:**

The applicant, Richard Gebal, owner of the property known municipally as 796 Bridge Avenue (the subject property), applied to close the 3.05-metre-wide north/south alley located between Rooney Street and the south limits of Lot 102, Plan 369 and Lot 12, Plan 1042 (the alley), and shown on Drawing No. CC-1840 attached hereto as Appendix "A", and shown on the aerial photo attached hereto as Appendix "B". The remaining north portion of the north/south alley was closed by By-law 8652 in 1987.

The applicant wishes to close the alley for purpose of eliminating criminal activity that has occurred therein (drug dealing, mischief, vandalism).

The alley is unmaintained (unpaved) and composed primarily of grass, gravel and natural vegetation. The alley contains a curb cut off Rooney Street, overhead hydro and utility lines and utility poles with guy wires and anchors. The alley serves as the only vehicular means of access to the rear gravel driveway on the subject property.

The alley was established by Registered Plan of Subdivision No. 369 and 1042, registered on October 29, 1890, and March 24, 1922, respectively.

## **Discussion:**

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix "E". The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

### **Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
    - i. The alley serves as the only vehicular means of access to the rear driveway on the subject property.



- ii. The subject property does not have sufficient lot width for a side drive.
  - iii. The rear driveway was established when the Single Unit Dwelling on the subject property was constructed in 2003.
- e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
  - i. The alley does not contain any Fire Department connections.
- 2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
- 3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
- 4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

- 1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
- 2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
- 3. Alleys that serve no useful purpose should be closed if possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the alley “indispensable”.

Notwithstanding the alley being deemed indispensable, the Planning Department is recommending that it be closed and conveyed in **as is condition** to the abutting property owners for the following reasons:

- The aforesaid factors that deem the alley indispensable stem solely from the subject property’s use of the alley.

- The owner of the subject property intends to purchase his half of the alley, which will maintain access to the rear driveway from Rooney Street.
  - The owner of the property on the other side of the alley, 1828 Rooney Street, can not purchase this portion of the alley as it would eliminate access to the subject property's rear driveway.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

### **Risk Analysis:**

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

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

The rate for an alley conveyed to abutting lands zoned RD1.3 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The Planning Department has an operating budget of \$33,100.00 for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor in 2025.

The Finance Department has confirmed that funds allocated under Capital Fund 007 (Alley Closing Subsidy Program), as Expense 2950 (Other Prof Services-External) may be used for covering surveys invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. \$40,000.00 will be added annually to Expense 2950 until 2031, which may be used to cover survey invoices received in the corresponding year.

There are insufficient funds to cover the anticipated survey cost, expected to be invoiced in 2025. Additional funding sources will need to be approved by Council to cover the survey cost before a survey can be ordered.

### **Consultations:**

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

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

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

**Conclusion:**

The Planning Department recommends closure of the alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, ENWIN Utilities Ltd. and Managed Network System Inc. (MNSi.), as in Recommendation II of this report.

The closed alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendation II report.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

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

*JP*

*JM*

**Planning Act Matters:**

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

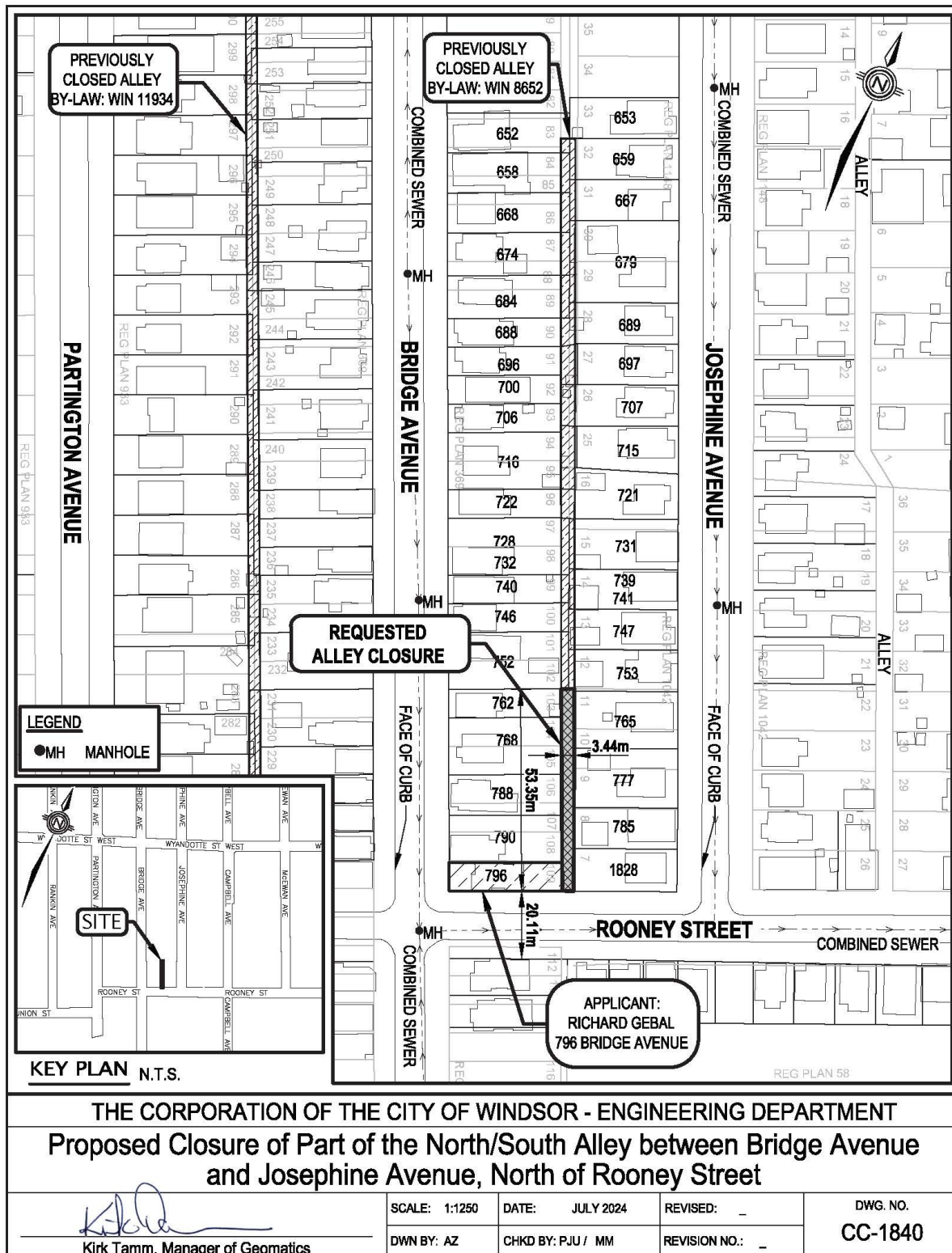
**Notifications:**

Name	Address	Email
Ward 2 Councillor Fabio Costante	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	fcostante@citywindsor.ca
Richard Gebal (Applicant)		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1840
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

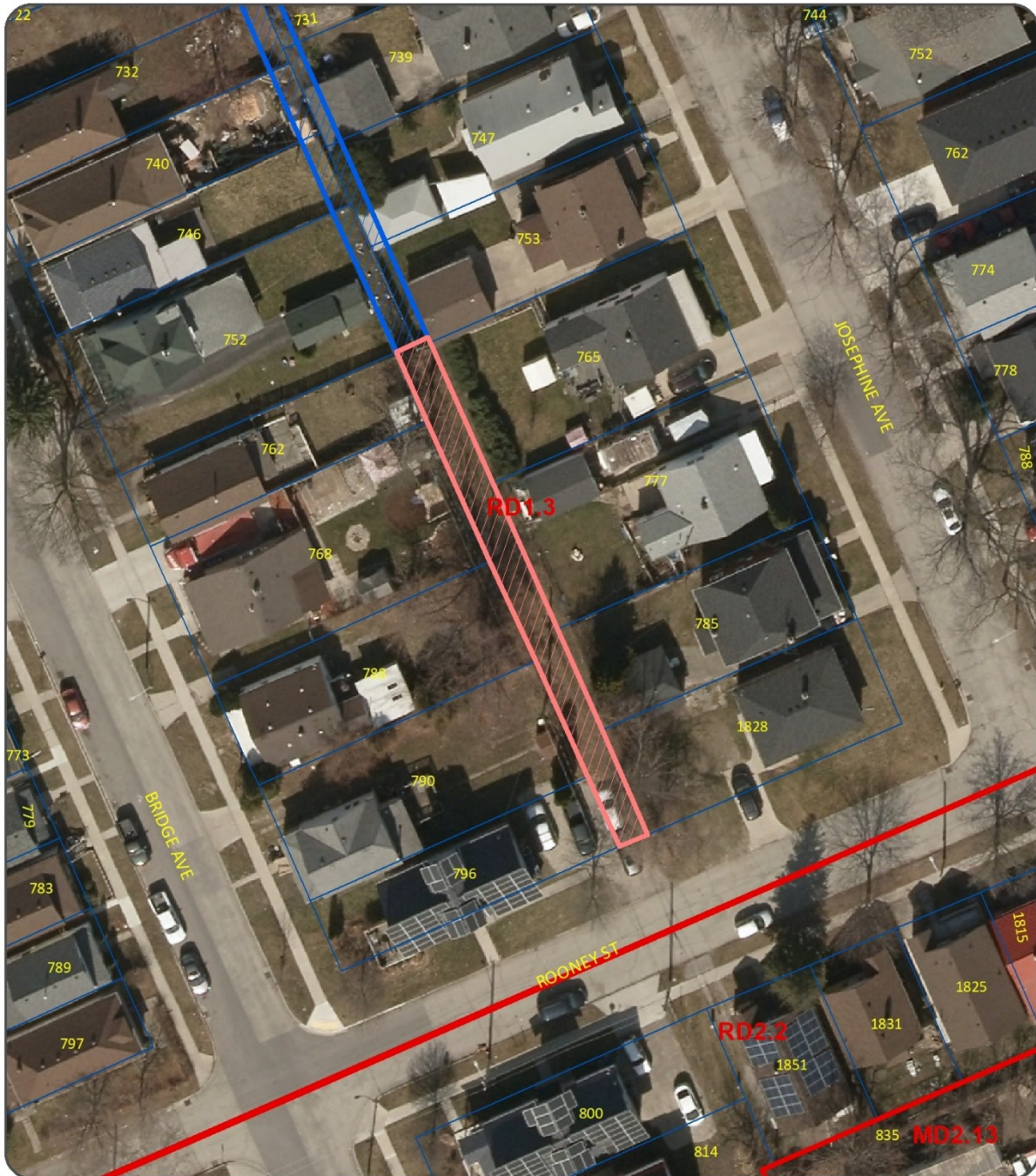
# **APPENDIX "A"** **Drawing No. CC-1840**





## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/7032)

1:500

APPLICANT : RICK GEBAL

 APPLICATION TO CLOSE

 PREVIOUS CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MAY, 2023



## APPENDIX “C”

### Consultations with Municipal Departments and Utility Companies

#### BELL CANADA

Bell Canada requests a 3.0 m wide easement to measure 1.5 m on either side of existing aerial facilities, or over the entire closure area.

#### [Charleyne Hall - Bell Canada External Liaison - R.O.W. & Indigenous Relations]



#### COGECO CONNEXION INC.

No comments provided

#### ENBRIDGE GAS INC.

After reviewing the provided drawing at Rooney & Josephine alley closure and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area.

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 any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of



our Union Gas representatives will respond to determine if that plant is in fact live or dead

- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.

**[Gord Joynson- Drafter Estimator]**

### **ENGINEERING (DEVELOPMENT & ROW)**

The subject alley closure is approximately 53.9 m (177 ft), appears to be untraveled and is composed mainly of grass. There are no municipal sewers or manholes located in the alley. There are hydro poles, and overhead wires located throughout the alley. There does not appear to be any garage access into the subject alley. If the alley closure is approved, property owners will be required to remove any encroaching items or ensure said items remain within their property limits. If the closure is not approved, the property owners will be required to remove the encroaching items or enter into an encroachment agreement. This alley appears to serve no useful purpose by CR146/2005; therefore, we have no objections to the closure of this alley.

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

### **ENGINEERING (OPERATIONS)**

No concerns with closing the alley as proposed.

**[Mike Spagnuolo - Signal Systems Analyst]**

### **ENVIRONMENTAL SERVICES**

No comments provided

### **ENWIN UTILITIES LTD. (HYDRO)**

No Objection, however, an easement named to ENWIN Utilities Ltd is required upon closing along the entire west limit of the site to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires.

**[Steve Zambito - Senior Hydro Engineering Technologist]**

### **ENWIN UTILITIES LTD. (WATER)**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL & REAL ESTATE SERVICES**

No comments provided

**MANAGED NETWORK SYSTEM INC. (MNSi)**

Please allow for an aerial easement for MNSi through this request.

**[Dave Hartleib - Outside Plant Manager]**

**PARKS**

No concerns from Natural Areas and Parks Design & Development

**[Sherif Barsom - Landscape Architect]**

We have reviewed this internally and we are OK with the application moving forward without replacement cost considerations.

**[Yemi Adeyeye - City Forester / manager Forestry & Natural Areas]**

**PLANNING (DEVELOPMENT)**

No comments provided

**PLANNING (LANDSCAPE)**

I have no issues from a landscape architectural or urban design perspective.

**[Stefan Fediuk - Planner III - Senior Urban Designer]**

**ROGERS**

No comments provided

**TELECON (TELUS)**

TELUS has no underground infrastructure around your proposed work.

**[Meghna Patel - Permit Coordinator]**

**TRANSIT WINDSOR**

No issues from Transit Windsor.

**[Jason Scott - Manager, Transit Planning]**

**TRANSPORTATION PLANNING**

Transportation Planning has no concerns

**[Clare Amicarelli - Transportation Planning Coordinator]**

**WINDSOR FIRE**

No comments provided

**WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with the closure of this section of alley extending northward from Rooney Street, between Bridge Avenue and Josephine Avenue to prevent the occurrence of illegal activity. The alley space in question is grassed over and heavily shrouded by significantly encroaching vegetation. In its current state, it lacks visibility, making it more vulnerable to unlawful activity that is difficult to detect. Closure will not create problems for police to otherwise gain access for emergency incident response or vehicle patrol purposes within the immediate area. The closure will still leave other options available to the police for such purposes. Closure will help facilitate improved physical measures by abutting property owners to restrict/prevent discreet access that may lead to the illegal activity cited as a concern by the applicant. The result from this closure will hopefully mitigate problems going forward.

**[Barry Horrobin - Director of Planning & Physical Resources]**

**APPENDIX “D”**  
**Site Photos (June 2023 & November 2023, Respectively)**



*Figure 1 - Looking north towards alley from Rooney Street (796 Bridge Avenue on left)*



*Figure 2 - Looking northeast towards alley from Rooney Street (796 Bridge Avenue on left)*



## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

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

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

#### **Suitability for Closing:**

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

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



**Committee Matters: SCM 282/2024**

**Subject: Brownfield Redevelopment Community Improvement Plan (CIP)  
application submitted by Baird AE Inc. on behalf of Bullet Investments Inc. for 285  
Giles Boulevard East (Ward 3)**

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 655**

- I. THAT the request made by Baird AE Inc. on behalf of Bullet Investments Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 285 Giles Boulevard East for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT Administration **BE DIRECTED** to prepare an agreement between Bullet Investments Inc., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. THAT the approval to participate in the Brownfield Rehabilitation Grant Programs **EXPIRE** if the agreement is not signed by applicant within two years following Council approval.

Carried.

Report Number: S 106/2024  
Clerk's File: Z/14778

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.8 from the Development & Heritage Standing Committee held on September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>



**Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Baird AE Inc. on behalf of Bullet Investments Inc. for 285 Giles Boulevard East (Ward 3)**

**Reference:**

Date to Council: September 3, 2024  
Author: Tracy Tang, MCIP, RPP  
Planner III – Economic Development (A)  
ttang@citywindsor.ca  
519-255-6543 x 6449  
Planning & Building Services  
Report Date: August 14, 2024  
Clerk's File #: Z/14778

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

**Recommendation:**

- I. THAT the request made by Baird AE Inc. on behalf of Bullet Investments Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 285 Giles Boulevard East for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT Administration **BE DIRECTED** to prepare an agreement between Bullet Investments Inc., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. THAT the approval to participate in the Brownfield Rehabilitation Grant Programs **EXPIRE** if the agreement is not signed by applicant within two years following Council approval.

## **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 removes the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

### **Site Background**

The subject site 285 Giles Boulevard East is located at the southwest corner of the intersection of Giles Boulevard East and McDougall Street. The property parcel is 0.23 hectares (or 0.56 acres) in size and rectangular shaped. It is currently occupied by one vacant three-storey commercial office building. See Appendix 'A' for a location map.

In recent years, 285 Giles Boulevard East was used as an insurance company office. The Phase I Environmental Site Assessment (ESA) identified the first use of the parcel as the site of a Goodyear Tire commercial building in the late 1950s, followed by a service station in the late 1960s and a prescription service business in the 1970s.

The principal owner of Bullet Investments Inc. is Matt Baird. Bullet Investments Inc. intends to convert the existing commercial office building at 285 Giles Boulevard East for combined residential / commercial use, thus a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. The property owner has undergone a Zoning By-law Amendment (approved in July 2024 through CR288/2024) to facilitate the redevelopment proposal. The subject property is designated 'Mixed Use Corridor' on Official Plan Schedule D: Land Use and zoned Commercial District CD2.2 (General Commercial, Combined Use Building) with special zoning provisions to allow for residential units on the same storey and below non-residential uses; permit required parking to be located off-site; and allow a parking area within 2 metres of a building wall containing habitable room windows.

Council approved an Environmental Site Assessment (ESA) Grant for this property in January 2024 through Council Resolution CR28/2024 for the completion of a Phase II ESA study and designated substances survey. The owner has since completed undertaking the Phase II ESA. The ESA grant totalling at \$18,450 was issued to the owner in June 2024.

The findings from the Phase II ESA sampling analysis revealed that contamination is present on the site, thus remediation is required. Baird AE Inc. has submitted the grant application on behalf of the current property owner. Bullet Investments Inc. is incurring the eligible remediation costs and, should the application be approved, would receive the grant payment.

## **Discussion:**

### **Brownfield Rehabilitation Grant Program**

The Brownfield Rehabilitation Grant Program encourages the remediation, rehabilitation, and adaptive re-use of brownfield sites by providing grants to help pay for remediation costs as well as non-environmental rehabilitation costs normally associated with brownfield site redevelopment (e.g. development application and building permit fees, and upgrading on-site / off-site infrastructure).

The program offers annual grants funded through the increase in municipal property tax levy created by the investment for up to 10 years to help offset eligible costs. The CIP specifies Brownfield Rehabilitation Grants will equal 70% of the municipal property tax increase for a project that employs standard construction methods and 100% of the municipal property tax increase for projects that achieve any level of Leadership in Energy and Environmental Design (LEED) certification.

Annual grants are paid out following the filing of a RSC, reassessment of the property and the payment of the property taxes for the year in which the grant is to be provided. Issuance of the first grant payment typically occurs at least two years after approval to participate in the program.

## **CIP Goals**

City staff are supportive of the application as it meets all the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed filing of a RSC and redevelopment of the property 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;
- Improve the land use compatibility of potential brownfield sites with surrounding land uses;
- 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 related to the potential presence of contamination. In this case, there is also a risk of the property remaining in a vacant state, which negatively affects the surrounding properties. The proposed study and remediation will assist in mitigating these risks. The City would retain a copy of the study for future reference.

## **Climate Change Risks**

### **Climate Change Mitigation:**

The proposed redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. In particular, the redevelopment would implement the action that supports the existing Brownfields Redevelopment Strategy and achieve its work plan.

### **Climate Change Adaptation:**

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

### **Financial Matters:**

Based on the proposed redevelopment plan submitted by the owner, administration estimates the post-development property value assessment to increase by \$4,120,000 (i.e. from \$1,800,000 to \$5,920,000). The post-development total annual tax levy is estimated to increase by \$42,938 (i.e. from \$83,987 to \$126,925), with the increase to the municipal portion of taxes totalling \$47,903 (and a decrease in educational taxes of \$4,965 as a result of the tax class change from commercial to mostly residential). As the Brownfield Rehabilitation Grant is calculated at 70% of the increase in municipal taxes, the estimated annual grant is \$33,532. This would yield a total grant value of \$335,320 over ten years under the Brownfield Rehabilitation Grant Program for standard construction.

The total eligible costs is estimated to total \$367,800. This includes \$330,350 for remediation and filing a RSC, \$20,000 for monitoring, maintaining, and operating controls/works, and \$17,450 in Phase II ESA costs that were not reimbursed through the ESA Grant Program.

The Brownfield Redevelopment grants are paid back to the applicant after redevelopment has occurred, property assessment value has been reassessed by MPAC, and total taxes as it relates to the redevelopment have been paid to the City in full. Assuming the building is constructed to comply with the minimum Building Code provisions the recommended grants would reimburse 96% of the eligible costs under the Brownfield Rehabilitation Grant Program. If constructed to LEED standard—100% of the eligible costs would be reimbursed.

Environmental Study Grant (approved through CR28/2024)	\$18,450.00
Brownfield Rehabilitation Grants (standard construction) (Years 1-10)	\$335,320.00
<b>Total</b>	<b>\$353,770.00</b>

Throughout the lifespan of the grant, the City would retain \$83,987 of the annual municipal taxes. After the grant program ceases, the full amount of increased annual municipal taxes or \$126,925, would be retained by the City in perpetuity.

### **Consultations:**

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Brownfield Rehabilitation Grant Program. Greg Atkinson, Manager of Development, Planning & Building Services Department; Jose Mejalli, Assessment Management Officer, Taxation & Financial Projects; Carolyn Nelson, Manager of Property Valuation & Administration, Taxation & Financial Projects; 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 Bullet Investments Inc. to participate in the Brownfield Rehabilitation Grant Program. In the opinion of planning staff, the proposed remediation and redevelopment 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:**

<b>Name</b>	<b>Title</b>
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner
Kate Tracey	Senior Legal Counsel, Legal Services &

Name	Title
	Real Estate
Lorie Gregg	Deputy Treasurer, Taxation & Financial Projects
Dan Seguin	On behalf of 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





# LOCATION MAP : 285 GILES BOULEVARD EAST





**Committee Matters: SCM 283/2024**

**Subject: Minutes of the International Relations Committee of its meeting held July 10, 2024**

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Kieran McKenzie

Decision Number: DHSC 656

THAT the minutes of the International Relations Committee meeting held July 10, 2024 **BE RECEIVED** as presented.

Carried.

Report Number: SCM 252/2024  
Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 12.1 from the Development & Heritage Standing Committee held on September 3, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>



## **Committee Matters: SCM 252/2024**

**Subject: Minutes of the International Relations Committee of its meeting held  
July 10, 2024**

## International Relations Committee

Meeting held July 10, 2024

A hybrid meeting of the International Relations Committee is held this day commencing at 3:30 o'clock p.m. in Room 522a, 350 City Hall Square West, there being present the following members:

Councillor Angelo Marignani, Chair  
Councillor Renaldo Agostino  
Councillor Ed Sleiman  
Lubna Barakat (arrives at 3:45 o'clock p.m.)  
Jerry Barycki  
Saiful Bhuiyan  
Ronnie Haidar  
L.T. Zhao

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

Councillor Fred Francis

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

James Chacko, Executive Director Parks & Facilities  
Sandra Gebauer, Council Assistant  
Karen Kadour, Committee Coordinator

## **1. Call to Order**

The Chair calls the meeting to order at 3:34 o'clock p.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

Verbal Motion is presented by Councillor Ed Sleiman, seconded by Councillor Renaldo Agostino,

That Rule 3.3 (c) of the Procedure By-law, 98-2011, **BE WAIVED** to add the following items to the Agenda:

- 4.5 Changchun International Marathon
- 4.6 2024 Changchun Green Agricultural Food Forum for International Cooperation
- 4.7 Poland to celebrate its 25<sup>th</sup> anniversary as a member of NATO.

Carried.

**2. Declaration of Conflict**

None disclosed.

**3. Adoption of the Minutes**

Moved by Ronnie Haidar, seconded by Councillor Ed Sleiman,  
That the minutes of the International Relations Committee of its meeting held May 8, 2024 **BE ADOPTED** as presented.  
Carried.

**4. Business Items**

**4.1 Discussion regarding Strengthening the Relationship with Changchun, China**

The Chair states that our Sister City in China has one of the largest automotive battery plant manufacturing facilities in the world. He states there is a possibility for some collaboration and asks for input on how to strengthen and develop a better relationship with Changchun. In response to a question asked by the Chair to L.T. Zhao regarding if there is a possibility to liaise with the Chinese Community in Windsor, L.T. Zhao responds that this economic development perspective can be passed on to the Chinese Association.

L.T. Zhao advises that he will be visiting China in the coming days. He asks for a contact in Changchun to allow for the opportunity for a brief meet and greet with our Twin Cities government.

Sandra Gebauer remarks that she will assist in connecting L.T. Zhao with representatives in Changchun so that a meeting can be coordinated if his schedule permits. Ronnie Haidar offers to pick up and drop off some City of Windsor pins to L.T. Zhao.

Sandra Gebauer advises that a letter of introduction from our Mayor to the Mayor in China will be prepared by the Mayor's Office.

Moved by Ronnie Haidar, seconded by L.T. Zhao,  
That the discussion regarding strengthening the relationship with Changchun, China **BE RECEIVED**.  
Carried.

#### 4.2 Arlington, Texas – Verbal Update on the Committee's Friendship City Recommendation

Sandra Gebauer remarks that the IRC at its meeting held May 8, 2024 recommended a Friendship City relationship with Arlington Texas which was approved at the Development and Heritage Standing Committee and City Council. The City of Arlington was advised of Council's decision and decided not to move forward with a Friendship City relationship and asked if the IRC would reconsider the decision.

The Chair asks if the IRC is interested in reconsidering the decision and to enter into a Sister City agreement. Jerry Barycki remarks that renewing the agreement every five years as outlined in the Friendship City relationship should not be a problem.

Councillor Renaldo Agostino asks what the impact would be if the IRC says no and asks for clarification. Sandra Gebauer responds the Committee requested that a Friendship City Policy be established.

Ronnie Haidar recalls a conversation at a previous meeting regarding how Sister Cities should be established. They should be community to community and not government to government.

Councillor Renaldo Agostino remarks that the rewards of a Twin City relationship with Arlington, Texas far outweigh the risks.

Moved by Councillor Renaldo Agostino, seconded by Saiful Bhuiyan,  
That the following motion **BE RECONSIDERED:**  
**CR 293/2024**

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman  
That the International Relations Committee **RECOMMEND** that the City of Windsor and the City of Arlington, Texas enter into a Friendship City Agreement; and,  
That if approved by both parties, that the Mayor's Office **BE REQUESTED** to sign a Friendship City Memorandum of Understanding for Arlington, Texas consistent with the process outlined in the Twin City/Friendship City Policy.  
Carried.

Moved by Councillor Renaldo Agostino, seconded by Lubna Barakat,  
That the International Relations Committee **RECOMMEND** that the City of Windsor and the City of Arlington, Texas enter into a Twin City Agreement; and,

That if approved by both parties, that the Mayor's Office **BE REQUESTED** to sign a Twin City Memorandum of Understanding for Arlington, Texas consistent with the process outlined in the Twin City Policy.  
Carried.

#### 4.3 Twin City Post Update – Verbal Update

James Chacko, Executive Director Parks & Facilities provides an update of the status of the Twin City Post as follows:

- This project that has taken seven years will soon be unveiled.
- The pole has been installed on the south side of the campus between 350 City Hall Square West and 400 City Hall Square East.
- The details of each individual sign for each of the twelve Sister Cities of the City of Windsor have been approved.
- The sign layout will include the city name, the country, the distance to the city, the flag of the country (the sign is tapered to look like the arrow) and each one of the signs will be orientated to point towards the actual Sister City.
- The pole is in excess of 30 feet high with the names of the Sister Cities beginning at the top which it will allow for sufficient space to add more Sister Cities as the current number of Sister Cities will only occupy eight feet.
- The order of the layout of the signs begins with the first Sister City at the top and proceeds downward according to the order in which they were approved.
- On Friday, July 26, 2024, there will be the Official Unveiling at 1:30 o'clock p.m.
- His Worship Mayor Dilkens will be on site to provide some remarks. The Misono High School Girls from Fujisawa, Japan will also be in attendance.
- It is an exciting event that recognizes the contribution of the International Relations Committee and the 12 Sister Cities.

The Chair adds that the Twin City Post exemplifies the diversity of the City of Windsor and shows our connection with our Sister Cities.

Moved by Councillor Renaldo Agostino, seconded by Ronnie Haidar,  
That the sequence of the Sister City signs on the Twin City Post originate at the top of the post identifying the oldest Sister City relationship and proceeding down to the most recent Sister City relationship **BE APPROVED.**

Carried.

#### 4.4 2024 Children's Art Exhibition – Verbal Update

Sandra Gebauer advises that space has been reserved at Devonshire Mall for the display of the 2024 Children's Art Exhibition to be held from October 7, 2024 to October 13, 2024. She adds that the Twin Cities have been apprised of the date of the Children's Art Exhibition and states that local schools will be advised upon commencement of the new school term.

In terms of the display boards, Sandra Gebauer reports that samples were provided by the Recreation Department, at a cost of approximately \$1,500 per board and



it is noted that six boards will be required. She contacted Recreation to determine if there is an opportunity to cost share and notes there is a four week time frame for ordering.

The Chair summarizes that the cost for the boards will be approximately \$9,000 and is looking to share the cost with the Recreation Department.

Jerry Barycki suggests renting the boards.

Sandra Gebauer will look at other options including purchasing new foam core boards, similar to those that have been used in previous years.

Moved by Councillor Ed Sleiman, seconded by Councillor Renaldo Agostino,  
That the update regarding the 2024 Children's Art Exhibition to be held from  
October 7, 2024 to October 13, 2024 at Devonshire Mall **BE RECEIVED.**  
Carried.

#### **4.5 2024 Changchun International Marathon**

Sandra Gebauer advises that an invitation was received from Changchun, China for the 2024 International Marathon to be held on August 30, 2024. She states that in the past, this information was sent to the University of Windsor, St. Clair College and their local running clubs to determine if there is interest in sending someone to the event. If someone is interested in attending, the City of Changchun will cover the cost of accommodations while they are there, however, they would have to pay for their own round-trip travel.

#### **4.6 Green Agricultural Food Forum for International Cooperation, Changchun, China on August 15 – 18, 2024**

The Chair suggests reaching out to local greenhouse growers and Invest Windsor Essex to see if there is interest in attending this event

Saiful Bhuiyan advises he is associated with Rose City Gardening which has approximately 100 members.

Sandra Gebauer states that the invitation will be sent to Invest Windsor Essex who will forward this information to their contacts and also to the Rose City Gardening organization.

#### **4.7 Poland to celebrate the 24<sup>th</sup> Anniversary of its accession to NATO**

Jerry Barycki states that in 1997 a petition was undertaken to support Poland in becoming a member of NATO as it is important to keep security across the globe. NATO

will celebrate its 75th anniversary at the Summit on July 9-11, 2024 in Washington D.C. where its founding treaty was signed. At the same time, Poland will celebrate its 25<sup>th</sup> anniversary as a member of NATO.

Jerry Barycki advises he would like to meet with the Mayor of Lublin and present a letter from Mayor Drew Dilkens regarding the 25<sup>th</sup> Anniversary of the City of Lublin and the City of Windsor Sister City relationship.

Jerry Barycki refers to the anniversary dates with Windsor's Twin Cities and suggests inviting those Twin Cities to Windsor whose anniversary date is within the next few years.

The Chair agrees to look at the upcoming anniversary dates with our Sister Cities to determine how we can capitalize in strengthening those relationships.

Sandra Gebauer suggests that the Grand Opening of the Gordie Howe Bridge in 2025 could be considered as a celebratory event to invite those Twin Cities with impending anniversary dates.

The Chair suggests that a discussion be held to look at all upcoming anniversary dates of Twin Cities and to choose options as to how to address this as a Board moving forward.

Councillor Ed Sleiman asks that Jelena Payne, Commissioner Economic Development or an alternate be invited to attend occasional meetings of the International Relations Committee. The Chair concurs and suggests that Jelena Payne be invited to the next meeting to determine if there are economic development opportunities with our Sister Cities.

## **5. New Business**

None.

## **6. Date of Next Meeting**

The next meeting will be held on a date to be determined in September 2024.

## **7. Adjournment**

There being no further business, the meeting is adjourned at 4:29 o'clock p.m.



**Committee Matters: SCM 234/2024**

**Subject: Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held June 13, 2024**

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 249**

THAT the minutes of the Executive Committee and Board of Directors, Willistead Manor Inc., meeting held June 13, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 197/2024

Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 7.1 from the Community Services Standing Committee held on September 4, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>



## **Committee Matters: SCM 197/2024**

**Subject: Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held June 13, 2024**

A meeting of the **Executive Committee Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:00 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn, Chair  
C. Gaudette  
R. Gauthier

***Regrets:***

J. Evans

***Also in attendance are the following Resource Personnel:***

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls  
C. Menard, Supervisor, Community Programming - Cultural Affairs  
& Willistead Manor Coordinator  
S. Gebauer, Council Assistant & Executive Secretary to the Board  
of Directors, Willistead Manor Inc.

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 4:07 o'clock p.m. and the Executive Committee considers the Agenda being Schedule "A" ***attached*** hereto, matters, which are dealt with as follows:

**2. ADOPTION OF THE MINUTES**

Moved by R. Gauthier, seconded by C. Gaudette,  
That the minutes of the Executive Committee Board of Directors  
Willistead Manor Inc. meeting held May 9, 2024, **BE ADOPTED** as presented.

Carried.

**3. BUSINESS ARISING FROM THE MINUTES**

None.

**4. REPORTS**

## 4.1 Chairperson

D. Sanborn informs the Committee members that Art in the Park was very successful, although attendance numbers have not yet been released.

The Chair further informs that the birthday party for Pam Morse, great-great-granddaughter of Hiram Walker, held at Willistead Manor, was a great success. The party began in the Coach House and then moved into the Manor, leaving all attendees highly impressed.

## 4.2 Administration

C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator provides the following updates:

### *Priority Projects for Willistead Manor:*

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- C. Menard met with the Lighting Boutique on May 3<sup>rd</sup>, 2024, to assess the lighting needs and has since received a quote/estimate. Two options were provided and now they need to prioritize where the lighting will be installed.
- C. Menard will speak with Facilities about the installation of a dimmer switch in the Dining Room and will report back on the costs involved.
- C. Menard will continue to search for files containing information about items donated to Willistead Manor.
- R. Gauthier and C. Gaudette have selected a colour for the re-painting of Mary Walker's Dressing Room.

### *Facilities:*

- The re-installation of the repaired window grate covers in the Paul Martin Gardens is ongoing. New capstones, where needed, have been ordered and will be installed in the spring.
- The Main Courtyard restoration project work continues. The mud-mat that goes beneath the courtyard pavers as well as the pavers have been laid. The ramp and railing have been installed. The project is still on schedule, with minor items wrapping up. R. Gauthier, C. Gaudette and D. Sanborn will meet on-site to decide on an option for the circular spot near the ramp.
- All four cabinets in the Coach House are now lit and work off switches, there are no more cords and no more plugs. Research for ceiling options in the Coach House continues.
- The Facilities Department has completed a full condition assessment for the structural envelope of the Willistead Manor Complex. The preliminary inspection took place on May 1<sup>st</sup>, 2024. This is a multi-phase process that will require significant time from both C. Menard and M. Staadegaard, Manager, Culture & Events, to meet with Facilities to assess and determine needs for the Manor House, Custodian apartment, Coach House and

Gatehouse, as well as working with Parks to start prioritizing projects in the City's 10-year Capital Plan, identifying funding, determining staffing resources, etc.

*Willistead Park, Parking Lot, Exterior Areas Updates:*

- Funding for the fence repair/refinish will be available in 2029/2030.
- Funding for the replacement of the parking lot will be available in 2029.

*Culture & Events Updates:*

- C. Menard will be updating the Room Guide to include the Coach House and will also be updating the Willistead Manor brochure.
- The Mother's Day Brunch Buffet on Sunday, May 12, 2024, was a sold-out event. There were 4 seatings with a total of 480 guests.
- The 4<sup>th</sup> Annual High Tea & Garden Party is scheduled for Sunday, July 28, 2024, and will have 3 seatings. Tickets will go on sale on June 17, 2024.
- Art in the Park was a great success, with early reports of record-breaking attendance for a single day (Saturday).

*Documentary Updates:*

- There are no new updates concerning the Willistead documentary currently. M. Staadegaard, Manager of Culture & Events, sent an email to Suede Productions on May 7<sup>th</sup>, 2024, to ask about the distribution, release, or availability of a public online link. Additionally, she inquired about the possibility of organizing an outdoor screening in Willistead Park. M. Staadegaard also asked if there is interest in meeting with City Administration and the Chair for further discussion. She is awaiting a reply. The documentary was screened at WIFF Under the Stars.

### **4.3 Treasurer**

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls, provides the current account balances as follows:

- Operating Account -- \$24,195.
- Savings Account -- \$26,052.
- Furnishings Trust -- \$13,354.

## **5. NEW BUSINESS**

R. Gauthier informs the Committee members that the portrait of Mary Walker is finished and looks fantastic. He indicates that it was delivered to the Manor, a frame was selected and the portrait is now in the possession of Bergeron Art & Frame Shop.



R. Gauthier also informs the Committee members that the marble pedestals, acquired by DuMouchelles Auction House have been picked up and look great in the Dining Room at the Manor.

C. Gaudette presents a photo of a table that was formerly in a committee room at Hiram Walker and is being donated to Willistead Manor by the family of a former Hiram Walker employee. The plan is to place the table in the bay Windsor of the Morning Room.

C. Menard informs the Committee members that the new temporary exhibition, *Beyond the Barrel: Windsor's Whisky History* will open on Saturday, June 22, 2024 at the Chimczuk Museum. An official invite will be sent to members of the Board of Directors. C. Menard indicates that the exhibition will be open for 6 months and many events will be planned throughout, which is a good cross-promotion for Willistead Manor. Many donations from Art Jahn's collection will be included in the Exhibit.

R. Gauthier suggests that the Board considers exhibiting items from Art's Collection at Willistead Manor.

## **6. DATE OF NEXT MEETING**

The next meeting of the Executive Committee Board of Directors, Willistead Manor Inc. will be held at the call of the Chair.

## **7. ADJOURNMENT**

There being no further business, the meeting is adjourned at 4:30 o'clock p.m.

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CHAIRPERSON

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EXECUTIVE SECRETARY

SG  
June 13, 2024

A meeting of the **Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:30 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn – Chair  
MJ. Dettinger  
C. Gaudette  
R. Gauthier  
D. Langstone  
M. McKenzie  
E. Morasset  
C. Pitman

***Regrets from Board Members:***

A. Abu-Zahra  
J. Evans

***Also in attendance are the following resource personnel:***

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls  
C. Menard, Supervisor, Community Programming - Cultural Affairs  
& Willistead Manor Coordinator  
S. Gebauer, Council Assistant & Executive Secretary to the Board  
of Directors, Willistead Manor Inc.

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 4:39 o'clock p.m. and the Board considers the Agenda being Schedule "A" ***attached*** hereto, matters, which are dealt with as follows:

**2. ADOPTION OF THE MINUTES**

Moved by MJ Dettinger, seconded by E. Morasset,  
THAT the minutes of the Board of Directors, Willistead Manor Inc. meeting held May 9, 2024, **BE ADOPTED** as presented.

Carried.

### 3. BUSINESS ARISING FROM THE MINUTES

D. Sanborn informs the Board members that he discussed the issue with the Chandelier that was purchased for the Walker Bedroom with DuMouchelles and that they are prepared to take the item back. The chandelier will be auctioned off and the proceeds will be returned to the Willistead Manor Inc. Board of Directors.

### 4. CHAIRPERSON'S REPORT

D. Sanborn comments about the success of the annual Art in the Park that took place on June 1 & 2, 2024 and indicates that the final attendance numbers have not yet been reported.

D. Sanborn informs the Board members that the family of Pam Morse, great-great-granddaughter of Hiram Walker, hosted a birthday party for her at the Manor. The event started in the Coach House and then all the guests moved into the Manor. All of those who attended were very impressed.

The Chair also informs the Board members that a table, which originally sat in a committee room at Hiram Walkers is being donated to Willistead Manor by the family of a former Hiram Walker employee and will be placed in the Morning Room. A picture of the table is circulated to the Members.

### 5. REPORTS

#### 5.1 Management

C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator provides the following updates:

#### *Priority Projects for Willistead Manor:*

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- C. Menard met with the Lighting Boutique on May 3<sup>rd</sup>, 2024, to assess the lighting needs and has since received a quote/estimate. Two options and price ranges were provided. D. Sanborn, C. Gaudette and R. Gauthier will review the options and determine where the lights will be placed were provided and now, they need to prioritize where the lighting will be installed.
- R. Gauthier and C. Gaudette have selected a colour for the re-painting of Mary Walker's Dressing Room. C. Menard will work with Facilities to have the room painted once the summer tours are done.

#### *Facilities:*

- The re-installation of the repaired window grate covers in the Paul Martin Gardens is ongoing. New capstones, where needed, have been ordered and will be installed in the spring.
- The Main Courtyard restoration project work continues. The mud-mat that goes beneath the courtyard pavers as well as the pavers have been laid. The ramp and railing have been installed. The project is still on schedule, with minor items wrapping up. R. Gauthier, C. Gaudette and D. Sanborn will meet on-site with J. Pillon, Project Coordinator to decide on an option for the circular spot near the ramp.
- All four cabinets in the Coach House are now lit and work off switches, there are no more cords and no more plugs. Research for ceiling options in the Coach House continues.
- The Facilities Department has completed a full condition assessment for the structural envelope of the Willistead Manor Complex. The preliminary inspection took place on May 1<sup>st</sup>, 2024. This is a multi-phase process that will require significant time from both C. Menard and M. Staadegaard, Manager, Culture & Events, to meet with Facilities to assess and determine needs for the Manor House, Custodian apartment, Coach House and Gatehouse, as well as working with Parks to start prioritizing projects in the City's 10-year Capital Plan, identifying funding, determining staffing resources, etc.

*Willistead Park, Parking Lot, Exterior Areas Updates:*

- Funding for the fence repair/refinish will be available in 2029/2030.
- Funding for the replacement of the parking lot will be available in 2029.

*Culture & Events Updates:*

- C. Menard will be updating the Room Guide to include the Coach House and will also be updating the Willistead Manor brochure.
- The Mother's Day Brunch Buffet on Sunday, May 12, 2024, was a sold-out event. There were 4 seatings with a total of 480 guests, each of them leaving with an At the Manor Events promo card.
- The 4<sup>th</sup> Annual High Tea & Garden Party is scheduled for Sunday, July 28, 2024, and will have 3 seatings. Tickets will go on sale on June 17, 2024.
- Art in the Park was a great success, with early reports of record-breaking attendance for a single day (Saturday).

*Documentary Updates:*

- There are no new updates concerning the Willistead documentary currently. M. Staadegaard, Manager of Culture & Events, sent an email to Suede Productions on May 7<sup>th</sup>, 2024, to ask about the distribution, release, or availability of a public online link. Additionally, she inquired about the possibility of organizing an outdoor screening in Willistead Park. M. Staadegaard also asked if there is interest in meeting with City Administration and the Chair for further discussion. She is awaiting a reply.  
The documentary was screened at WIFF Under the Stars.

C. Menard informs the Board members that in 2022 when the Statue of Hiram Walker was unveiled, a call was made for donations of items/artifacts connected to Hiram Walker that would be on loan for an exhibit. On Saturday June 22, 2024, the new temporary exhibition, *Beyond the Barrel: Windsor's Whisky History* will open at the Chimczuk Museum. An official invite will be sent to members of the Board of Directors. Many donations from Art Jahn's collection will be included in the Exhibit.

## **5.2 Treasurer**

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls, provides the current account balances as follows:

- Operating Account -- \$24,195.
- Savings Account -- \$26,052.
- Furnishings Trust -- \$13,354.

## **6. COMMITTEES**

### **6.1 Fundraising**

None.

### **6.2 Community Relations and Promotion**

None.

### **6.3 Acquisitions**

R. Gauthier informs the Board members that the family of a former Hiram Walker employee has donated a beautiful table, which is 16 x 38 in size and will be placed in the Morning Room. He also informs that the pedestals that were acquired from DuMouchelles Auction House have been placed in the Dining Room and they look wonderful.

R. Gauthier indicates that the portrait of Mary Walker has been completed and has been delivered to the Manor. A frame has been selected and the piece is currently with Bergeron Art & Frame Shop for framing.

### **6.4 Friends of Willistead (FOW)**

C. Pitman, provides the following updates:

- Elections were held on Monday, May 13<sup>th</sup> and a new slate of officers were elected. There are two people sharing the position of Docent Chair because of the time commitment required.
- Many volunteer hours were logged preparing for Art in the Park.
- On May 21<sup>st</sup>, 2024, an orientation and docent training session were held for a few new members.
- On June 12<sup>th</sup> another session was held for another group of seven new members and some existing members.
- The Ontario Volunteer Service Awards were held on May 22<sup>nd</sup>, 2024, and six FOW members were recognized for volunteering for over 10 consecutive years.
- Forty FOW members volunteered over the 3 days for Art in the Park, representing approximately 200 hours. They were able to get several more sponsors and the Canadian Club barrelheads ere a big hit.
- C. Pitman gave a special thanks to C. Menard for all for all his support and for providing stanchions and plants for Art in the Park. The new signage put in place to draw attention to the fact that the Manor was open in the afternoon during Art in the Park worked wonderfully. The Manor saw unprecedented numbers on both Saturday and Sunday, and everything ran smoothly.
- On Tuesday, June 11<sup>th</sup>, 2024, six FOW volunteers led a tour from a company out of Saskatchewan.
- On Saturday, June 22<sup>nd</sup>, 2024, the Albert Khan Society will be touring the Manor.
- A Garage Sale fundraiser is scheduled for Saturday, September 21<sup>st</sup>, 2024.

## 6.5 Education

None.

## 6.6 Historical

None.

## 6.7 Event Planning

C. Gaudette informs that an event to celebrate the unveiling of the portrait of Mary Walker is being planned for Wednesday, September 18<sup>th</sup>, 2024, which is the date of Mary Walker's Birthday. The event will be set up as a Press Conference and will include poetry, music as well as a discussion about Mary Walker and her connection to Willistead Manor.

## 7. NEW BUSINESS

R. Gauthier tells the Board members that he currently working on connecting with Griffin Dunne, son of author Dominick Dunne. He has been a longtime fan of Dominick Dunne's work. Griffin Dunne's mother is Ella Griffen Dunne is a descendent of the Griffen Wheel Company and relative of Mary Walker. R. Gauthier indicates that he would like to obtain a photo of Ms. Dunne to compare it with the portrait of Mary Walker.

## **8. DATE OF NEXT MEETING**

The next meeting of the Board of Directors, Willistead Manor Inc., will be held Thursday, September 12, 2024 at 4:30 o'clock p.m.

## **9. ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:18 o'clock p.m.

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CHAIRPERSON

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EXECUTIVE SECRETARY





**Committee Matters: SCM 258/2024**

**Subject: Minutes of the Committee of Management for Huron Lodge of its meeting held June 27, 2024**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 250**

THAT the minutes of the Committee of Management for Huron Lodge meeting held June 27, 2024 **BE RECEIVED**.  
Carried.

Report Number: SCM 223/2024  
Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 7.2 from the Community Services Standing Committee held on September 4, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>



## **Committee Matters: SCM 223/2024**

**Subject: Minutes of the Committee of Management for Huron Lodge of its meeting held June 27, 2024**

## **Committee of Management for Huron Lodge**

Meeting held June 27, 2024

A meeting of the Committee of Management for Huron Lodge is held this day commencing at 9:00 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair  
Councillor Jo-Anne Gignac

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

Councillor Fred Francis

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

Alina Sirbu, Executive Director, Long Term Care, Administrator of Huron Lodge  
Doran Anzolin, Executive Initiatives Coordinator  
Karen Kadour, Committee Coordinator

## **1. Call to Order**

The Chair calls the meeting to order at 8:55 o'clock a.m. and the Committee of Management for Huron Lodge considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

## **2. Disclosure of Interest**

None disclosed.

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

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,  
That the minutes of the meeting of the Committee of Management for Huron Lodge held March 7, 2024 **BE ADOPTED** as presented.  
Carried.

## **4. In Camera**

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,  
To move In Camera at 8:56 o'clock a.m. for discussion of the following items:

1. **Reference: s. 239 (2) (e) – Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.**
2. **Reference: s. 239 (2) (e) – Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.**
3. **Reference – s. 239 (2) (h) – Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them.**

Discussion on the items of business.

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,  
To move back into public session at 9:10 o'clock a.m.  
Carried.

**Moved by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,  
That the Clerk BE DIRECTED to transmit the recommendations contained in the report(s) discussed at the In Camera Committee of Management for Huron Lodge Long Term Care Home meeting held June 27, 2024 at the next regular meeting.**

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,  
That the verbal In Camera report relating to the litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board **BE RECEIVED** and further, that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of the Committee of Management for Huron Lodge Long Term Care Home.  
Carried.

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,  
That the verbal In Camera report relating to the litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board **BE RECEIVED** and further, that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of the Committee of Management for Huron Lodge Long Term Care Home.  
Carried.

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,  
That the verbal In Camera report relating to information explicitly supplied in confidence to the municipality or local board of Canada, a province or territory or a Crown agency of any of them **BE RECEIVED** and further, that Administration **BE AUTHORIZED**

to proceed in accordance with the verbal direction of the Committee of Management for Huron Lodge Long Term Care home.  
Carried.

## **5. Business Items**

### **5.1 Administrator's Report dated June 27, 2024**

Alina Sirbu refers to the Quality Improvement items as they are directly related to the residents; to keep them safe, and as healthy as possible. She adds that she is privileged to be at the table in working groups to clearly delineate the ability of Long Term Care to receive appropriate admissions that ensure residents' and staff' safety. The interdisciplinary team continues to work in the areas of falls, antipsychotics, behaviors, restraints which represents their success story.

Councillor Jo-Anne Gignac inquires in terms the process of discharging people from the hospital, she asks if they make any referrals to Hospice. Alina Sirbu responds that Hospice referrals are mainly sent from community and sometimes hospitals while long term care facilities have on site program and resources for end of life residents. She adds that an interdisciplinary team continues to conduct many site visits because they want to ensure accuracy of data during admissions and compatibility with existing programs as required .

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,  
That the report from the Administrator of Huron Lodge providing the Committee of Management with an update on issues related to resident care; the Ministry of Long Term Care (MLTC); Ontario Health; Home and Community Care Support Services (HCCSS) and other initiatives that impact the Long Term Care sector **BE RECEIVED** for information and **APPROVED** for the period ending June 27, 2024.  
Carried.

## **6. Date of Next Meeting**

The next meeting will be held on a date to be determined in September 2024.

## **7. Adjournment**

There being no further business, the meeting is adjourned at 9:14 o'clock a.m.



**Committee Matters: SCM 261/2024**

**Subject: Minutes of the Age Friendly Windsor Working Group of its meeting held June 13, 2024**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 251**

THAT the minutes of the Age Friendly Windsor Working Group meeting held June 13, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 227/2024  
Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 7.3 from the Community Services Standing Committee held on September 4, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>



## **Committee Matters: SCM 227/2024**

**Subject: Minutes of the Age Friendly Windsor Working Group of its meeting held June 13, 2024**



## **Age Friendly Windsor Working Group**

Meeting held June 13, 2024

A meeting of the Age Friendly Windsor Working Group is held this day commencing at 9:30 o'clock a.m. via Zoom video conference, there being present the following members:

Gerald Corriveau  
Larry Duffield  
Andrea Grimes  
Cindy Matchett  
Roxanne Tellier  
Tom Wilson

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

Kara Kristof, Supervisor Community Programming  
Christina Ritorto, Client Support & Staff Development Coordinator  
Laura Ash, Project Lead, Parks Development  
Frank Fazio, Technical Support Analyst  
Karen Kadour, Committee Coordinator

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

The Chair calls the meeting to order at 9:28 o'clock a.m. and the Working Group 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 Tom Wilson, seconded by Cindy Matchett,  
That the minutes of the meeting of the Age-Friendly Windsor Working Group held April 11, 2024 **BE ADOPTED** as presented.  
Carried.

## 4. Business Items

### 4.1 Flag Raising Event Review

The Chair thanks the members for attending the flag raising event held on June 13, 2024 in celebration of June being Senior's Month. This month is recognized in partnership with CARP, Life After Fifty and NAFR. The following City Councillors were also in attendance – Councillor Jim Morrison, Councillor Angelo Marignani, Councillor Ed Sleiman, and Councillor Mark McKenzie. The Chair thanks Larry Duffield for bringing the backup flags and the CARP sign.

The Chair's speaking notes for the event are **attached** as Appendix "A".

Larry Duffield thanks the organizers of the event as a job well done.

### 4.2 Presentation from Parks Development – Age Friendly Windsor Report Recommendations

Laura Ash, Project Lead, Parks Development appears before the Working Group regarding the progress that the Parks Department has made on the recommendations from the Age Friendly Action Plan Report made in 2014. The following updates are provided:

- Continuously improving the City's trail system adding extra trails to the network and reconstructing the current trails to ensure that they are the minimum width of 3 metres wide and having the proper tactile plates at intersections. Installing lighting in parks where they can improve visibility especially among these trail routes.
- This year there are two major washroom projects adding two accessible public washrooms in two of the parks – Little River Corridor Park and Elizabeth Kishkon Park.
- Following the recommendations of the Parks Master Plan (2015) which was developed in consultation and heavy input from the recommendations in the Age Friendly Report. Bench replacement and bench inventory assessment is ongoing yearly. There is an annual trail inspection; every meter of trail is inspected as well as the benches to improve where they need replacing and to replace when benches are lacking.

In response to a question asked by Cindy Matchett regarding if brochures outlining the trails are available, Laura Ash responds there is an interactive map on line called "My Parks" which shows where the trails are, the location of washrooms, pickle ball courts and other amenities. She adds that printed maps are available at the community centres, libraries, customer care centres and City Administration buildings.

Larry Duffield advises that the 2017 Age Friendly Seniors Summit which has approximately eighty recommendations is available on the City's website. He asks if this document has been referenced by the Parks Department or is it generally part of the baseline for the city departments looking at the seniors related issues. Laura Ash responds that they would include the updates to the plans that are produced afterwards and they also use these references when applying for grants.

Cindy Matchett asks if there are any plans for emergency notifications. Laura Ash responds she will report back on the emergency call stations.

#### **4.3 Review of Recommendations – Discussion regarding future Presentations**

The Chair advises that administration will be invited from various city departments to provide an overview of recommendations that they follow and current projects that they are undertaking in terms of age friendly practices. The Age-Friendly Windsor Action Plan includes three main areas of recommendations as follows:

***Livability*** - Outdoor spaces and buildings, Transportation and Housing

***Lifestyles*** - Social participation, Respect and social inclusion and Civic participation and employment

***Well-Being*** - Communication and information and Community support and Health services

The Chair asks for feedback on what areas of the report the Working Group is interested in to allow for administration to provide updates. She proposes that the topic for discussion at the next meeting be transportation. Tom Wilson concurs that transportation is a topic that needs to be discussed as many older people have challenges getting to places based on the bus route location and distances that they have to go to get to a stop.

Larry Duffield advises that the three main areas of the Action Plan are really part of the World Health Organization and model for Age Friendly Communities and represents eight domains broken up into those three sections. He notes that the Age Friendly Network was a powerful tool used in Windsor for the seven year planning and implementations cycle from 2010 to 2017. The Age Friendly Network was made up of approximately forty seniors related organizations who would meet regularly.

The Chair remarks that there are other age friendly groups from other municipalities and suggests inviting them to a future meeting to provide an update of what they are doing in their municipality. Larry Duffield responds that there is an Ontario Age Friendly Communities Network supported by the Province based out of Kingston who send out a monthly update which the the Working Group may consider joining.

#### **4.4 Community Engagement Event with Windsor Police**

The Chair advises that discussion was held at the last meeting regarding fraud that seniors often experience either through e-mail, by phone, primarily on the internet. She states that Christina Ritorto reached out to Windsor Police to determine if they could do some community outreach about fraud as well. The end goal is to create a community engagement workshop to be held at a library or a community centre. They are looking at the potential for two workshops – one by Frank Fazio, and the other by Windsor Police.

Christina Ritorto reports that Windsor Police will offer discussion on topics such as elderly abuse, financial crimes against seniors and fraudulent telemarketers and scams. Windsor Police requested that three possible dates be provided and she asks if the Working Group wants to focus on elderly abuse or more on the fraudulent side of the presentation. Tom Wilson states that he has had communications with this population who have definitely shared the amount of scams of fraud and financial burden that has been placed on them when they fall victim to these things. There are a lot of people in the community that have been victims and are targeted for this. Christina Ritorto notes that there is a sense of embarrassment to come forward and to reach out for help.

Andrea Grimes states that she works with senior veterans who have shared that they have been a victim of financial phone fraud who did not want to report it to the police due to embarrassment. Kara Kristoff remarks that marketing the upcoming event can be provided to many community partners, i.e. Legions, Life after Fifty, etc.

In terms of the location for the Community Engagement events, Larry Duffield suggests with the Working Group as the lead to hold the events at a number of locations throughout the city, i.e. Canterbury Elder College and CARP.

In response to a question asked by Andrea Grimes regarding if proper protocol allows for a formal introduction of the Working Group at a Council meeting, Larry Duffield responds that the Age Friendly Windsor Working Group will have the opportunity to address Council when they present their year-end Annual Report.

Larry Duffield advises that a second flag raising has been done in the past and suggests October 1, 2024 which is United Nations Day for Elder Persons and also Canada's Seniors Day be considered as an additional flag raising.

Christina Ritorto remarks that she will continue to work with Windsor Police and once definitive information is received, i.e. date, time location, she will report back to the Working Group. She adds that the events will begin in the fall and will continue throughout the year.

Frank Fazio, Technical Support Analyst appears before the Working Group and states that his presentation would focus on phone calls, e-mails which could branch out

to purchasing something on a website. He indicates that he is independent but works with members of law enforcement individuals in Orillia.

The Chair advises that the event would be run by the Working Group led by people working for the city.

In response to a question asked by Cindy Matchett regarding if the presentation will have visuals, Frank Fazio responds that he generally provides a PowerPoint presentation. Christina Ritorto suggests that the presentation be approximately two hours in length or half a morning or afternoon.

The Chair asks Frank Fazio to provide some strategies relating to accounts and passwords. Frank Fazio remarks that during COVID everyone did everything online so accounts had to be created and unfortunately, people reused their passwords, i.e. one password used on ten accounts. If one of those accounts gets hacked, then everyone has access to those ten accounts. He suggests writing down the passwords and ensuring that they are all somewhat different. Also, make longer passwords, use phrases, and sentences.

The Chair states that June is Recreation and Parks Month and adds that Christina Ritorto has created a calendar of events for this month. A link to the calendar will be provided to the Working Group. Christina Ritorto advises that a seniors social club is offered every Wednesday at Optimist Community Centre.

#### **4.5 Summary of Action Items**

The Chair provides the Summary of Action Items as follows:

- October 1, 2024 is International Seniors Day – will look at doing a flag raising
- Will send pictures and Proclamation from the June 13, 2024 event to the Working Group.
- Laura Ash to report back on Emergency Call Stations in Parks
- The Chair and Christina Ritorto to follow up with the Ontario Age Friendly Community Network to see if there are updates to provide.
- To follow-up with Transit Windsor as the next meeting will include a discussion on transportation.
- Determine if there are other community groups to attend a future meeting.
- The Chair and Christina Ritorto will look at dates to host the Community Engagement Events including locations.
- Determine the dates when Windsor Police and Frank Fazio will provide their presentations.

**5. Date of Next Meeting**

The next meeting will be held in person either at the end of August 2024 or early September 2024.

**6. Adjournment**

There being no further business, the meeting is adjourned at 10:50 o'clock a.m.

Thank you to everyone gathered here today to help recognize the vitally important role that seniors play in our community. Special thanks to City Councillors, members of the Age Friendly Windsor Working Group, CARP, Life After Fifty, and Administration, for your participation in today's event. In 2022, the United Nations recognized that the world's population is aging. Nearly every country on the globe is experiencing this trend. Simply put, the number of individuals aged 65 and older in our global population is increasing at a quicker rate than those who are younger.

In response, global authorities, including the World Health Organization, have strongly endorsed age-friendly cities and communities; the City of Windsor is actively involved in making this happen. With the month of June 2024 being recognized by His Worship, Drew Dilkens, as “Senior’s Month”, it’s the perfect time to call attention to the City’s efforts in this regard.

Our Age-Friendly Windsor Working Group is forging ahead with concrete ways to improve the way we communicate, interact with, and involve seniors in our community.

Among the goals, we are committed to ensuring that outreach methods by the City are suitable for and accessible by seniors. Through liaising with City Administration and the Community Services Standing Committee, we also want to enhance direct delivery of services and programs to seniors. Furthermore, we are exploring ways to solicit input from seniors regarding issues that affect them and, in general, improving quality of life for our senior population.

Our seniors are such a significant part of our community; seniors contribute immensely as leaders, caregivers, volunteers and more! On a daily basis, I’m inspired by the Seniors in my family who play all of these roles graciously. We also benefit from seniors’ experience and knowledge. Enhancing our City’s connection with our seniors will ensure a healthy and vibrant community for all to enjoy!





**Committee Matters: SCM 262/2024**

**Subject: Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held May 9, 2024**

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 252**

THAT the minutes of the Executive Committee and Board of Directors, Willistead Manor Inc. meeting held May 9, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 230/2024

Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 7.4 from the Community Services Standing Committee held on September 4, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>



## **Committee Matters: SCM 230/2024**

**Subject: Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held May 9, 2024.**

A meeting of the **Executive Committee Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:00 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn, Chair  
C. Gaudette  
R. Gauthier (via conference phone)

***Regrets:***

J. Evans

***Also in attendance are the following Resource Personnel:***

C. Menard, Supervisor, Community Programming - Cultural Affairs  
& Willistead Manor Coordinator  
S. Gebauer, Council Assistant & Executive Secretary to the Board  
of Directors, Willistead Manor Inc.

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 4:05 o'clock p.m. and the Executive Committee considers the Agenda being Schedule "A" ***attached*** hereto, matters, which are dealt with as follows:

**2. ADOPTION OF THE MINUTES**

Moved by C. Gaudette, seconded by R. Gauthier,  
That the minutes of the Executive Committee Board of Directors  
Willistead Manor Inc. meeting held April 11, 2024, **BE ADOPTED** as presented.

Carried.

**3. BUSINESS ARISING FROM THE MINUTES**

None.

**4. REPORTS**

**4.1 Chairperson**

None.

## 4.2 Administration

C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator provides the following updates:

### *Priority Projects for Willistead Manor:*

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- C. Menard met with the Lighting Boutique on May 3<sup>rd</sup>, 2024, to assess the lighting needs. A quote/estimate is expected the week of May 13<sup>th</sup> when the representative returns.
- C. Menard will continue to search for files containing information about items donated to Willistead Manor.
- R. Gauthier and C. Gaudette will be meeting to discuss and decide on a colour for the re-painting of Mary Walker's Dressing Room. C. Menard suggests the potential of completing the painting sooner, rather than waiting for the peak wedding and holiday seasons to end.

### *Facilities:*

- The re-installation of the repaired window grate covers in the Paul Martin Gardens is ongoing. New capstones, where needed, have been ordered and will be installed in the spring.
- The Main Courtyard restoration project work continues. The concrete on the ramp has been poured and the railing will be installed soon. The mud-mat that goes beneath the courtyard pavers as well as the pavers have been laid. Weather continues to impact the timeline, but the project is still on schedule for completion ahead of *Art in the Park 2024*.
- Cabinet lighting in the Coach House remains on the to-do list but could move forward next week. Research for ceiling options continues.
- The Facilities Department is undertaking a full condition assessment for the structural envelope of the Willistead Manor Complex. The preliminary inspection took place on May 1<sup>st</sup>, 2024. This is a multi-phase process that will require significant time from both C. Menard and M. Staadegaard, Manager, Culture & Events, to meet with Facilities to assess and determine needs for the Manor House, Custodian apartment, Coach House and Gatehouse, as well as working with Parks to start prioritizing projects in the City's 10-year Capital Plan, identifying funding, determining staffing resources, etc.
- Facilities has installed a new tub surface and repainted the rooms in the Custodian Apartment.
- During the week of May 1<sup>st</sup>, 2024, storms caused debris to clog the Saltmarche Gallery Terrace drain, which caused a leak into the Library. The City's Roofing Technologist is dealing with the Terrace surface and complicating issues (slope, tiles, etc.). The space has been dried and is being monitored. This project may move up the priority list based on the

incident and Condition Assessment process. When the library carpet was lifted, it was revealed that the backing was almost entirely gone. R. Gauthier and C. Gaudette will inspect the carpet and decide the next steps.

*Manor Closure:*

- Willistead Manor has remained open during the courtyard restoration and all events are proceeding as planned. There have not been any significant issues thus far with re-directing people through Willistead Park and the Paul Martin Gardens.

*Willistead Park, Parking Lot, Exterior Areas Updates:*

- Funding for the fence repair/refinish will be available in 2029/2030.
- Funding for the replacement of the parking lot will be available in 2029.

*Culture & Events Updates:*

- C. Menard will be updating the Room Guide to include the Coach House and will also be updating the Willistead Manor brochure.
- The Mother's Day Brunch Buffet on Sunday, May 12, 2024, is 95% sold out. There will be 4 seatings with an estimated 480 guests.
- At the Manor 2024-2025 Promo cards have been onsite since April 2024.
- *Where in the World* tourism blogger will be visiting Willistead Manor, in partnership with Tourism Windsor Essex Pelee Island. His resulting blog will include a 3-day weekend itinerary of things to do highlighting: Willistead Manor, Wineology, Caesars, The GOAT, Thyme Kitchen, Soffi Studio, Neros, Downtown Windsor Farmers' Market, Artist Alley & Maiden Lane, Hot Tacos, Windsor Sculpture Park, Windsor Premier Cruises, River Room, Arius Nightclub, Urban Surf and Oven 360.
- The City of Windsor's Special Events team is well underway in their work with the Rotary Club of Windsor (1918) for this year's Art in the Park. C. Menard is taking care of some of the set-up requirements, including the greenery and velvet ropes for the Friends of Willistead's outdoor location.

*Documentary Updates:*

- There are no new updates concerning the Willistead documentary currently. M. Staadegaard, Manager of Culture & Events, sent an email to Suede Productions on May 7<sup>th</sup>, 2024, to ask about the distribution, release, or availability of a public online link. Additionally, she inquired about the possibility of organizing an outdoor screening in Willistead Park. M. Staadegaard also asked if there is interest in meeting with City Administration and the Chair for further discussion. She is currently awaiting a reply.

**4.3 Treasurer**

None.

## **5. NEW BUSINESS**

C. Menard informs the Committee members that J. Pillon, Project Coordinator intends to highlight the location of the old original fountain/tree within the courtyard, which was where the carriages would turn around. C. Menard will provide the two options to the Committee members by email.

The Committee members briefly discuss a potential change to the day of the Executive Committee and Board of Directors meetings. They plan to discuss this topic with the members during the Board of Directors meeting.

## **6. DATE OF NEXT MEETING**

The next meeting of the Executive Committee Board of Directors, Willistead Manor Inc. will be held at the call of the Chair.

## **7. ADJOURNMENT**

There being no further business, the meeting is adjourned at 4:31 o'clock p.m.

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CHAIRPERSON

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EXECUTIVE SECRETARY

A meeting of the **Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:30 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn – Chair  
A. Abu-Zahra  
MJ. Dettinger  
C. Gaudette  
R. Gauthier (via conference phone)  
R. Jasey (via conference phone and departs at 4:58 o'clock p.m.)  
E. Morasset  
C. Pitman

***Regrets from Board Members:***

J. Evans

***Also in attendance are the following resource personnel:***

C. Menard, Supervisor, Community Programming - Cultural Affairs  
& Willistead Manor Coordinator  
S. Gebauer, Council Assistant & Executive Secretary to the Board  
of Directors, Willistead Manor Inc.

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 4:41 o'clock p.m. and the Board considers the Agenda being Schedule "A" ***attached*** hereto, matters, which are dealt with as follows:

**2. ADOPTION OF THE MINUTES**

Moved by MJ Dettinger, seconded by E. Morasset,  
THAT the minutes of the Board of Directors, Willistead Manor Inc. meeting held April 11, 2024, **BE ADOPTED** as presented.

Carried.

**3. BUSINESS ARISING FROM THE MINUTES**

None.



#### 4. CHAIRPERSON'S REPORT

D. Sanborn informs the Board members that an invoice was received in the amount of \$62.09 for the purchase of the gift that was presented to Bonnie Reid, from the Board of Directors, at her retirement walkthrough.

Moved by C. Gaudette, seconded by A. Abu-Zahra,

THAT the Board of Directors, Willistead Manor Inc. **AUTHORIZE** an expenditure in the amount of \$62.09 for the purchase of a glass trophy that was presented to Bonnie Reid at her retirement walkthrough to thank her for her contributions to the Manor; and,

THAT the expenditure **BE FUNDED** from the Willistead Manor Inc. Operating Account.

Carried.

#### 5. REPORTS

##### 5.1 Management

C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator provides the following updates:

##### *Priority Projects for Willistead Manor:*

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- C. Menard met with the Lighting Boutique on May 3<sup>rd</sup>, 2024, to assess the lighting needs. A quote/estimate is expected the week of May 13<sup>th</sup> when the representative returns.
- R. Gauthier and C. Gaudette will be meeting to discuss and decide on a colour for the re-painting of Mary Walker's Dressing Room.

##### *Facilities:*

- The re-installation of the repaired window grate covers in the Paul Martin Gardens is ongoing. New capstones, where needed, have been ordered and will be installed in the spring.
- The Main Courtyard restoration project work continues. The concrete on the ramp has been poured and the railing will be installed soon. The mud-mat that goes beneath the courtyard pavers as well as the pavers have been laid. Weather continues to impact the timeline, but the project is still on schedule for completion ahead of *Art in the Park 2024*.
- Cabinet lighting in the Coach House remains on the to-do list but could move forward next week. Research for ceiling options continues.

- The Facilities Department is undertaking a full condition assessment for the structural envelope of the Willistead manor Complex. The preliminary inspection took place on May 1<sup>st</sup>, 2024. This is a multi-phase process that will require significant time from both C. Menard and M. Staadegaard, Manager, Culture & Events, to meet with Facilities to assess and determine needs for the Manor House, Custodian apartment, Coach House and Gatehouse, as well as working with Parks to start prioritizing projects in the City's 10-year Capital Plan, identifying funding, determining staffing resources, etc.
- During the week of May 1<sup>st</sup>, 2024, storms caused debris to clog the Saltmarche Gallery Terrace drain, which caused a leak into the Library. The City's Roofing Technologist is dealing with the Terrace surface and complicating issues (slope, tiles, etc.). The space has been dried and is being monitored. This project may move up the priority list based on the incident and Condition Assessment process. There was no damage to the wood or the flooring however, when the library carpet was lifted, it was revealed that the backing was almost entirely gone. R. Gauthier and C. Gaudette will inspect the carpet and decide the next steps.

*Manor Closure:*

- Willistead Manor has remained open during the courtyard restoration and all events are proceeding as planned. There have not been any significant issues thus far with re-directing people through Willistead Park and the Paul Martin Gardens.

*Willistead Park, Parking Lot, Exterior Areas Updates:*

- Funding for the fence repair/refinish will be available in 2029/2030.
- Funding for the replacement of the parking lot will be available in 2029.

*Culture & Events Updates:*

- C. Menard will be updating the Room Guide to include the Coach House and will also be updating the Willistead Manor brochure.
- The Mother's Day Brunch Buffet on Sunday, May 12, 2024, is 95% sold out. There will be 4 seatings with an estimated 480 guests.
- At the Manor 2024-2025 Promo cards have been onsite since April 2024.
- *Where in the World* tourism blogger will be visiting Willistead Manor, in partnership with Tourism Windsor Essex Pelee Island. His resulting blog will include a 3-day weekend itinerary of things to do highlighting: Willistead Manor, Wineology, Caesars, The GOAT, Thyme Kitchen, Soffi Studio, Neros, Downtown Windsor Farmers' Market, Artist Alley & Maiden Lane, Hot Tacos, Windsor Sculpture Park, Windsor Premier Cruises, River Room, Arius Nightclub, Urban Surf and Oven 360.
- The City of Windsor's Special Events team is well underway in their work with the Rotary Club of Windsor (1918) for this year's Art in the Park. C. Menard is taking care of some of the set-up requirements, including the greenery and velvet ropes for the Friends of Willistead's outdoor location.

*Documentary Updates:*

- There are no new updates concerning the Willistead documentary currently. M. Staadegaard, Manager of Culture & Events, sent an email to Suede Productions on May 7<sup>th</sup>, 2024, to ask about the distribution, release, or availability of a public online link. Additionally, she inquired about the possibility of organizing an outdoor screening in Willistead Park. M. Staadegaard also asked if there is interest in meeting with City Administration and the Chair for further discussion. She is currently awaiting a reply.

**5.2 Treasurer**

None.

**6. COMMITTEES**

**6.1 Fundraising**

None.

**6.2 Community Relations and Promotion**

None.

**6.3 Acquisitions**

R. Gauthier informs the Board members that they have been successful in acquiring a pair of marble pedestals from DuMouchelles Auction House and will replace the ones that are currently in the dining room.

D. Sanborn indicates that he will discuss the issues with the Chandelier that was purchased for the Walker bedroom with DuMouchelles when he picks up the pedestals.

Moved by R. Gauthier, seconded by MJ Dettinger,  
THAT the Board of Directors, Willistead Manor Inc. **AUTHORIZE** an expenditure to an upset limit of \$2,500. for the purchase two carved yellow marble pedestals, to replace the ones located in the dining room at Willistead Manor; and,

THAT the expenditure **BE FUNDED** from the Willistead Furnishings Trust Fund.

Carried.

R. Gauthier informs the Board members that the portrait of Mary Walker will be completed very soon and arrangements will be made with the artist to have it delivered

to the Manor. Bergeron Art & Frame Shop will then take possession of the portrait for framing.

C. Gaudette presents some wine decanters that she wishes to donate to Willistead Manor. R. Gauthier suggests that they could be placed in the St. Mary's Academy cabinet. E. Morasset notes that although the items are a little tarnished, they should be kept as they are. C. Pittman will place them on the third floor until a suitable location has been found.

#### **6.4 Friends of Willistead (FOW)**

C. Pitman, provides the following updates:

- The recent high school student tour was a great success. Another tour is scheduled for Tuesday, May 14, 2024, for students from Massey Secondary School.
- Six members of the FOW will be receiving their Ontario Volunteer Service Awards for 10 and 15 years of volunteering.
- The decorating team met to finalize plans.

C. Pitman thanks C. Menard, on behalf of the FOW for all of his help in preparing for Art in the Park.

#### **6.5 Education**

R. Jasey informs the members that the Friends of Willistead gave an excellent presentation for the high school student group that toured the Manor. The students were impressed and the teachers were very pleased. R. Jasey will be requesting testimonials from teachers to attract more tours and intends to create some information packets that will be sent to the schools. Another student group is scheduled to tour the Manor next week.

#### **6.6 Historical**

None.

#### **6.7 Event Planning**

C. Gaudette informs that an event to celebrate the unveiling of the portrait of Mary Walker is being planned.

C. Menard informs the Board that they are considering September 18<sup>th</sup>, 2024 for the private event and that further details will follow.

C. Pitman informs the Board members that she will notify the FOW about the upcoming event for the unveiling of Mary Walker's portrait.

## **7. NEW BUSINESS**

The Board members discuss changing the day of the Executive Committee and Board of Directors meetings to better accommodate the majority of the members and ensure a quorum. It is decided that starting in October, meetings will be held on Wednesdays, with the change being implemented on a trial basis.

## **8. DATE OF NEXT MEETING**

The next meeting of the Board of Directors, Willistead Manor Inc., will be held Thursday, June 13, 2024 at 4:30 o'clock p.m.

## **9. ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:31 o'clock p.m.

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CHAIRPERSON

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EXECUTIVE SECRETARY



**Committee Matters: SCM 263/2024**

**Subject: Minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table of its meeting held March 21, 2024**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 253**

THAT the minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table meeting held March 21, 2024 **BE RECEIVED.**

Carried.

Report Number: SCM 231/2024  
Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 7.5 from the Community Services Standing Committee held on September 4, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>



## **Committee Matters: SCM 231/2024**

**Subject: Minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table of its meeting held March 21, 2024.**





**MEETING OF THE  
WINDSOR ESSEX REGIONAL COMMUNITY SAFETY AND WELL-BEING  
SYSTEMS LEADERSHIP TABLE**

**MEETING MINUTES**

THURSDAY, MARCH 21<sup>ST</sup>, 2024; 8:30AM TO 9:30AM

*VISION: "A COMMUNITY WHERE EVERYONE FEELS SAFE, HAS A SENSE OF BELONGING, EQUITABLE ACCESS TO SERVICES AND OPPORTUNITIES, AND CAN HAVE THEIR NEEDS MET ACROSS WINDSOR AND ESSEX COUNTY"*

**In Attendance**

**Co-Chairs**

Andrew Daher, Sandra Zwiers

**Members**

Mary Birch, Karel DeGraaf, Jeanie Diamond-Francis, Eric

Nadalin, Joyce Zuk

**Guest Speakers**

Cheryl Eastman, Sylvie Guenther

**Project Team**

Amanda Alchin, Stephen Lynn, Michelle Oake

**Regrets**

**Members**

Kevin Blondin, Angela Ferguson, Bill Marra, Carolyn

Warkentin, Jason Woods

Agenda Item	Highlights	Action/Update
<b>Call to Order</b>	<p><b>1.1 Welcome</b></p> <ul style="list-style-type: none"> <li>Andrew Daher, Co-Chair, Regional Systems Leadership Table (RSLT) and Commissioner, Human &amp; Health Services, City of Windsor, welcomed members.</li> <li>It was announced that guest speakers, Cheryl Eastman and Sylvie Guenther from the Violence Against Women Coordinating Committee Windsor-Essex (VAWCCWE), would be joining the meeting at 9:15 am to share some of the great work that their committee is engaged in.</li> </ul> <p><b>1.2 Establish Quorum and Call to Order</b></p> <ul style="list-style-type: none"> <li>7 members were present, establishing quorum.</li> <li>The meeting was called to order at 8:34 am.</li> </ul> <p><b>1.3 Approval of Today's Agenda</b></p> <p>Moved by: Karel DeGraaf Seconded by: Sandra Zwiers</p> <ul style="list-style-type: none"> <li>The Meeting Agenda for December 12, 2023, was approved.</li> </ul> <p>Carried.</p> <p><b>1.4 Declaration of Conflicts of Interest</b></p> <ul style="list-style-type: none"> <li>N/A</li> </ul>	

	<p><b>1.5 Approval of December 13<sup>th</sup>, 2023 Meeting Minutes</b></p> <p>Moved by: Mary Birch Seconded by: Karel DeGraaf</p> <ul style="list-style-type: none"> <li>The December 13, 2023, Meeting Minutes were approved.</li> </ul> <p>Carried.</p>	
<b>Matters of Discussion</b>	<p><b>2.1 Progress Updates: WERCSWB Projects</b></p> <ul style="list-style-type: none"> <li>A high-level review of the <b>four priority areas</b> within the WERCSWB Plan (henceforth the 'Plan') was provided: <ul style="list-style-type: none"> <li><b>Priority #1:</b> Good Governance &amp; Data</li> <li><b>Priority #2:</b> Engaged &amp; Safe Communities</li> <li><b>Priority #3:</b> Mental Health &amp; Substance Use Supports</li> <li><b>Priority #4:</b> Financial Security &amp; Economic Equity</li> </ul> </li> <li>Each priority category consists of two goals and up to three initiatives per goal. In total, eight goals have been set, and 17 initiatives were established to achieve and action the goals.</li> </ul> <p><b>2.1.1 Community Investment Fund</b></p> <ul style="list-style-type: none"> <li>The RSLT was provided with an update regarding Goals 3, 4, and 7 being actioned through the Community Investment Fund.</li> </ul> <p><b>2.1.2 Building Safer Communities Fund (BSCF)</b></p> <ul style="list-style-type: none"> <li>The implementation activities (e.g. expansion of programs provided by New Beginnings and Youth Diversion, Public Call for Proposals, and Development of a Regional Crime Prevention Council), and timelines were discussed.</li> <li>The first Regional Crime Prevention Council meeting was held with immense support from our community partners.</li> </ul> <p><b>2.1.3 WE-SPARK</b></p> <ul style="list-style-type: none"> <li>The Project Team launched a survey to assess the Homeless Individuals and Families Information System's (HIFIS) user experience. Once the survey closes, results will be analyzed and shared.</li> </ul> <p><b>2.1.4 Substance Supports in Neighbourhoods Accessed through Police Partnerships (SSNAPP)</b></p> <ul style="list-style-type: none"> <li>A brief recap was provided regarding the SSNAPP initiatives underway, and how the SSNAPP Grant's partnerships and key performance indicators simultaneously action the Plan's Goal 4, Goal 5, and Goal 6.</li> </ul> <p><b>2.2 Upcoming Council Report</b></p> <ul style="list-style-type: none"> <li>To provide an update on the Plan, it's progress, and timelines, a report is being drafted that will appear before Windsor City Council. Efforts will be made to ensure a similar report appears before Essex County Council as well.</li> </ul>	<p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>Michelle Oake will share the council report with RSLT Members once it is public.</li> </ul>

<p><b>Unfinished Business</b></p>	<p><b>3.1 RSLT Terms of Reference</b></p> <ul style="list-style-type: none"> <li>• <i>Terms of Reference</i> have been disseminated for signature through DocuSign. Signing is ongoing.</li> </ul> <p><b>3.2 New Structure of RSLT Meetings</b></p> <ul style="list-style-type: none"> <li>• Goal 2 of the Plan was reviewed: ‘Improve representation and inclusion of priority populations in collaborative decision-making processes for CSWB initiatives.’</li> </ul> <p><b>3.2.1 Review Committee for Future (ESN and PWLE) RSLT Members</b></p> <ul style="list-style-type: none"> <li>• The process and status on the expansion of the RSLT, to include members of the Enhanced Sector Network (ESN) and People with Lived Experience (PWLE), was discussed.</li> <li>• The <i>New Member Selection Committee</i> met to review and evaluate the Expressions of Interest submitted. A standard evaluation process and grading rubric was used.</li> <li>• The individuals who collectively scored the highest by this committee were discussed. Approval was given for the Project Team to reach out to these individuals to confirm their membership in the RSLT.</li> </ul>	
<p><b>New Business / Round Table Discussion</b></p>	<p><b>4.1 Good News</b></p> <ul style="list-style-type: none"> <li>• In addition to what has been highlighted, we have secured <i>new</i> community partnerships through the BSCF, which will be official by April 2024.</li> </ul> <p><b>4.2 Review of Events</b></p> <p><b>4.2.1 First Meeting of the Regional Crime Prevention Council (RCPC)</b></p> <ul style="list-style-type: none"> <li>• The RCPC held their first meeting on February 22, which was met with great support. Next steps involve confirming membership, scheduling quarterly meetings, and drafting the <i>Terms of Reference</i> and 2024 action and implementation plan.</li> </ul> <p><b>4.2.2 Action Planning Session (Goal #7)</b></p> <ul style="list-style-type: none"> <li>• On February 28, the social policy review’s steering committee, met to oversee and discuss the Project’s Action Plan.</li> </ul> <p><b>4.2.3 WERCSWB Symposium: Ignite Change &amp; Mitigate Risk</b></p> <ul style="list-style-type: none"> <li>• The Plan hosted a successful symposium, ‘Ignite Change &amp; Mitigate Risk,’ at the Ciociaro Club on March 7, 2024. The day was filled with keynote speakers, insightful discussions, and networking opportunities. Attendees learned about regional prevention initiatives related youth gun and gang violence.</li> </ul> <p><b>4.2.4 Crisis &amp; Trauma Resource Institute Training (CTRI)</b></p> <ul style="list-style-type: none"> <li>• In partnership with the SSNAPP Grant Team, multiple crisis training intervention workshops have been hosted by the CTRI. Most recently, on February 27, a workshop was held, ‘Addictions and Mental Health – Strategies for Complex Issues Workshop,’ to provide a framework for</li> </ul>	

	assisting people to move forward with healthy ways of coping. Multiple service providers through Windsor Essex attended.	
<b>Guest Presentation</b>	<b>5.1 Community Spotlight: Update from Community Leaders</b> <ul style="list-style-type: none"> <li>Context regarding Intimate Partner Violence (IPV) being declared an epidemic by Windsor City Council was provided. This included discussion on the council resolution and council question on IPV.</li> <li>Cheryl Eastman and Sylvie Guenther, Coordinators VAWCCWE, led a presentation, which included an introduction of the VAWCCWE, discussion of the prevalence of IPV in Windsor Essex and Ontario, and information related to work that VAWCCWE is engaged in.</li> </ul>	
<b>Adjournment</b>	<b>6.1 Next Quarterly Meetings</b> <ul style="list-style-type: none"> <li>June 12, 2024 (Virtual: 9:00 am – 10:00 am)</li> <li>September 11, 2024 (Virtual: 9:00 am – 10:00 am)</li> <li>December 11, 2024 (Virtual: 9:00 am – 10:00 am)</li> </ul> <b>6.2 Meeting Adjourned</b> <ul style="list-style-type: none"> <li>The meeting was adjourned at 9:32 am.</li> </ul>	



**Committee Matters: SCM 264/2024**

**Subject: Walker Homesite Park – Approval of the Masterplan – Ward 9**

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 254**

THAT the report of the Executive Initiatives Coordinator dated August 16, 2024 entitled “Walker Homesite Park – Approval of the Masterplan – Ward 9” **BE REFERRED** to the 2025 Budget Deliberation meeting.

Carried.

Report Number: S 109/2024

Clerk’s File: SR2024

**Clerk’s Note:**

1. The recommendation of the Community Services Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.1 from the Community Services Standing Committee held on September 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>

**Subject: Walker Homesite Park – Approval of the Masterplan – Ward 9**

**Reference:**

Date to Council: September 4, 2024

Author: Samantha Magalas

Executive Initiatives Coordinator

smagalas@citywindsor.ca

519-253-2300x2730

Parks

Report Date: 8/16/2024

Clerk's File #: SR2024

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

**Recommendation:**

- I. THAT Council **ENDORSE** the Walker Homesite Park Master Plan as noted in *Appendix A* of this report which would require additional expenditures that are not currently included in the 10-year capital plan; and,
- II. THAT the City Treasurer **BE DIRECTED** to bring forward a capital budget issue in the amount estimated to be \$3,313,367 as part of the 2025 10-year capital plan for consideration.

**Background:**

On Monday May 9, 2022 through CR213/2022, Council approved Administration to undertake a feasibility and design study of parking lot and sports field improvements at Walker Homesite park.

Walker Homesite Park is owned by the City of Windsor and located at 1900 Seymour Blvd. in the Devonshire Heights neighbourhood of Windsor. The park is approximately 4.1 hectares and includes 2 parking lots (with 33 and 34 spaces), 3 baseball diamonds, multi-use trails, outdoor fitness equipment and a playground. The Park also serves as the home location for the Walker Homesite Athletic Club which runs a house league and travel baseball program for ages 5 to 23, out of the park.

In July of 2022, Landmark Engineers was retained by the City to develop a design plan for Walker Homesite Park. The updated plan for Walker Homesite Park looked at how it could:

- Improve site drainage;
- Upgrade the parking facilities;
- Upgrade the baseball facilities; and,
- Improve public safety and accessibility within the park.

During the review, Landmark reviewed various archived planning and design documents associated with the development of the existing park. Topographic surveys and condition assessments of the existing park features were also completed. After gathering that information, a preliminary design concept was developed which was shared for public feedback.

### Discussion:

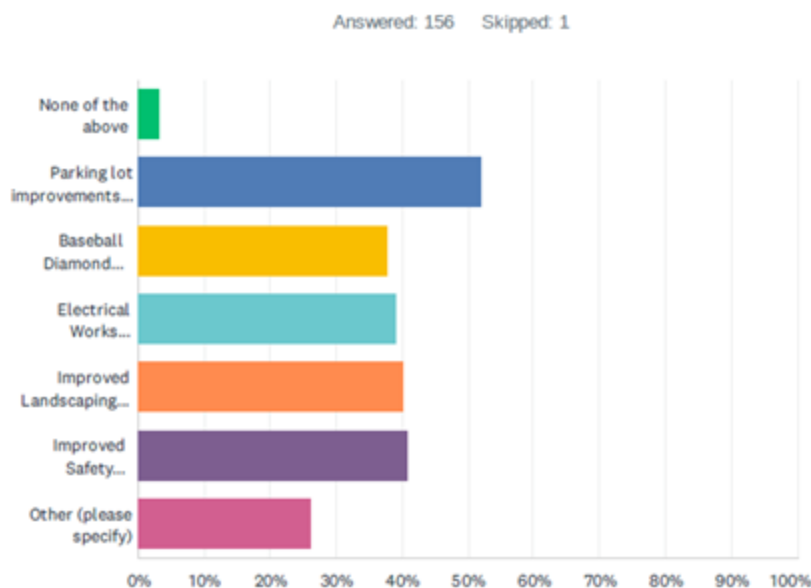
Landmark Engineers worked in partnership with the City of Windsor to develop a survey designed to gather public feedback regarding the park improvements. An information package was created which showed various photos, illustrations and explanatory text and highlighted the proposed features and the site improvements (**Appendix B**). City Administration created a webpage with a link to the information package and a questionnaire that was open to the public for viewing and feedback from December 2 to 17, 2022. Social media notifications were posted to advertise to the public that the survey was live and in addition, survey notification letters were mailed to the primary survey groups including:

1. Residents within an 800m radius from the park; and,
2. Members of the Walker Homesite Athletic Club.

The feedback received through the public survey process was generally positive. The comments received were given careful consideration during the development of the final functional design plan for Walker Homesite Park.

When reviewing the public input, over 150 people responded to the public survey. In the survey, question six (6) specifically asked respondents what amenities were most important to them.

#### Q6 What aspects of the conceptual design is most important to you? (Check all that apply)





ANSWER CHOICES	RESPONSES	
None of the above	3.21%	5
Parking lot improvements (including: new paved surfaces, new trails and north parking lot entrance/exit expansion)	51.92%	81
Baseball Diamond improvements (including: re-graded playing surfaces, upgraded dugouts and bullpens)	37.82%	59
Electrical Works (including: overhead lighting and new scoreboard at Diamond #2)	39.10%	61
Improved Landscaping (including: new tree plantings)	40.38%	63
Improved Safety (including: New protective netting to mitigate the impact of foul balls)	41.03%	64
Other (please specify)	26.28%	41
Total Respondents: 156		

Administration reviewed what the “other” amenities where in the survey comments and these generally included items such as: a dog park, splash pad, outdoor skating rink, more/better lighting for safety, tennis/pickleball courts, improved spectator seating (benches, shade etc.). In addition, some comments requested additional improvements to playing surfaces and diamonds such as installing grass infields and more power outlets for pitching machines.

Following the public input, Landmark Engineers developed a final proposed plan. Components of the new functional design plan for Walker Homesite Park are presented in Appendix A of this report which includes the following new features:

- Site regrading and a network of new drainage swales aimed at more efficiently conveying runoff to the nearby stormwater management pond;
- Upgrades to both parking lots on the site – including new drainage features, new perimeter curbing, new asphalt surfacing, and adjustments to the North Parking lot entrance off of Sydney Avenue to more efficiently accommodate two-way traffic;
- Upgrades to all three baseball diamonds – including: regrading of the playing surfaces, upgraded dugout and bullpen facilities, and expansion of the outfield at Diamond #2 to include fencing adjustments and the installation of a new perimeter warning track;
- Installation of new 20-metre high protective netting screens along the sideline fences at Diamond #2 and Diamond #3 to provide improved protection from foul balls for neighbouring properties;
- New electrical services – including: new overhead lighting at Diamond #2, a new electronic LED scoreboard at Diamond #2, and new electrical pedestal outlets at all 3 baseball diamonds;
- An upgraded landscaping plan for the entire park – including: an irrigation system for the outfield at Diamond #2 and a total of 80 new trees; and,
- Upgrades to the existing trail network – including new sidewalks and accessible ramps around each parking lot, with connections to the trail network.

It should be noted that since Landmark finalized their report, Administration has installed new solar lights around the multi-use trails within the park. Improvements have also been made to dugouts at Diamond #2 which included making them larger and installing a concrete base.

It is estimated that construction of the new functional design plan for Walker Homesite Park will cost approximately \$3.7 Million (excluding applicable HST) in 2023 dollars. Administration is suggesting that, if the project is approved by Council, the project be broken down into three (3) phases as noted in the Financial Matters section of this report.

### **Risk Analysis:**

There is a significant financial risk associated with this project. The funding currently available for use is not enough to cover the proposed improvement plan. If directed to move forward with the project, alternative funding would need to be pre-committed. The proposed phased approach helps to mitigate this risk.

There is also a significant risk in doing any of the proposed work on Diamond #1. While the City currently permits that diamond to user groups, as noted in the report, that diamond is owned by the Greater Essex County District School Board (GECDSD). As a result, no work would take place on that diamond until such time as an agreement could be worked out with the school board. Should no agreement be reached, none of the proposed work to Diamond 1 would occur. Administration is hopeful an agreement can be reached but all proposed work on Diamond #1 has been moved to either phase two (2) or phase three (3) of the project. This will provide Administration ample time to work out an agreement with the school board thereby mitigating that risk.

As with any park re-development, Walker Homesite Park would be partially under construction for the duration of each construction phase. As Administration would look to complete the project in phases, this would allow sections of the park to be closed during construction with the remainder of the park remaining open to users. Any impact in future years will be communicated and coordinated with the public, stakeholders, user groups and event planners. This project will have some impact on user groups that currently use the existing the diamonds on a regular basis, but Administration is confident they can be accommodated at nearby diamonds during construction. In addition, Administration would plan to complete most of the work outside of the baseball season thereby limiting the overall impact to user groups.

### **Climate Change Risks**

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

As with all construction, greenhouse gas emissions (ghg) will result from the construction of the park and will temporarily but negligibly be accounted for in the community GHG inventory.

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

Walker Homesites has been noted to have surface drainage issues both observed and modelled under the Sewer and Coastal Flood Protection Plan. Windsor's climate projections predict an increase in annual rainfall as well as an increase in intensity of storms. The current design looks to alleviate some of the drainage concerns through improved site drainage with a network of new drainage swales to more efficiently convey runoff to the nearby stormwater management pond.

This park is also located in an area with high urban heat island effects. The Conceptual Design Plan details opportunities to increase tree coverage at the Site, particularly

along trails on surrounding the limits of the ball diamonds. The new trees will improve the thermal comfort of the site and provide natural shading options for all users of the site.

These park enhancements support the City's Climate Change Adaptation Plan's Objective #6, Reduce Community Service Disruptions, particularly by working towards Action 6.3 to Improve design standards for new recreational facilities to ensure they are more climate resilient.

### Financial Matters:

The anticipated capital funding requirements for improvements to Walker Homesite Park as identified within the masterplan are listed below:

ESTIMATED PHASE EXPENSES	YEAR	
Diamond #2 – All proposed playing surface upgrades, new irrigation system, new water connection, new fencing & benches for dugout, upgraded bullpens, updated and expanded safety netting Diamond # 3 – All proposed playing surface upgrades, new chain linked fencing, new safety netting & dugout improvements Park site drainage improvements, upgraded electrical,	TBD	\$1,704,000
Diamond#1 – All proposed laying surface improvements, new benches for dugout, new fencing Diamond #2 – Install lighting for diamond & scoreboard Park – planting of deciduous and coniferous tree throughout	TBD	\$1,032,000
Parking Lots – upgrades to both parking lots including drainage and asphalt installation, regrading of surface area near Diamond 1 for improved drainage Trails – All proposed trail system improvements for increased accessibility	TBD	\$864,000
Non-Recoverable HST		\$63,367
<b>TOTAL ESTIMATED PROJECT COSTS</b>		<b>\$3,663,367</b>
FUNDING SOURCES	YEAR	
PFO-013-12 (Park-Related Parking Lots Capital Upgrades)	2025	\$350,000
<b>TOTAL REVENUE</b>		<b>\$350,000</b>
<b>OUTSTANDING FUNDING</b>		<b>\$3,313,367</b>

Pricing noted above is based on 2023 pricing, and includes anticipated engineering, project management, other administrative costs, and contingency.

Implementation of the new functional design plan is expected to result in additional operating maintenance costs. It is anticipated that these costs will be absorbed into the existing parks operating budget, however, any additional costs that cannot be absorbed within in the operating budget will be brought forward in future years once the project is completed in its entirety.

Currently, there is \$350,000 of approved in principle funding in the 2024 10-year Capital Budget (PFO-013-12 -Park-Related Parking Lots) for the 2025 funding year which can be used towards the parking lots upgrades.

There is no other available capital budget funding allocated to the proposed park improvements at Walker Homesite Park within the 2024 10-year Capital Plan. Should City Council wish to proceed with all phases for the project plan additional capital funding of approximately \$3,313,367 would need to be included as part of the 2025 10-year capital plan for consideration. It should be noted that accommodating this funding request would require further analysis by Administration and could involve the delaying, eliminating, or reducing scale / scope of other projects.

**Consultations:**

Dave Nicholls – Manager, Parks Operations (A)

Paul Mourad – Supervisor, Parks Projects

Karina Richters – Supervisor, Environmental Sustainability & Climate Change

Emilie Dunnigan – Manger, Financial Administration

Michael Dennis - Manager, Strategic Capital Budget Development and Control

**Conclusion:**

The proposed Walker Homesite Park improvement as outlined herein will help revitalize this Community Park providing much-needed upgrades and amenities as requested by the community and will have a positive impact on the community at large.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Samantha Magalas	Executive Initiatives Coordinator
Erika Benson	Financial Planning Administrator - Parks
James Chacko	Executive Director, Parks and Facilities
Ray Mensour	Commissioner, Community & Corporate Services
Dan Seguin	On behalf of Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1      Appendix A - Master Plan Report
- 2      Appendix B - Conceptual Map & Photos

# WALKER HOMESITE PARK IMPROVEMENTS FUNCTIONAL DESIGN REPORT



**Job Number: 22-024**

**Date: May 2023**



## **EXECUTIVE SUMMARY**

In July 2022, the City of Windsor retained Landmark Engineers to develop a new functional design plan for Walker Homesite Park – an approximately 4.1-hectare municipally-owned property located in the Devonshire Heights neighbourhood that serves as the home location for the Walker Homesites Athletic Club. The existing park features include: two gravel-surfaced parking lots, three baseball diamonds, a playground unit, an outdoor calisthenics workout area, and a loose network of multi-use pathways.

The purpose of this assignment was to create an updated plan for Walker Homesite Park that would:

- Improve site drainage;
- Upgrade the parking facilities;
- Upgrade the baseball facilities; and,
- Improve public safety and accessibility within the park.

Over the course of the functional re-design process, Landmark reviewed various archived planning and design documents associated with the development of the existing park. Landmark also carried out topographic surveys and condition assessments of the existing park features. The information thus compiled was used to develop a preliminary design concept for the updated park, which was subsequently presented to the public for feedback via the City's website with an accompanying survey. The public feedback received via the survey was generally positive, and was used to help refine and develop the preliminary design into the functional design plan presented in this report.

The new functional design plan for Walker Homesite Park is presented in the appendices of this report, generally depicting the following new features:

- Site regrading and a network of new drainage swales aimed at more efficiently conveying runoff to the nearby stormwater management pond;
- Upgrades to both parking lots on the site – including: new drainage features, new perimeter curbing, new asphalt surfacing, and adjustments to the North Parking lot entrance off of Sydney Avenue to more efficiently accommodate two-way traffic;
- Upgrades to all three baseball diamonds – including: regrading of the playing surfaces, upgraded dugout and bullpen facilities, and expansion of the outfield at Diamond #2 to include fencing adjustments and the installation of a new perimeter warning track;
- Installation of new 20-metre high protective netting screens along the sideline fences at Diamond #2 and Diamond #3 to provide improved protection from foul balls for neighbouring properties;
- New electrical services – including: new overhead lighting at Diamond #2, a new electronic LED scoreboard at Diamond #2, and new electrical pedestal outlets at all 3 baseball diamonds;
- An upgraded landscaping plan for the entire park – including: an irrigation system for the outfield at Diamond #2 and a total of 80 new trees; and,
- Upgrades to the existing trail network – including new sidewalks and accessible ramps around each parking lot, with connections to the trail network.



## 1.0 INTRODUCTION

### 1.1 BACKGROUND

Walker Homesite Park is a municipally-owned park located at 1900 Seymour Boulevard in the Devonshire Heights neighbourhood of Windsor. The park facilities include 2 parking lots, 3 baseball diamonds, and various other public amenities. The park also serves as the home location for the Walker Homesites Athletic Club.

Landmark Engineers was retained by the City of Windsor in July 2022 to develop a new functional design plan for Walker Homesite Park. This report, read in conjunction with the functional design drawings that are included in the appendices, summarizes our final design recommendations and the parameters that were considered in their development.

### 1.2 PURPOSE AND SCOPE

The primary purpose of the functional re-design for Walker Homesite Park is to create an updated plan that achieves the following objectives:

- Improved Site Drainage – Focused primarily on re-grading the existing parklands to improve the overall site drainage.
- Improved Parking Facilities – Upgrading each parking lot from a gravel surface to a paved asphalt surface - including upgrades to the layout of the existing parking lots and their surrounding areas.
- Improved Baseball Facilities – Aimed at increasing the level of service for each baseball diamond while improving the overall player and spectator experience. Includes upgrades to the existing facilities and the addition of new baseball-centered amenities.
- Identifying and Implementing Measures to Improve Public Safety – Includes measures to limit the occurrence of stray baseballs leaving the boundaries of the park, providing safe access to and from the parking lots, and improved site grading for on-field player safety.
- Improving Park Accessibility – Includes an expansion of the North Parking Lot entrance/exit, the installation of dropped curbs with sidewalk ramps, and the connection of a continuous network of trails within the park.

In order to fulfil the above, the Project Team has executed a scope of work that included the following:

- The compilation of general site inventory; including topographic land surveys, review of existing drainage features and drainage documents, and an assessment of existing site features.
- The compilation of an environmental inventory for the site and its immediate surroundings, including: property and utility information, a review of site access, and a review of adjacent stormwater management facilities.

- Engineering analysis and preparation of various design concepts for improvements to site drainage, site facilities, safety, and accessibility.
- The issuance of a public survey to solicit feedback from both local residents and the Walker Homesites Athletic Club. The feedback received through this process was considered for incorporation in the final detailed design.
- The preparation of this report, including: functional design drawings, preliminary cost estimates (for both capital improvements and ongoing maintenance), and a final list of recommended park improvements aimed at achieving the objectives outlined above.

## **2.0 ENVIRONMENTAL INVENTORY / SITE CONDITIONS**

### **2.1 SITE LAYOUT**

Walker Homesite Park is situated on approximately 4.1-hectares of generally flat parkland. Representatives of Landmark Engineers have visited the site on multiple occasions over the course of this assignment for reconnaissance purposes, and a topographic survey of the site was completed by Landmark staff on 15 July 2022.

Walker Homesite Park is currently serviced by two distinct parking lots: a north lot and a south lot. The North Parking Lot can be accessed from Sydney Avenue, while the south lot can be accessed from Seymour Avenue. The park contains three baseball diamonds, which are primarily used by the Walker Homesites Athletic Club. Other park features include a children's play set, outdoor calisthenics gym, and batting cages. The park features a network of asphalt trails that allow park-goers access to the on-site amenities. The site is serviced by two facilities buildings that are located adjacent to the North Parking Lot. These buildings provide power and water to the site, while also housing public washrooms, storage areas, and concession stands.

### **2.2 EXISTING CONDITIONS**

The following sections generally describe the existing site conditions at Walker Homesite Park. An inventory of existing site photos taken by Landmark Engineers is also attached as Appendix B.

#### **2.2.1 SITE DRAINAGE**

Grade elevations across the site generally range between 187.90m and 188.50m GSC. Upon inspection, several low-lying areas were noted that showed evidence of standing water - along the east edge of the site and in the right field area of Diamond #1, in particular. We also noted that the existing asphalt trails are slightly elevated and are acting as 'berms' that are restricting the natural flow of runoff within the site. The entirety of the site outlets to the existing stormwater retention pond located immediately west of the park's property limits.

#### **2.2.2 NORTH PARKING LOT**

The entrance to the North Parking Lot is located at the west terminus of Sydney Avenue. The roadway approaching the entrance can accommodate 2 lanes of traffic – it was noted, however, that it currently narrows to a single lane at the entrance to the park. Thus, traffic flow in and out of the park is currently restricted to one lane.

The surface of the North Parking Lot consists primarily of compacted gravel-like materials. Typical surface slopes are in the range of 0.5% to 1.5%. Several small depressions and potholes were noted throughout the lot, creating an uneven surface that is prone to accumulating water. There is no perimeter curbing around the lot, with each parking space delineated by pre-cast concrete barrier curbs. There are 2 catch basins that service the lot, which outlet to the stormwater retention pond located just west of the park.

The North Parking Lot currently has a maximum capacity of 33 vehicles.

### 2.2.3 SOUTH PARKING LOT

The entrance to the South Parking Lot is located on Seymour Avenue. The lot has a compacted gravel surface with typical surface slopes in the range of 0.5% to 1.5%. There are two catch basins servicing the lot, with each catch basin outletting to the open drain that exists along the west edge of the site. The existing lot surface appears quite uneven, with many small potholes and depressions showing evidence of water accumulation.

The South Parking Lot currently has a maximum capacity of 34 vehicles.

### 2.2.4 BASEBALL DIAMONDS AND FACILITIES

Walker Homesite Park currently houses three baseball diamonds. The diamonds are primarily used by the Walker Homesites Athletic Club. For the purpose of this functional re-design, each diamond has been numbered from 1-3. Diamond #1 is located furthest north, and Diamond #3 is located furthest south.

- Diamond #1:
  - Located on Greater Essex County District School Board (GECDSB) property.
  - Sized for players in the Ontario Baseball Association's (OBA's) 'Mosquito', 'Rookie-Ball', and 'T-Ball' age divisions (i.e., 11-and-under).
  - The infield surface is graded with a white limestone screening. The screenings appear to be in generally good condition - however, instances of localized drainage issues have been noted.
  - The existing outfield surface is not smooth and has many significant irregularities. There is evidence of tire tracks and ruts in the outfield that have created an uneven playing surface, which has the potential to result in uneven bounces and/or player injury.
  - The existing outfield is not enclosed with any perimeter fencing. The backstop area consists of chain link fencing that appears to be in good condition.
  - The existing dugouts have a white limestone screening floor. The benches have a wood sitting surface that is supported by steel posts. The benches show signs of wear, but generally appear to be in serviceable condition.
- Diamond #2:
  - This is a 'Regulation' sized baseball diamond according to the OBA. This diamond is sized for players aged 16-and-older.
  - The infield surface is graded with a red dirt infield mix, most likely a '*Washington Ball Mix*' from Mar-Co Clay products.
  - The outfield surface is relatively flat, with an average slope of approximately 0.5%. Localized ponding has been observed in the outfield area.
  - The diamond is fully enclosed with perimeter chain link fencing. A large gate exists to allow entry for maintenance vehicles. The fencing appears to be in good condition.

- The existing bullpens are in generally poor condition.
  - The existing pitching mound appears to be in fair-to-serviceable condition, requiring frequent repairs as by City maintenance staff.
  - The existing dugouts have a red-dirt screening floor. The benches have a wood sitting surface that is supported by steel posts.
  - An electrical connection is currently in place immediately behind the home plate area.
  - A 12-metre-high, 45-metre-long protective netting screen has been constructed in the left field foul ball area. The netting is supported by wood utility poles. Both the poles and the netting appear to be in fair condition.
- Diamond #3:
    - Sized for players in OBA's 'PeeWee' age division (i.e., 13-and-under)
    - The infield surface is graded with white limestone screenings. The screenings appear to be in generally good condition.
    - The outfield surface is relatively flat, with an average slope of approximately 0.5%
    - The perimeter of the Diamond is fully enclosed with chain link fencing. The fencing appears to be in good condition.
    - The existing bullpens are in generally poor condition.
    - The existing dugouts have a white limestone screening floor. The benches have a wood sitting surface that is supported by steel posts.
    - A 12-metre-high, 45-metre-long protective netting screen exists in foul territory down the right field line. The netting is supported by wood utility poles. The netting has begun to sag under its own weight between the pole supports, thus reducing its effectiveness.

## 2.2.5 SITE AMENITIES / MISCELLANEOUS FEATURES

Other site features include:

- 2 facilities buildings with concession stands and public washrooms;
- A full-sized batting cage (owned and operated by the Walker Homesites Athletic Club and located on GECDSB property);
- A children's play-set;
- An outdoor calisthenics workout area;
- A network of existing multi-use pathways; and,
- Garbage receptacles, benches, park signage, etc.

## 2.3 REFERENCE MATERIALS

The following resources were used to aid in the preparation of this report and the functional design drawings:

- *'Stormwater Management Report for the Devonshire Heights Subdivision and Seymour Avenue Drainage Basins'* prepared by Lafontaine, Cowie, Burrato and Associates (9 February 1994).
- *'Protective Screens for Baseball Diamonds at Forest Glade Optimist and Walker Homesite Parks'* prepared by Landmark Engineers (15 October 2015).
- *'Walker Homesite Park Masterplan Concept'* drawing provided by the City of Windsor.

- *‘Walker Homesite Park – South Parking Lot’* as-built drawings of the South Parking Lot provided by City of Windsor.
- *‘Walker Homesite Bike Trail and Park Trail Improvements’* design drawings, outlining the proposed improvements to the bike and park trail network, provided by the City of Windsor (June 2022).
- Essex Region Conservation Authority Interactive Mapping Website.
- City of Windsor ‘Sewer Atlas’.

### 3.0 PROPOSED PARK IMPROVEMENTS

The following section will outline the planned scope of improvements for Walker Homesite Park. The improvements are aimed at mitigating/solving the existing problems, as outlined in the section above.

In reviewing the proposed park improvements, it should be noted that in the City of Windsor's Request for Proposals for this assignment, the following items were designated as not to be included in the scope of work:

- The existing park trails;
- The existing playground and outdoor gym facilities; and,
- The existing maintenance buildings and facilities buildings.

#### 3.1 SITE DRAINAGE

Landmark has proposed the construction of several strategically-placed drainage swales, aimed at collecting and conveying surface runoff away from trafficked areas and into the existing retention pond to the west of the park. The swales have been designed to be approximately 300mm deep, with side slopes in the range of 3H:1V (Horizontal:Vertical). Each swale also includes a 100mm-diameter PVC perforated tile drain placed below the invert of the swale to help convey stormwater off-site.

We anticipate that the existing drainage issues along the east edge of the site and in the right field area of Diamond #1 to be alleviated by the addition of these swales. Additionally, the scope of proposed improvements will include the re-grading of each baseball diamond (and the areas surrounding each diamond), ensuring positive drainage away from the playing surfaces.

Consideration was given to enclosing the existing open drain along the west side of the park. Although enclosing this drain would increase the usable park space considerably, there is no necessity to carry out this work from a stormwater management perspective. It was also noted that enclosing the drain would necessitate the removal of many large, mature trees, at considerable expense. After careful consideration and consultation with City staff, it was decided to leave the drain as-is.

#### 3.2 NORTH PARKING LOT

A summary of the improvements is listed below:

- Expansion of the entrance/exit laneway to accommodate 2-lanes of traffic.
- Expansion of the parking lot along its west edge, increasing the maximum lot capacity from 33 vehicles to 39.
- Upgrading from a granular surface to a paved asphalt surface, thus improving the functionality, drainage, and aesthetics of the lot.
- The placement of 2 additional catch basins, improving drainage and limiting on-site ponding.



- The construction of a new proposed storm sewer. The sewer will run from the proposed manhole/catch basin westward to the existing stormwater retention pond. A more detailed stormwater management design will be required to confirm the final sizing of the pipe.
- Full perimeter concrete curbing, with a 3m-wide asphalt pathway being added along the south side of the lot, as depicted in the above-noted drawing. The new asphalt trail (in conjunction with the proposed trail along the South Parking Lot – see below) will create a continuous network of trails that are located entirely within the park boundaries.
- New line painting, including the addition of 2 accessible parking spaces with a dropped curb and sidewalk ramp, enhancing site accessibility. The proposed design meets all standards set forth by the A.O.D.A.

Landmark has designed the proposed improvements in general accordance with the Stormwater Management requirements set forth by the City's Development Manual. The design has also been prepared in general conformance with the regulatory review requirements of the Essex Region Conservation Authority (ERCA). A memorandum, describing the stormwater management analyses that were carried out by Landmark for this project has been attached as Appendix C for reference purposes.

### 3.3 SOUTH PARKING LOT

A summary of the improvements has been listed below:

- Upgrade from a granular surface to a paved asphalt surface. Improving the functionality, drainage, and aesthetics of the lot. The existing drainage features (i.e., catch basins) will remain in place.
- Full perimeter concrete curb as per OPSD standards, with a 3m wide asphalt pathway being added to the north side of the lot, as depicted. The new asphalt trail, in conjunction with the proposed trail in the North Parking Lot, will create a continuous network of trails that are located entirely within park boundaries.
- New line painting; including the addition of 2 accessible parking spaces with a dropped curb and sidewalk ramp enhancing site accessibility. When complete, the South Parking Lot will have 37 standard parking spaces and 2 accessible parking spaces. The design meets all standards set forth by the AODA.

Landmark has designed the proposed improvements in general accordance with the Stormwater Management requirements set forth by the City's Development Manual. The design has also been prepared in general conformance with the regulatory review requirements of the Essex Region Conservation Authority (ERCA). A memorandum, describing the stormwater management analyses that were carried out by Landmark for this project has been attached as Appendix C for reference purposes.

### 3.4 DIAMOND #1

As noted in Section 2 of this report, Diamond #1 is located on GECDSD property. All proposed improvements have been designed in accordance with the guidelines set forth by the Ontario Baseball Association (OBA).

A summary of the improvements is listed below:

- Re-grading of the Infield Surface:
  - We recommend upgrading the existing white stone dust infield screening to a ‘*Washington Ball Mix*’ supplied by Mar-Co Clay Products (or an approved equivalent). The target slope for grading purposes across the infield area should be approximately 1%.
  - The City may also consider leaving Diamond #1 as a white stone dust screening diamond. If this option is considered, we recommend placing a similarly-graded white screening infield mix to match the existing materials.
  - Includes a new pitching rubber and a new home plate area. We recommend the use of the clay bricks (available from Mar-Co Clay Products) to rebuild the flat pitching area. The clay bricks provide a more stable pitching area when compared to sand/granular products. The clay is also more firm than granular material – thus reducing the potential for large potholes to form in the pitching area.
- Re-grading of the Outfield Surface:
  - Excavated materials from the North Parking Lot may be used to help re-grade the outfield area.
  - A smoothed outfield surface reduces the potential for player injury.
- New Dugouts:
  - New dugouts are proposed to be built on suitable concrete base pads. It is recommended that the City place new spike-resistant dugout flooring on top of the concrete. The rubberized surface increases the service life of both the concrete and the players’ shoes.
  - New chain-link fencing is proposed around the perimeter of each dugout. The height of the dugout should be approximately equal to the height of the existing structures. The dugout roofs should be gently sloped away from the playing surface, with run-off being directed away from the playing surface and player gathering areas.
  - New Outdoor Players Benches from *Barco Products Canada* (Thermoplastic-coated 8ft-long benches) or an approved equivalent are recommended for Diamond #1.
- New Electrical Connection in 3<sup>rd</sup> Base Dugout:
  - The new pedestal connection will supply power to Diamond #1 (for pitching machines, etc.)
  - The type of pedestal used will be similar to the connection used at Realtor Park in the City of Windsor. Refer to Photo #14, attached in Appendix B, for a visual representation of the proposed connection.
  - Refer to Section 3.8 of this report for more details regarding the proposed electrical works.

### 3.5 DIAMOND #2

Diamond #2 is a regulation-sized baseball diamond that suits gameplay for players aged 14 and older. All proposed improvements have been designed in accordance with the guidelines set forth by the

Ontario Baseball Association (OBA). This will allow games and tournaments sanctioned by the OBA to be hosted at Walker Homesite Park.

A summary of the improvements is listed below:

- Improvements to the Infield Surface:
  - We recommended the use of the ‘*Infield Clay 15 Standard*’ infield screening, supplied by Mar-Co Products. This product is an upgrade over the existing infield screening materials. The target slope for grading purposes across the infield area should be approximately 1%.
  - Includes a new pitching rubber and a new home plate area. We recommend the use of ‘*RediMound*’ and ‘*RediKit*’ from Mar-Co Clay Products, or an approved equivalent. The mound shall be constructed to the specifications set forth by the OBA.
  - Careful consideration was given for installing a grass infield on Diamond #2. Upon review of the anticipated maintenance costs and potential issues regarding diamond flexibility with City staff, however, it was decided that the Diamond #2 infield should remain as red clay.
- Improvements to the Outfield Playing Surface:
  - Full re-grading and re-seeding of the existing outfield area. This improvement is aimed at mitigating current drainage issues, improving player safety, and improving overall gameplay.
  - We also proposed the addition of an irrigation system in the outfield of Diamond #2. See Section 3.9 of this report for more details.
- Improvements to the Existing Bullpen Areas:
  - Upgraded bullpen areas using the Mar-Co Clay ‘*RediMound*’ and ‘*RediKit*’ products, or an approved equivalent. Install new pitching rubbers and new home plates.
  - The bullpens will not have perimeter chain-link fencing. Thus, maintenance vehicles will continue to have access to the bullpen areas.
- New Dugouts:
  - New dugouts are proposed to be built on suitable concrete base pads. It is recommended that the City place new spike resistant dugout flooring on top of the concrete. The rubberized surface increases the service life of both the concrete and the players’ shoes.
  - New chain-link fencing is proposed around the perimeter of each dugout. The height of the dugout should be approximately equal to the height of the existing structures. The dugout roofs should be gently sloped away from the playing surface, with run-off being directed away from the playing surface and player gathering areas.
  - New Outdoor Players Benches from *Barco Products Canada* (Thermoplastic-coated 8ft-long benches) or an approved equivalent are recommended for Diamond #2.

- New Perimeter Warning Track:
  - New 13'-wide perimeter warning track is recommended for Diamond #2, extending along the entire perimeter of the fence line. By providing a change of terrain near the fence line, defensive players will be more aware of their location relative to the fence. This can substantially reduce the potential for player injury, while improving gameplay and field aesthetics.
  - The warning track will extend 3' beyond the fence line for ease of maintenance.
  - The warning track shall be constructed using a 300mm-thick drainage base, topped with 150mm of '*NT Clay Track Surfacers*' from Mar-Co Clay Products (or an approved equivalent).
  - The excavated white stone dust screenings from Diamond #3 may be suitable for re-use as a drainage base for the new warning track at Diamond #2. The viability of this option may be determined during the construction phase.
- Outfield Expansion:
  - Expansion of the existing outfield dimensioning is recommended for Diamond #2. See Table 1 (below) for a comparison of the existing dimensions vs. the new proposed dimensions.

**Table 1: Outfield Dimensions at Diamond #2**

	Existing Outfield Fence Dimensions	Proposed Outfield Fence Dimensions	Recommended Dimensions as per OBA Guidelines
Left Field	300'	300' (actual) / 315' (simulated)	325'
Centre Field	300'	315'	400'
Right Field	300'	320'	325'

- Expanding the outfield fencing will allow Diamond #2 to be used for hosting games of any caliber of baseball, while maintaining a competitive balance between hitter and pitcher.
  - Due to the geometric constraints of the park, the left field fence cannot be relocated without adversely impacting other park features. As such, we recommend increasing the height of the outfield fence from 6-feet to 15-feet. This would allow a 300-foot fence to simulate an approximate distance of 315-feet.
  - If possible, the City may choose to re-use and re-locate the existing chain link fence to its new proposed location. The existing chain link fencing appears to be in good condition.
- Other Improvements:
  - New protective netting screens are recommended down the first and third base lines. See Section 3.7 of this report for further details.

- New overhead lighting and a new electronic scoreboard are recommended for Diamond #2. See Section 3.8 of this report for further details.

### 3.6 DIAMOND #3

Diamond #3 is a Pee-Wee sized baseball diamond that suits gameplay for players aged 13-and-under. It is the southernmost diamond in the park, located closest to the South Parking Lot. All proposed improvements have been designed in accordance with the guidelines set forth by the Ontario Baseball Association (OBA).

Proposed improvements to Diamond #3 include:

- Improvements to the Infield Surface:
  - We recommend upgrading the existing white stone dust infield to a ‘*Washington Ball Mix*’, as supplied by Mar-Co Clay Products, or an approved equivalent. The target slope for grading purposes across the infield area should be approximately 1%.
  - Construction of a new on-field pitching area. It is important to note that the pitching mound for Diamond #3 will be flat, as Pee-Wee aged players do not use an elevated pitching mound.
  - We recommend the use of clay bricks from Mar-Co Clay products (or an approved equivalent) to build the pitching area and the home plate area. This includes the supply and placement of a new pitching rubber and a new home plate.
- Improvements to the Outfield Playing Surface:
  - Full re-grading and re-seeding of the existing outfield area. This improvement is aimed at mitigating current drainage issues, improving player safety, and improving overall gameplay.
- Improvements to the Existing Bullpen Areas:
  - New pitching areas at the locations noted in Drawing 22-024-05. The pitching areas in the bullpens at Diamond #3 will not have an elevated pitching rubber.
- New Dugouts:
  - New dugouts are proposed to be built on suitable concrete base pads. It is recommended that the City place new spike-resistant dugout flooring on top of the concrete. The rubberized surface increases the service life of both the concrete and the players’ shoes.
  - New chain-link fencing is proposed around the perimeter of each dugout. The height of the dugout should be approximately equal to the height of the existing structures. The dugout roofs should be gently sloped away from the playing surface, with run-off being directed away from the playing surface and player gathering areas.
  - New Outdoor Players Benches from *Barco Products Canada* (Thermoplastic-coated 8ft-long benches) or an approved equivalent are recommended for Diamond #3.

- We recommend the deconstruction and replacement of the existing chain link backstop at Diamond #3 with a new chain link backstop. We recommend that the new backstop be constructed to at least the same size and scope as the original.
- Other Improvements:
  - A new protective netting screen is recommended down the first base line of Diamond #3. See Section 3.7 of this report for further details.
  - A new pedestal electrical connection is recommended to be installed in the 3<sup>rd</sup> base dugout at Diamond #3 (for pitching machines, etc.).
  - The type of pedestal used will be similar to the connection used at Realtor Park in the City of Windsor.
  - Refer to Section 3.8 of this report for more details regarding the proposed electrical works.

### 3.7 PROTECTIVE NETTING ANALYSIS AT DIAMOND #2 & DIAMOND #3

Diamond #2 is located in close proximity to:

- Homes in the 3200 block of Bliss Road (down the left field line), and;
- The North Parking Lot (down the right field line).

Diamond #3 is located in close proximity to:

- Homes in the 1600 block of Blairwood Crescent (down the right field line), and;
- The existing asphalt pathway located at the west limit of the site.

These locations are currently at a heightened risk of being struck by batted balls that leave the field of play. We understand that there have been numerous complaints from neighbours regarding baseballs being hit into their yards. To address these concerns, the City has installed protective netting screens down the first base line of Diamond #3, and down the third base line of Diamond #2. Each existing screen is approximately 12-metres-high and 45-metres-long.

Landmark was retained by the City of Windsor in 2015 to evaluate the effectiveness of the protective screens. A report was issued, titled “*Protective Screens for Baseball Diamonds at Forest Glade Optimist Park and Walker Homesite Park (2015)*”. A copy of this report is attached in Appendix D for reference purposes. The report outlines the design rationale and analysis used for determining the effectiveness of the screens. As noted, it was determined that the existing screens have not been effective. We understand that the City continues to receive complaints from neighbours regarding baseballs being fouled off into their yards.

As part of the scope of this project, we have looked at various ways to increase the level of protection for these at-risk properties. The two primary methods we considered were:

1. Re-aligning the diamonds so that the foul ball target area is skewed away from affected properties; and,



2. Design new protective netting screens to improve upon the existing level of protection.

Upon review of these issues with City staff, Option 1 was determined to be impractical. Skewing the diamonds would result in excessive sun glare in hitters/fielders' eyes. This creates an extremely unsafe environment for players of any caliber. Re-orienting the diamonds would also significantly reduce the usable park space on-site. In consultation with the City, it was determined that the preferred solution was to design new protective netting screens.

### 3.7.1 DESIGN OF NEW PROTECTIVE NETTING SCREENS

Using the same rationale and analyses that were used in the 2015 Landmark report, we were able to determine what screen height and distance from home plate is needed to provide a serviceable level of protection to the at-risk properties. It should be understood that providing 100% protection to the neighbouring properties is not a practical solution. In order to completely contain all baseballs hit at every possible speed and trajectory, a dome would have to be erected over the field.

Each option outlined was reviewed in consultation with City of Windsor staff. The preferred solutions for each diamond have been summarized in the following table:

**Table 2: Summary of protective netting solutions**

Diamond	Preferred Protection Option	Summary of Preferred option
Diamond #2	Option A	<ul style="list-style-type: none"><li>• 2 new screens to be constructed down each foul line</li><li>• 20m high poles spaced @ 15m O.C with baseball grade netting from 3m to 20m above ground level. Total length of the screen is 45m</li></ul>
Diamond #3	Option C	<ul style="list-style-type: none"><li>• 1 new screen to be constructed down the first base line</li><li>• 20m high poles spaced @ 15m O.C with baseball grade netting from 3m to 20m above ground level. Total length of the screen is 45m.</li></ul>

### 3.7.2 INSTALLATION AND MAINTENANCE

- The proposed nets would require 75-foot-high poles (approx. 23m), including embedment. For ease-of-installation, life-cycle costing, and durability reasons, we recommend the use of composite poles over wood or steel poles. Landmark has reached out to *RS Poles* in Tilbury for preliminary design assistance and costing information.



- For the netting, we recommend the use of ‘50mm Twisted Knotted HTPE Bird Net’ netting from *Turf Net Sports Supply*. This netting is coloured black and gold, which blends into the existing background, creating a comfortable viewing experience.
- The netting supply company strongly recommends that the screening be taken down each winter. This will increase the service life, reduce loading on the composite support poles, and minimize safety risks (climbing, etc.) during the winter months.
- A summary of the pricing information for the proposed screens can be found in Section 5.0 of this report. A more detailed breakdown of the costs for the new screens can be found in Appendix G.

### 3.8 ELECTRICAL WORKS

Landmark has consulted with *Poirier Electric* for assistance in generating an electrical servicing plan for Walker Homesite Park.

#### 3.8.1 EXISTING ELECTRICAL CONDITIONS

Enwin Utilities has confirmed that Walker Homesite Park is currently serviced by a single phase 75kVA 120/240V transformer. The transformer supplies power to the existing facilities buildings located near the North Parking Lot.

#### 3.8.2 PROPOSED ELECTRICAL IMPROVEMENTS

In consultation with City staff, we propose the following new additions to the electrical services at Walker Homesite Park:

- New overhead baseball lighting at Diamond #2;
- New electronic LED scoreboard at Diamond #2; and,
- New electrical pedestal connections in the third base dugout of each diamond.

To accommodate these features, the site servicing would have to be increased to 400A/240V, since there does not appear to be any three-phase power in the local neighbourhood. Correspondence with Enwin will be required during the detailed design phase to accommodate this change. Upon discussion with *Control Link – Musco Sports Lighting* we understand that the maximum voltage required to suit the over-head baseball lights would be 82kW. The plan includes information on conduit layout, conduit sizing, power sources, and overhead light placement.

##### 3.8.2.1 SCOREBOARD

We recommend placing the new scoreboard immediately beyond the right field fence. This is the most visible and accessible location at Diamond #2. Landmark has reached out to *OES-Scoreboards* for specifications on various scoreboard models. The *7121A model* has been recommended for this project. The scoreboard features an upper truss, cut out letters, and a logo plate. The LED scoreboard has shatter-proof panels specifically designed for baseball and softball. It has customizable digit colours and enclosure colours.

### 3.8.2.2 OVERHEAD LIGHTING

We have reached out to *Control Link – Musco Sports Lighting* for information regarding overhead baseball lighting at Diamond #2. The objective was to create a lighting environment that is similar to Windsor’s Mic-Mac Park. The spacing between lights has remained consistent, and the type of light used is similar to baseball diamonds of equal size located in other residential neighbourhoods. *Control Link* provides three levels of overhead sports lighting:

- 30/20 – suitable for low level softball
- 50/30 – suitable for recreational level hardball
- 70/50 – upper levels of competitive hardball (Mic-Mac Park)

For the purpose of this functional design, the 70/50 overhead lighting option has been presented. Each overhead light features a ‘ball tracker’ light that signs upward from approximately halfway up the pole. These lights have been shown to improve the overall safety and gameplay. Adding overhead lights to Diamond #3 is not included in the current scope of work. In the future, if the City did wish to add lights to Diamond #3, it will require a separate electrical service connection, most likely stemming from Seymour Avenue.

## 3.9 LANDSCAPING AND IRRIGATION

Landmark has consulted with *Bezaire Landscape Architects* to create a functional-level landscaping plan for Walker Homesite Park.

### 3.9.1 IRRIGATION PLAN

It is our understanding that the City wishes to add an irrigation system to the outfield area of Diamond #2. In consultation with *Bezaire Landscape Architects* and City maintenance staff, we determined that the outfield grass should receive approximately 1”-2” of water per week.

Prior to implementation, a water scheduling plan should be developed to ensure that the outfield grass is receiving an adequate water supply (from both rain and the proposed irrigation system).

### 3.9.2 TREE PLANTING AND EXCESS SOILS PLAN

*Bezaire Landscape Architects* has created a functional-level landscaping plan for Walker Homesite Pak. It includes the planting of approximately 65 coniferous trees and 15 deciduous trees. The trees have strategically placed to provide:

- More shade for players, spectators, and park-users.
- Better hitting conditions at Diamond #2. The new row of trees beyond the right field fence will reduce the amount of sunlight and glare in a batter’s peripheral vision. This will improve the overall game experience, especially during twilight hours.

The landscape plan shows many low-profile earth berms on the site. These berms were added as a contingency in the case that the proposed works generate excess soils. For both cost and regulatory reasons, it would be the intention is to keep all excavated materials on-site.

## **4.0 PUBLIC CONSULTATION**

### **4.1 PUBLIC FEEDBACK SUMMARY**

Landmark Engineers worked in partnership with the City of Windsor to create a public survey designed to solicit public feedback regarding the park improvements. Landmark created presentation-quality illustrations with explanatory text (suitable for public review), which highlighted the proposed features and the site improvements associated with the new functional design plan. The primary target groups for the public survey were:

1. Residents within an 800m radius from the park; and,
2. Members of the Walker Homesite Athletic Club.

The survey materials were created by Landmark and submitted to the City of Windsor on 25 November 2022. The City's Communications staff created a new webpage which featured a link to the information package and a questionnaire that was open to the general public for viewing from 2 December through 17 December 2022. Survey notification letters were also mailed to the primary targets while social media notifications were posted for the general public.

The feedback received through the public survey process was generally positive. The comments received were given careful consideration during the development of the final functional design plan for Walker Homesite Park.



## WALKER HOMESITE PARK IMPROVEMENTS

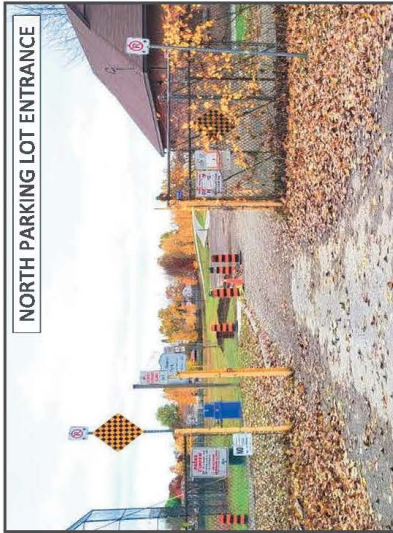
NOVEMBER 2022





## EXISTING CONDITIONS

## WALKER HOMESITE PARK IMPROVEMENTS



PHOTOS BY LANDMARK ENGINEERS INC., OCTOBER 2022



**Committee Matters: SCM 266/2024**

**Subject: Response to CQ 3/2024 Geese Management - City Wide**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 255**

THAT the report of the Executive Initiative Coordinator – Community Services dated August 16, 2024 entitled “Response to CQ 3/2024 Geese Management - City Wide” **BE RECEIVED** for information; and,

THAT administration **BE DIRECTED** to report back to Council with their recommendation for the best initial steps to manage the Geese population in the Spring of 2025 including more aggressive permitting options.

Carried.

Councillor Mark McKenzie voting nay.

Report Number: S 107/2024

Clerk's File: EI2024

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.2 from the Community Services Standing Committee held on September 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>



**Subject: Response to CQ 3/2024 Geese Management - City Wide**

**Reference:**

Date to Council: September 4, 2024  
Author: Samantha Magalas  
EIC, Community Services  
smagalas@citywindsor.ca  
519-253-2300 x2730  
Parks

Report Date: 8/16/2024  
Clerk's File #: EI2024

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

**Recommendation:**

**THAT** City Council **RECEIVE** this report in response to CQ 3-2024 regarding goose management in Windsor.

**Executive Summary:**

N/A

**Background:**

On January 15, 2024, Councillor Gignac asked:

"Canada Goose population is becoming a dangerous hazard and there are no natural predators to keep check on the population growth. Personal injury and vehicle accidents related to geese is on the rise. Asks that administration report on options including a cull be presented to Council."

This report is in response to that question.

Following the question, Administration reached out to experts in the field of goose management including the Canadian Wildlife Service (CWS), Goose Management Companies and Jack Miner Sanctuary, to gather information for this response.

Canada Geese are protected under the Migratory Birds Convention Act, 1994 (MBCA). This Act arose from an international treaty – the Migratory Birds Convention – between Canada and the United States, signed in 1916. The MBCA provides for the protection and conservation of migratory birds, and prohibits people from harming birds, except under specified conditions.



While Canada geese are found across North America, in some regions of Canada, such as Windsor, the climate is mild enough that geese can breed and spend the winter in the same place. Geese will return to nest where they first learned to fly. That means that Canada geese breeding in southern Canada are not northern geese that stopped migrating, but they are the result of the natural increase of populations that were re-introduced or introduced for the first time.

There are a number of ways in which geese may cause damage or danger to people. This includes:

1. At airports - can be a significant safety threat to incoming/outgoing aircrafts.
2. Nesting Canada geese will defend their nest sites if provoked by people/pets.
3. Large flocks of Canada Geese can ruin grassy areas, including parks and impede traffic while crossing roads.
4. Excessive goose droppings in areas where large numbers of people and geese co-exist

In reviewing 311 statistics, over the past five (5) years there have been approximately 500 calls regarding geese. These calls can be broken down into the following categories:

Dead Animal Notification - 53%

Goose Dropping Complaint- 26%

Geese Management Suggestions – 7%

Improper Feeding of Geese – 6%

Road safety Concerns – 3%

The remaining 5% of calls were a combination of signage requests (no feeding geese/geese crossing etc.), anti-cull concerns and injured animal notifications.

## **Discussion:**

After discussion with a variety of goose management experts, it became very apparent that proper goose management requires a multi-faceted approach. There are a variety of ways in which goose management companies target geese. Most of the techniques listed in this report require a permit before the work could be undertaken. A Damage or Danger permit issued by the CWS under the Migratory Bird Regulations, 2022 authorizes permit holders to undertake a variety of actions in instances where the birds, nests, or eggs are causing damage to property or threaten public health and safety. These actions include:

## **Habitat Management**

Geese typically prefer to find areas with short, freshly cut grass to feed, with open water nearby. The Parks Department works in the spring, summer and fall to ensure the grass is cut and maintained on a weekly basis for the continued enjoyment by the public. Unfortunately, while this helps with the overall beautification of the parks and downtown area, it ultimately works to attract more geese. Creating more naturalized areas – longer grass and more pollinators – could deter geese from gathering near that area. They don't know if predators might be lurking in the long grass, shrubs and pollinator plants and so they are less comfortable to stay in the immediate area.

However, while this would create less habitat for geese, it would also create less grassy area for the public to enjoy during the warmer months.

No permit is required for habitat management.

### **Egg Removal**

Egg sterilization can be done in a variety of ways, but it essentially involves locating the nests in late April and removing the eggs from the nest. This can also include egg oiling which would prevent hatching. Timing is essential with this process and often involves a team geo-locating nests ahead of time so they can be targeted for egg removal and/or oiling management. Once the nesting geese realize there are no eggs to hatch the goose will usually abandon that nest and the pair become failed breeders.

A permit would be required before this work could proceed.

### **Hazing**

Hazing is a common practice in goose management. The goal is to typically make the geese uncomfortable in their habitat through a variety of methods in hopes they will not return. Hazing can be done in a variety of ways including with the use of lights, lasers, pyrotechnics and the use of specially trained dogs. Hazing is typically more successful for a short period of time will simply fly away and return as soon as the light/sound/dog has left. If hazing is not done correctly or at the proper intervals, the effect will be very minimal.

A permit would be required before this work could proceed.

### **Relocation**

Relocation can occur in the month of June and early July. During this time, geese are molting their flight feathers rendering them unable to fly. Utilizing trained contractors, when this window opens, adult geese and their goslings can be safely rounded up into a transport truck trailer or similar and taken to a suitable relocation site or sanctuary such as Jack Miner. In this case, an agreement would need to be struck with a location to ensure they are willing to take the birds. There is a fee required to assist with providing habitat for the birds at their new location. The fee would be dependent on how many birds are relocated.

Birds may be banded so it can be determined which ones were relocated from the City of Windsor. While some of the relocated birds might eventually return to their home in Windsor, it is estimated that many will not return to Windsor. Employing this strategy year over year can help with ultimately lowering the overall population when combined with the other measures noted above.

A permit would be required before this work could proceed.

### **Goose Cull**

A goose cull would involve killing geese throughout the Windsor area. City of Windsor By-Law 2481 states “discharge of guns or other firearms, including air guns, within the limits of the City of Windsor is prohibited”. In addition, By-law 131-2019 deals with the protection of wildlife and states:

Section 4.11 (1) While in a Park, no Person shall feed, kill, attempt to kill, trap, hunt, fish, pursue or in any manner disturb any animal, bird, waterfowl, fish, worms, or other wildlife, unless posted otherwise.

City Council would be required to waive these by-laws in order to consider this option. It is more likely that these geese could be rounded up and shipped to a more suitable location for this cull to occur.

A permit would be required before a cull could occur. Whether or not a permit is granted is dependent on the location, the number of geese being impacted and what other mitigation measures have already been explored. When applying for the permit, the application is required to list what other mitigation measures have already been implemented. It is not likely a permit would be granted without first trying other management/removal techniques that are listed in this report.

The cost of a goose cull is quite substantial. Not only would an organization need to be hired to conduct the cull, but the safety measure that would need to be put in place along with the cost for proper disposal would be significant.

If City Council wishes to proceed with goose management measures, Administration recommends hiring a goose management company to work toward a three (3) year pilot project employing a variety of the industry best practices and techniques listed in this report, except for a cull. Following the pilot project, Administration would report back to Council to determine if there has been a reduction of geese in the City. If the other measures have not been successful at reducing the overall number of geese in the area, Administration could report back on the cost of a cull at that time.

### **Risk Analysis:**

Permits would need to be secured before any work (outside of habitat management), could take place. The mitigation strategies noted in this report should not be done in isolation but rather utilized together as part of a multi-faceted approach. If done incorrectly, geese will adjust to these actions and will continue to be residents in Windsor. To ensure proper techniques are used and if Council directs to move forward with a plan, Administration recommends hiring a goose management company to mitigate these concerns. For example, if egg removal occurred too early, the geese would simply lay more eggs. If improper hazing techniques are used, geese will quickly return once the “threat” is gone.

Even when using proper methods, a mitigation strategy cannot guarantee complete removal. A mitigation strategy is an annual plan aimed at limiting new nests, limiting the number of goslings born each year, making existing geese less comfortable so they find other homes and potentially relocating a number of existing geese residents.

Without an overarching provincial or federal strategy, a plan cannot guarantee that some geese will not return to Windsor. Even with these mitigation strategies, Geese nesting in surrounding municipalities (LaSalle, Tecumseh etc.). could frequent Windsor daily if they so choose. In addition, Windsor has the unique geographical location of

being across the river from the United States. Geese nesting in the Detroit area could also opt to visit Windsor.

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

As noted above, Canada Geese in some regions of Canada, such as Windsor, where the climate is mild, can breed and spend the winter in the same place. These geese are termed “temperate-breeding Canada Geese” and are a result of natural increases in populations that were re-introduced or introduced for the first time to mild climate areas.

The expansion of the Canada Geese populations is not directly linked to climate change but more closely associated with the changes to the landscape that are ideal breeding grounds for Canada Geese, most notably open grassed areas near water and a reduced number of natural predators (e.g. raccoons, skunks, crows, snapping turtles, and opossums).

## **Financial Matters:**

If Council wishes to move forward with formalizing a goose management strategy, a goose management company should be hired to formalize and activate a strategy appropriate for the City of Windsor. To accomplish this, Administration should be directed to put out a Request for Proposal (RFP) for a goose management company for a three-year pilot project. The funding for the project would be an upset limit of \$150,000 per year for three (3) years for a total of \$450,000, however, there is no available funding allocated to proceed with the proposed goose management strategy within the operating or capital budgets. Should City Council wish to proceed with the suggested three-year pilot project, the City Treasurer be directed to bring the item forward as part of the 2025 budget. It should be noted that accommodating this funding request would require further analysis by Administration.

## **Consultations:**

Emilie Dunnigan, Manager, Development Revenue and Financial Administration  
Karina Richters – Supervisor Environmental Sustainability & Climate Change  
Wira Vendrasco – City Solicitor  
Canadian Wildlife Services  
Jack Miner Sanctuary  
Various Goose Management Companies

## **Conclusion:**

Should City Council wish to move forward with a goose management strategy, Administration would need direction, and an appropriate funding source would have to

be identified. Even with a management strategy, there is no guarantee some geese will not return to Windsor. To maximize the success of the goose management strategy it is recommended that it should be done annually to sustain a decline of the total goose population within Windsor.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Samantha Magalas	EIC, Community Services
Erika Benson	FPA - Parks
James Chacko	Executive Director, Parks & Facilities
Ray Mensour	Commissioner – Community and Corporate Service
Dan Seguin	On behalf of Commissioner- Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**



**Committee Matters: SCM 267/2024**

**Subject: Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024 - Pickleball & Squash Courts within the City - City Wide**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Renaldo Agostino

Decision Number: **CSSC 256**

THAT the report of the Manager, Community Programming and Development dated August 16, 2024 entitled "Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024-Pickleball & Squash Courts within the City - City Wide" **BE RECEIVED** for information.  
Carried.

Report Number: S 108/2024

Clerk's File: SR2024

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.3 from the Community Services Standing Committee held on September 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>

**Subject: Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024-  
Pickleball & Squash Courts within the City - City Wide**

**Reference:**

Date to Council: September 4, 2024  
Author: Nada Tremblay  
Manager, Community Programming and Development  
519-253-2700x2720  
ntremblay@citywindsor.ca  
Recreation and Culture  
Report Date: August 16, 2024  
Clerk's File #: SR2024

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

**Recommendation:**

THAT the report titled Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024-  
Pickleball & Squash Courts within the City **BE RECEIVED FOR INFORMATION.**

**Executive Summary:**

N/A

**Background:**

At the February 26, 2024, meeting of City Council, Councillor Kaschak asked CQ 13-2024:

"Asks that Administration prepare a report in regard to the potential of City installing a couple squash courts at a City owned facility for residents to rent & use moving forward. I understand there are no squash courts or facilities any longer in the City."

At the March 18, 2024, meeting of City Council, Councillor Gignac asked the CQ 16-2024:

"Asks that Administration provide a report on the feasibility of adding indoor pickle ball courts to our facilities where space allows, utilizing the space as much as possible."

At the May 27, 2024, meeting of City Council, Councillor Marignani asked CQ 30-2024:

"When responding to the CQ 16-2024 regarding indoor pickle ball courts asks that administration report back on limiting Pickleball bookings and making it more open to more users."

This report is in response to those questions.



In 2019, City Council approved the new Recreation Master Plan. During the creation of this plan, the consultants examined the overall sport court inventory within the City. The Recreation Master Plan's 20-year vision identified 48 recommendations.

Recommendation # 20 states: "Formalize a sport court replacement strategy and associated funding plan for existing hard surface courts (e.g. tennis courts, pickleball courts, and basketball courts) so that the City can offer a safe and desirable playing experience in a fiscally sustainable manner. Resurfacing projects should evaluate the use of Flex Court sports tiling, or other alternative court surfaces that offer a longer warranty of 7 to 10 years, to determine if these are more cost-effective options compared to replacing the traditional and /or asphalt concrete. A sport court replacement strategy should be developed to identify and prioritize the replacement of hard surface sport courts."

As funding becomes available, Administration continues to explore the latest materials and technologies for sport court replacement in the most cost-effective manner. An example of this is the new surface that was installed at Forest Glade courts which is comprised of a new type of material, similar to fiberglass. All new and refurbished courts are included in the City's asset management plan to ensure these are being installed/renewed in a fiscally sustainable manner.

Recommendation #21 states: "Investigate opportunities to create multi-use courts by adding pickleball court lining to existing tennis courts. Potential locations include Garry Dugal Park, Remington Booster Park, or other locations to be determined by City staff." This process has begun and over the course of the past two years, pickleball lines were overlaid on all existing tennis courts, excluding Central Park and Forest Glade Optimist Park.

There are no further recommendations within the Recreation Master Plan for either squash or pickleball courts within the City of Windsor.

## **Discussion:**

### **Indoor Options**

Presently, pickleball configuration is set up in four out of six gymnasiums within the Recreation Centres. Those include the WFCU Centre (WFCU), Forest Glade Community Centre (FGCC), Capri Pizzeria Recreation Complex (CPRC) and John Atkinson Memorial Community Centre (AMC). Among the four, the WFCU and AMC feature multiple-court configurations, each with three courts. The remaining gyms (CPRC and FGCC) are designed for single-court use. There are currently no indoor courts at Optimist Community Centre (OPT) or Gino & Liz Marcus Community Centre (GLM).

Administration has explored the possibility of extending pickleball to OPT however it became apparent that the court floor at this location is not suitable due to the pickleball's poor reaction to the existing floor surface. Should Council wish to expand pickleball to a fifth location, Administration believes that with potential floor replacement at OPT, a fifth pickleball location could be established, subject to programming availability. Replacement is estimated to be a minimum of \$150,000.

Of the current locations offering pickleball, the daily gym schedules are currently being adjusted to increase time slot availability during peak hours of the day which include 8:30am-10:30am, and 4:30pm-8:30pm. This adjustment aims to strike a balance between the community programming offered at our centers and the needs of our long-standing renters. Some rental groups already offer pickleball programming during their reserved permitted timeslots.

Court bookings over the past three years have shown that the most popular court reservations are at facilities such as the WFCU and AMC, as they offer multiple court availability at one time. The single-court availability at FGCC and CPRC received less interest from rental groups, as multi-court play is the preferred option.

City of Windsor facilities can operate from 6am to midnight, providing approximately 557 operational programming hours per gym in a 31-day month. It is important to note that some of the available time is designated for setup and teardown between various activities and rental groups and is therefore not available for use or rent. Below is a chart illustrating the available rental hours for the gyms, noting that significant portion of these hours are during early morning or late evening hours. There are also sporadic times throughout the weekday and weekends available for rental hours.

Resource	Total Hours in a Month	Hours Reserved	Hours Available	% Hours Reserved
AMC - Sports Gym	557	339.98	217.02	61.04%
CPRC - Sports Gym	557	121.25	435.75	21.77%
FGCC - Gymnasium	557	116.50	440.50	20.92%
GLM - Gymnasium	557	119.00	438.00	21.35%
OPT - Gymnasium	557	192.00	365.00	34.47%
WFCU - Sports Gym	557	324.75	232.25	58.30%

If directed by Council, Administration could expand pickle ball to OPT, however, based on the current usage rates, it does not appear that an additional court is necessary at this time.

### **Squash:**

There are currently no public squash courts available within the City. There are courts available at private facilities in Windsor, such as the Caboto Club and Westchester Place condominium complex. The Windsor Squash and Fitness Club did offer squash courts to members, but it recently closed.

Administration has looked at opportunities to offer squash to community members on both a temporary and regular basis.

In terms of utilizing indoor space for squash, Administration could be directed to install permanent squash courts in an existing community centre. The cost to do so would be determined by what venue would be the host. Unfortunately, the installation of a squash court in a City facility would limit the space from being used for any other purpose, as the primary use would be squash. Squash courts are generally not desirable for other recreation programming. This would significantly impact the ability of Administration to

run any other programming including summer camps in that space. If Administration was directed to permanently install squash courts at a specified location, current registered and drop-in programming and summer camps would be displaced as a result.

### **Outdoor Courts:**

Presently, Administration permits outdoor courts, three (3) days per week for two (2) hours per day to a local pickleball club. As a result, the club runs games at the court and oversees the management of game times and rotation of players within their organization. If Council wishes to move forward with a formal Outdoor Pickleball Court Booking Policy, Administration is recommending limiting formal bookings/rentals of outdoor pickleball sports courts to a maximum of 10% total time (of all courts) per location and furthermore to allow for a maximum of 2 hour booking timeslots prior to 10am or after 6pm daily. Additionally, Administration suggests only 50% of available courts at each location can be formally booked at a time, allowing availability of 50% of said location for open public drop in use.

Signage is currently placed at each venue and on the City of Windsor's website encouraging 30-minute play intervals when others are waiting. By implementing time limits, recognizing peak and off-peak hours, careful court allocation, and permitting advance reservation, this allows for maximum court usage and more people to play.

Permitting or renting courts can be favourable as it helps organize play and improve facility usage. As per the user fee schedule, the current fee to rent a court is \$5.25 plus HST, per court, per hour. This approach also helps with covering costs associated with regular upkeep, repairs, and potential upgrades, ensuring the sport court facilities remain a valuable community resource. In addition, Administration will be purchasing pickleball paddle holders for each outdoor venue (13 venues in total) to promote organized rotation. These holders range from \$350 to \$750, depending on size and material of the system. Paddle holders help maintain an organized queue system. Players place their paddles in the holder to signify their spot in line, making it clear who is next to play. By encouraging a rotation system, these types of paddle holders ensure that everyone gets a chance to play, especially during busy times, resulting in fair play for all. With the current posted signage encouraging 30-minute play intervals when others are waiting, a paddle holder system visually reinforces this rule, helping players respect the time limits and aid in time management. Furthermore, Administration will continue to actively seek community engagement and regularly gather feedback from the community and propose adjustments to better meet the needs and preferences of all players.

### **Risk Analysis:**

There is a significant risk in installing squash courts within a City facility. There is currently no available space for a dedicated squash court. Administration has explored various gymnasium space and even available indoor and outdoor off-season rink space. The Recreation Master Plan had identified one surplus ice pad however that pad is now being utilized for curling. Any installation of a squash court would either displace existing programming or would require a new facility or a facility addition to be built.

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

There is no cost to formalize an Outdoor Sport Court Allocation Policy. Furthermore, Administration is already planning on purchasing paddle holders for outdoor sport courts to help encourage time limits as noted in the Discussion section of this report. The total cost for those holders is approximately \$4,550 - \$9,750 + applicable HST (13 venues x \$350-\$750 per venue). The cost for these paddle holders will be funded through the 2024 recreation programming operating budget.

Should Council wish to expand pickleball to OPT, floor replacement at an estimated cost of \$150,000 would likely be necessary. Currently there is no funding available in 2024 10-year capital budget for the floor replacement at OPT. Should Council direct to go forward, Administration would need to reprioritize available project funding through the 2025 capital budget process.

If directed to build a squash court in a current facility, Administration would need to be directed as to what facility should be utilized. Administration would either need to cancel existing programming (to be determined depending on what venue) or would need to add to an existing facility. The high-level cost estimate put on an addition for new squash court space alone would start at \$450,000 per court. Full costing details would need to be confirmed by a contractor if Administration is directed to proceed with this option. There is no funding currently available in the 2024 10-year capital project for the construction of a new squash court. Should Council wish to move forward, Administration would need to reprioritize projects to fund the construction of a new squash court as part of the 2025 capital budget preparation.

### **Consultations:**

Michael Fuerth – Supervisor, Community Programming

Emilie Dunnigan – Manager, Development Revenue and Financial Administration

Mike Dennis - Manager, Strategic Capital Budget Development and Control

### **Conclusion:**

If Council wishes to move forward with formalizing an Outdoor Sport Court Allocation Policy, or with installing a new floor at OPT or a squash court at an existing recreation facility, Administration would need to be directed to do so. Moving forward with installing a new floor or adding squash courts would require a reprioritization of funds as there are currently no funds available for these projects within the 10-year capital budget.

### **Planning Act Matters:**

N/A

### **Approvals:**

Name	Title
Nada Tremblay	Manager, Community Programming & Development
Tracy Ou	Financial Planning Administrator
Jen Knights	Executive Director, Recreation & Culture
Ray Mensour	Commissioner, Community Services
Dan Seguin	On behalf of Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**



**Committee Matters: SCM 265/2024**

**Subject: Windsor Essex – Ontario Health Team (WE-OHT) Annual Report - City Wide**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Mark McKenzie

Decision Number: **CSSC 257**

THAT the report of the Executive Initiatives Coordinator dated August 16, 2024 entitled “Windsor Essex – Ontario Health Team (WE-OHT) Annual Report - City Wide” **BE RECEIVED** for information.

Carried.

Report Number: S 110/2024  
Clerk’s File: GP2024

**Clerk’s Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.4 from the Community Services Standing Committee held on September 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240904/-1/10502>

**Subject: Windsor Essex – Ontario Health Team (WE-OHT) Annual Report - City Wide**

**Reference:**

Date to Council: September 4, 2024  
Author: Doran Anzolin  
Executive Initiatives Coordinator  
danzolin@citywindsor.ca  
519-255-5200 ext 5354

Report Date: 8/16/2024  
Clerk's File #: GP2024

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

**Recommendation:**

THAT the report on the Windsor Essex – Ontario Health Team (WEOHT) Annual Report **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

Ontario Health Teams are a new model of integrated care delivery that enables patients, families, communities, providers and system leaders to work together, innovate, and build on what is best in Ontario's health care system.

Locally, the Windsor Essex Ontario Health Team (WEOHT) is comprised of representatives from over 40 healthcare organizations, community support services, hospitals, home and community care providers, lived experience partners, and primary care providers providing services in urban and rural settings to over 425,000 patients regionally.

At the July 22, 2024, Council meeting, the Commissioner of Human & Health Services committed to providing Council with an annual update report of the WEOHT. This report is intended to provide City Council with an overview of the WEOHT, highlights from 2023-24, and the initiatives that are currently underway as it relates to improving access to healthcare in the community.



## **Discussion:**

On July 2, 2024, the Windsor Essex Ontario Health Team (WEOHT) released their Annual Review Report for 2023-24 (see Appendix A), which highlights their achievements over the past fiscal year. For the 2023-24 period, the WEOHT focused on the following four key initiatives:

### **1. Integrated Care through Population Health Management & Equity Approaches:**

- The WEOHT aimed to improve health outcomes by adopting equity-based and Population Health Management (PHM) strategies. As part of this effort, the WEOHT conducted an environmental scan with their partner agencies to assess their partners' status of Equity, Inclusion, Diversity & Anti-Racism (EIDA-R) policies, procedures, and guidelines. The WEOHT EIDA-R environmental scan report will be added to their website in the near future. Furthermore, the WEOHT established an EIDA-R Working Group with its partners and provided several educational and training opportunities to community partners.
- Additionally, the WEOHT coordinated the implementation of the Lower-Limb Preservation Strategy (LLPS), prioritizing marginalized populations who are disproportionately affected by lower-limb amputations due to chronic conditions. As part of the LLPS, one-half day per week is dedicated through the Windsor Family Health Team (WFHT) to provide this service to participants at the Homelessness & Housing Help Hub (H4).
- The WEOHT also supported over 1,500 asylum seekers and refugee claimants by developing eight clinical pathways to address their healthcare needs in the past year.

### **2. Patient Navigation & Digital Access:**

- This initiative focused on improving patient access and experience by redesigning processes and leveraging digital and virtual care with an equity-centered approach.
- Ongoing efforts include working with Regional Digital Leads to support the integration of Health 811, a free, secure, and confidential service that provides 24/7 health advice from registered nurses and information on health services.

### **3. Collaborative Leadership, Decision-Making & Governance:**

- The WEOHT worked on establishing effective collaborative decision-making structures to advance integrated care, accountability, performance management, and quality improvement.
- Furthermore, the WEOHT continues to engage with the Patient, Family, and Caregiver-Partnership Council (PFAC-PC) for the co-design of initiatives and knowledge sharing. The PFAC-PC is composed of several unique lived-experience members sitting on various WEOHT working groups.

#### **4. Primary Care Engagement & Leadership:**

- Engaging physicians, primary care providers, and other clinicians is critical to the success of OHTs.
- The WEOHT has been proactive in leading, coordinating, and endorsing several initiatives related to primary care, including:
  - Securing additional funding for WE Speak translation services.
  - Expanding the Windsor Regional Hospital - Windsor Police Service Nurse Police Team.
  - Applying for innovative funding from Ontario Health.
  - Delivering transgender health education to primary care providers.
  - Advocating for equitable compensation for team-based care across the sector.
  - Supporting funding for Seamless Care Optimizing the Patient Experience (SCOPE).
- Furthermore, Ontario Health has made two significant investments in the Windsor-Essex community to enhance primary care:
  - On April 18, 2024, \$1,979,761 was awarded to the Canadian Mental Health Association (CMHA) Windsor-Essex County Branch to expand their Mobile Medical Support (MMS) team as well as for funding to the Shelter Health initiative, both of which provides episodic primary care, preventative care, and wraparound services to vulnerable populations across Windsor-Essex.
  - The Essex County Nurse Practitioner-Led Clinic received \$424,525 to expand access to interprofessional primary care teams in Windsor-Essex, connecting people to a range of health professionals under one roof.
- The WEOHT also formed the Primary Care Network (PCN), where leaders are exploring ways to engage primary care providers across Windsor-Essex in WEOHT planning and decision-making.
- The WEOHT is currently hiring a Clinical Lead (Primary Care) to support the co-design and implementation of an integrated care model to increase and optimize primary care access in Windsor-Essex.
- Lastly, the WEOHT will continue to advocate for increased access to team-based care and the expansion of existing teams to serve high-priority communities in Windsor-Essex.

#### **City of Windsor Health Partnerships**

Beyond the exceptional work led and coordinated by the WEOHT across the region, the City of Windsor continues to advocate and collaborate with health partners through various health tables and committees, including:

- WECOSS Leadership Committee
- WEOHT Steering Committee
- Shelter Health Steering Committee
- OHT System Navigation Group
- City of Windsor Strengthen the Core - Health Leaders Table
- Mental Health and Addictions Sector Table (MHAAT)
- Human Services and Justice Coordinating Committee (HSJCC)
- Shelter Health Operations Working Group
- Police Hospital Table
- Frequent Emergency Department Users Group
- HDGH ALC Concurrent Discharge Planning Group
- Community Outreach Steering Committee, High Priority Community – WECHU and CMHA
- Lower Limb Preservation Strategy (LLPS)

Furthermore, the Shelter Health initiative has significantly improved access to primary care for people experiencing homelessness in the community. This initiative provides comprehensive, family physician-led interdisciplinary primary care in familiar and safe locations such as the Homelessness and Housing Help Hub (H4) and at three emergency shelters in the City of Windsor. It is a collaborative effort between the City of Windsor, CMHA, Windsor Regional Hospital, and the Shelter Health Physician Group, with support from Hotel-Dieu Grace Healthcare, and TransForm Shared Service Organization. The goal is to meet people where they are and offer essential social care, including nursing, family medicine, wound care, addiction support, and mental health services, in environments where they feel most comfortable.

The City of Windsor also continues its partnership with Western University's Schulich School of Medicine & Dentistry's satellite campus at the University of Windsor. The City provides \$24,000 annually to support key initiatives, including showcasing Windsor's appeal to current family medicine residents, enhancing recruitment efforts, expanding the curriculum, and enriching learning opportunities to address specific community needs. This support is part of the Human & Health Services department's annual budget.

Schulich has reported positive increases in residency numbers this year.

- By 2028, there will be 20 residents in Windsor for the Psychiatry Residency Training Program, up from the 15 projected for 2027. An additional two resident spots have been added to the Internal Medicine Training Program for the first time.
- Since 2012, the number of physicians in the region has steadily increased, with a 35% rise in Family Physicians and a 31% rise in Specialists.
- 77% of Family Medicine residents who graduated from the Windsor campus choose to practice in the region.

**Risk Analysis:**

No risk associated with this report.

**Climate Change Risks****Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

No financials associated with this report.

**Consultations:**

Kelly Goz – Manager of Homelessness & Housing Supports

Kathryn Leferman – WEOHT Transformation Lead

**Conclusion:**

In conclusion, the Windsor Essex Ontario Health Team (WEOHT) continues to make significant strides in improving healthcare access and delivery across the region. Through collaborative efforts and targeted initiatives, the WEOHT has enhanced integrated care, engaged primary care providers, and addressed the needs of vulnerable populations. The City of Windsor remains a committed partner in these efforts, actively participating in various health committees and supporting initiatives that align with the community's needs.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Andrew Daher	Commissioner, Human & Health Service
Andrew Daher	Acting, Chief Administrative Officer

**Notifications:**

Name	Email
Kathryn Leferman	<a href="mailto:Kathryn.Leferman@weoht.ca">Kathryn.Leferman@weoht.ca</a>
Nicole Sobrocca	<a href="mailto:NSbrocca@cmha-wecb.on.ca">NSbrocca@cmha-wecb.on.ca</a>
Dr. Jen Bondy	<a href="mailto:jennifer.bondy@medportal.ca">jennifer.bondy@medportal.ca</a>
Dr. Larry Jacobs	<a href="mailto:larry.jacobs@schulich.uwo.ca">larry.jacobs@schulich.uwo.ca</a>

**Appendices:**

- 1 Appendix A -WEOHT 2023-2024 Annual Review FINAL

ONTARIO HEALTH TEAM

# WINDSOR ESSEX

[www.weoht.ca](http://www.weoht.ca)

## 2023-2024 Annual Review

Follow the WEOHT



**Subscribe to the WEOHT Newsletter**



# Land Acknowledgement



The Windsor-Essex Ontario Health Team respectfully acknowledges that the land on which we work – now called Windsor-Essex – is the traditional, ancestral, and contemporary lands of the Niswi Ishkodewan Anishinaabeg: The Three Fires Confederacy (Ojibwe, Odawa, and Potawatomi), and the ancestral, unceded territory of Caldwell First Nation.

The WEOHT acknowledges the land and surrounding waters for sustaining us and are committed to protecting and restoring these lands & waters from environmental degradation.

We have started within our individual organizations and will continue to work together as an Ontario Health Team, to build meaningful relationships with the First Nations, Inuit, Métis, & Urban Indigenous peoples and communities.

Thank You.

To learn more about Indigenous territories, languages, lands, and ways of life visit <https://native-land.ca/>.





# About the WEOHT

The Windsor-Essex Ontario Health Team (WEOHT) is comprised of over 40 healthcare organizations, community support services, hospitals, home and community care providers, lived-experience partners, and primary care providers providing services in urban and rural settings.

## Our Vision

The WEOHT is a collective that is committed to collaboratively developing a Windsor-Essex model that builds on our strengths, honours our differences, and recognizes and meets the unique and diverse needs of our community.



## Our Partners

Alzheimer Society of Windsor and Essex County  
Amherstburg Family Health Team  
Assisted Living Southwestern Ontario  
Brentwood Recovery Home  
Bulimia Anorexia Nervosa Association  
Children First  
City of Windsor  
Canadian Mental Health Association Windsor-Essex County  
Community Support Centre of Essex County  
County of Essex  
Downtown Mission of Windsor  
Entité Érié St. Clair/Sud-Ouest  
Erie Shores Family Health Team  
Erie Shores HealthCare  
Essex County Medical Society  
Essex County Nurse Practitioner-Led Clinic  
Essex-Windsor Emergency Medical Services  
Family Respite Services Windsor-Essex  
Family Services Windsor-Essex  
Harrow Health Centre Family Health Team  
Home and Community Care Support Services Erie St. Clair

Hospice of Windsor and Essex County  
Hôtel-Dieu Grace Healthcare  
House of Sophrosyne  
Huron Lodge Long Term Care Home  
John McGivney Children's Centre  
Lakeshore Community Nurse  
Practitioner-Led Clinic  
Life After Fifty  
Maryvale  
Mental Health Connections  
Positive Pathways Community Services  
Primary Care Council  
Saint Elizabeth Health  
St. Clair College  
Sun Parlor Home for Senior Citizens  
TransForm Shared Service Organization  
University of Windsor  
Victoria Order of Nurses Canada  
Windsor Essex Community Health Centre  
Windsor Family Health Team  
Windsor Regional Hospital  
Windsor-Essex County Health Unit



## Our Values

Respect & Dignity | Empathy & Compassion |  
Accountability | Transparency

Diversity, Equity, Inclusion & Accessibility | Engagement

# A Message from Our Leadership Team

As we reflect on the year gone by and look towards the future, we, the Windsor-Essex Ontario Health Team (OHT) leaders, are filled with immense gratitude and anticipation. This year-end report marks another chapter in our journey and sets the stage for the transformative work ahead.

In 2022, we laid a firm foundation by establishing key partnerships and trust. Our broad structures began to shape, setting a collaborative tone that has defined our efforts. We extend a heartfelt thank you to all our partners who broke down silos and embraced a spirit of collective action.

The year 2023 was a milestone in our evolution. We pushed our boundaries further, incorporating integrated partnerships and launching an endorsement model that deepened our commitment to working cohesively. Our enhanced committee structures and work plans reflect our dedication to streamlined, effective collaboration across all levels of healthcare provision.

Looking ahead to fiscal 2024/25, we are excited to embark on a year of significant transformation. Our focus will be on a comprehensive reset towards incorporation, which includes a series of key initiatives:

- refreshing our Terms of Reference to ensure they remain robust and reflect our evolving needs;
- developing an Endorsement Manual and clear accountabilities to streamline our processes and enhance transparency;
- growing our OHT team to expand our capacity for project and integration development, ensuring that we can meet the demands of our community more effectively;
- creating a roadmap to incorporation that outlines our path to a more formalized and structured organization;

...continued

- establishing a Governance Committee to guide our journey with wisdom and foresight;
- expanding our communication and engagement strategies beyond the steering committee to foster wider community involvement and input; and
- enhancing readiness in Health and Community Care (H&CC) and moving towards Primary Care (PC) amalgamation to optimize our service delivery.

Each of these initiatives is designed to meet the immediate needs of our community and set a sustainable course for the future. We are committed to a vision where every community member receives the care they need in a seamless, integrated manner.

We move forward with a renewed sense of purpose and a clear vision for 2024. With our partners' support, our team's dedication, and the trust of the communities we serve, we are poised to make substantial strides in transforming healthcare in Windsor-Essex.

Thank you for being an integral part of this journey.



**NANCY BROCKENSHIRE**

Steering Committee Co-Chair



**KRISTIN KENNEDY**

Steering Committee Co-Chair



**KATHRYN LEFERMAN**

Executive Transformation Lead

**Together, we are stronger, and together, we will achieve more.**



## 2023-2024 Priorities

In June 2023, Ontario Health released the Cohort 3 Ontario Health Team TPA Deliverable Guidance document to support implementation on the OHT Plan

### Priority 1

**Integrated Care through  
Population Health Management  
& Equity Approaches**

Improving health outcomes of the OHTs' population using equity-based and Population Health Management (PHM) approaches.

### Priority 2

**Patient Navigation &  
Digital Access**

Improving patient access & experience by redesigning processes & leveraging digital and virtual care utilizing an equity-centred approach.

### Priority 3

**Collaborative Leadership,  
Decision-Making &  
Governance**

Establishing effective OHT collaborative decision-making arrangements to advancing integrated care, accountability structures, integrated performance management & quality improvement measures.

### Priority 4

**Primary Care  
Engagement &  
Leadership**

The involvement of physicians, primary care providers and other clinicians in OHTs, remains foundational to OHT success and should be a driver of OHT activities and structure.



## Priority 1

# Integrated Care through Population Health Management & Equity Approaches

## WEOHT Equity, Inclusion, Diversity & Anti-Racism (EIDA-R) Working Group

The working group launched an environmental scan to better understand where WEOHT partners are in their EIDA-R journey. The survey results will be used to further support and navigate EIDA-R work across partnering agencies. Results and recommendations will be shared at the June Partnership Council meeting.



## Health Equity Education & Training

First Nations Principles of Ownership, Control, Access, & Possession (OCAP) training was offered to WEOHT partners interacting with First Nations data.

Through the University of Windsor, the WEOHT is able to provide The Fundamentals of Race and Anti-Black Racism training to 90 WEOHT partner staff. Training will be offered in the Spring & Fall.

Alongside Centretown Community Health Centre's Trans Health Program, the WEOHT will be hosting a Virtual Conference on May 30th for health care providers. Register today! <https://bit.ly/43Mjysm>

## Integrated Care Pathways

In partnership with WEOHT member organizations, eight clinical pathways were developed ranging from obstetrical (OB) to medical health & addictions and urgent care to support over 1,500 asylum seekers and refugees who arrived to Windsor-Essex over the past year.

A local coalition partnered to implement a lower-limb preservation strategy (LLPS), prioritizing marginalized and vulnerable individuals who disproportionately experience lower-limb amputations due to chronic conditions, addictions & social/economic barriers.

The WEOHT is working collectively to remove barriers to health care access in Windsor-Essex. Visit the WEOHT website for free EIDA-R resources including Anti-Black Racism, Gender Diversity, French Language Services, and Indigenous Awareness.

## connectmyhealth

The WEOHT supported over 700 promotional hours for CMH:

- 30 days of on-site promotion across multiple organizations
- supplied partners with printed promotional materials

## Online Appointment Booking (OAB)

The WEOHT continues to report on OAB and expand access in primary care settings:

- 30 licenses are live
- 4 organizations are fully live

## Ocean eReferral

The WEOHT Mental Health & Addictions Network (MHAN) is working on expanding the use of Ocean for eReferrals among MHA partners:

- an Ocean eReferral sub-group has been established.



## Priority 2

# Patient Navigation & Digital Access

## Other Updates

A Virtual Care Services Assessment was designed and distributed to partners. Responses have been collected. Full report to be completed.

WEOHT Navigation Steering Committee has been formed.

WEOHT Mental Health & Addictions Navigation tool is being developed for scale and spread.

The WEOHT continues to engage with Regional Digital Leads (RDLs) to support integration of Health 811.



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Ask us about ConnectMyHealth - a new digital health tool that provides you with an online, single access channel to view your health records from participating hospitals in southwestern Ontario.

Visit [info.ConnectMyHealth.ca](https://info.ConnectMyHealth.ca) or scan

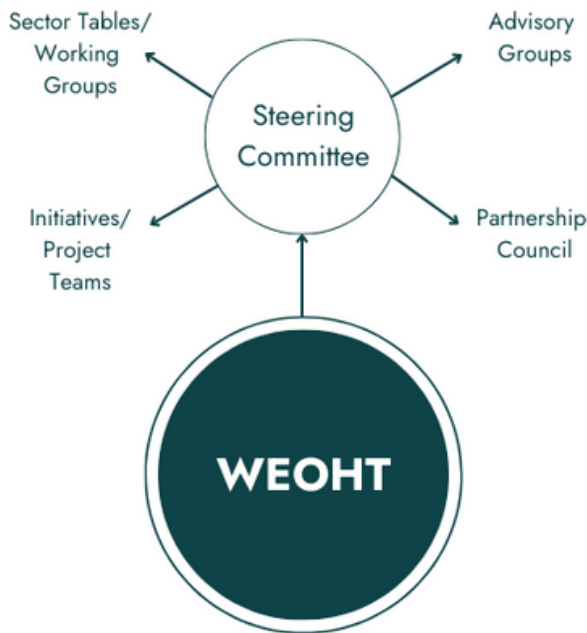


ConnectMyHealth is made possible through a collaboration between Hamilton Health Sciences, Ontario Health, and your local Ontario Health Team.

## Priority 3

# Collaborative Leadership, Decision-Making & Governance

## Steering Committee



The Steering Committee oversees the work of the WEOHT. They are responsible for the execution of the WEOHT work plan for improving healthcare in Windsor-Essex.

The WEOHT has a governance framework that has supported the following endorsements:

- Pelee Island Service Delivery
- Windsor Regional Hospital Crisis Response partnership with Windsor-Police Service (Nurse Police Team)
- Midwifery Expansion
- Interprofessional Primary Care Expansion applications
- Brentwood Recovery Home Model of Care
- House of Sophrosyne Capital Project
- Primary Care SCOPE model

## Patient, Family, & Caregiver- Partnership Council (PFAC-PC)

The WEOHT PFAC-PC is made up of 13 community members with a variety of lived-experience in the Windsor-Essex healthcare system. These members add significant value to the leadership tables and co-design of WEOHT initiatives. PFAC-PC Co-Chairs are a part of the WEOHT Steering Committee and members are open to join project teams.

Thank you PFAC-PC!



**For more information on our structure, please visit our website.**



## Priority 4

# Primary Care Engagement & Leadership



## Endorsements by the Primary Care Sector Table:

- additional funding to partners for We Speak translation services;
- expansion of the Windsor Regional Hospital - Windsor Police Service Nurse Police Team;
- Ontario Health innovative funding applications;
- delivering Trans health education to primary care providers;
- advocacy for compensation for team-based care equity amongst the sector; and
- support funding for Seamless Care Optimizing the Patient Experience (SCOPE).

## WEOHT Primary Care Network

The WEOHT Primary Care Sector Table (PCST) & Primary Care Council (PCC) are aligning to form the WEOHT Primary Care Network (PCN) to create a more collaborative structure. The WEOHT values the expertise of both Primary Care Clinicians & Clinical Leaders.

Leaders of the PCN are reviewing ways to connect with primary care providers across Windsor-Essex to have a collective voice in WEOHT planning and decision-making.

## Expanding Team-Based Primary Care

The Ontario government is investing in Windsor-Essex Team-Based Primary Care through Essex County Nurse Practitioner-Led Clinic and Canadian Mental Health Association- Windsor-Essex County Branch (CMHA Health Centre). Lead agencies will collaborate with fellow WEOHT partners and WEOHT Primary Care Network on how to meet their targets in the upcoming year.



**The WEOHT will continue to advocate for increasing access to team-based care and the expansion of existing teams to serve Windsor-Essex and high-priority communities.**

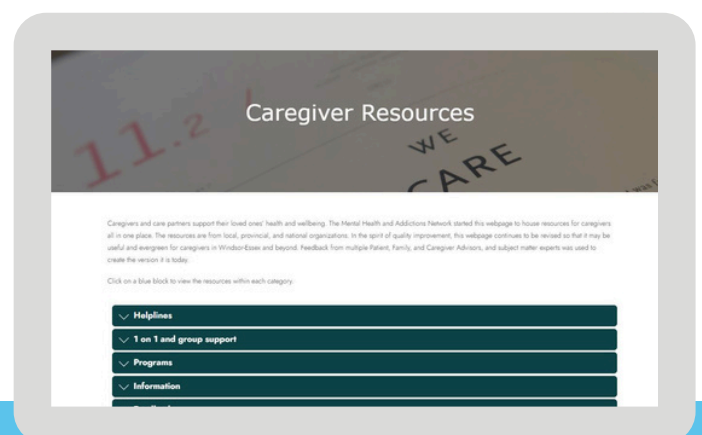
# Mental Health & Addictions Network (MHAN)



The **MHAN** table works collaboratively to ensure that key sector related decisions align with mental health and addictions (MHA) evidence-informed best practice and expected patient/client outcomes in Windsor-Essex.

## Accomplishments

- ✓ Completed a current state mapping as Phase One of developing a Windsor-Essex Coordinated Access Process.
- ✓ Secured Ontario Structured Psychotherapy (OSP) Program for Windsor-Essex- currently two OSP clinicians are trained and operational in Windsor-Essex.
- ✓ Mobile/Crisis Operation Assessment completed through Hôtel-Dieu Grace Healthcare. Recommendations were developed related to all mobile teams supporting Mental Health in Windsor-Essex identifying gaps in services.
- ✓ Supported the development of a centralized inventory of mental health & addictions services through the collaboration between Hôtel-Dieu Grace Healthcare and Windsor-Essex County Health Unit.
- ✓ Created a case review process for system improvement.



MHAN created the Caregiver resource page on the [WEOHT website](#) with recommendations by the WEOHT BOARD

# Implementation Funding

The WEOHT was able to support the following initiatives



## The Downtown Mission Full-Time Health Navigator

One temporary full-time Health Navigator position located at the DTM shelter to assist in coordinating health services for guests with complex medical needs.

## Essex-Windsor EMS Primary Care Virtual Consult

One year of software fees and hardware for all three Community Assessment Triage Team (CATT) units.

## Mental Health and Addictions Community Outreach

To help support Mental Health & Addictions Network (MHAN) partners in client engagement, ensuring vulnerable clients are routinely accessing services.

## Matthew House Refugee Welcome Centre Project Coordinator

To help facilitate a coordinated approach for healthcare system navigation by asylum seekers in our community.

## Event Support

August 2023 Caribbean Health Fair  
January 2024 Caldwell Diabetes Education Day  
March 2024 Hospice Palliative Care Event





## Check out our Newsroom!

Updates from the WEOHT, Ontario Health, our Partners including events, resources programs, services and supports.

### Follow the WEOHT:



@WEOntarioHealthTeam



@windsoressesxoht



@weoht



@windsoressesxoht

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## Thank you!



**Committee Matters: SCM 270/2024**

**Subject: Impact of Bill 185 Passed by the Provincial Legislature – City Wide**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 647**

- I. THAT the report of the City Solicitor dated July 29, 2024 regarding the legislative changes resulting from provincial Bill 185 and related legislation **BE RECEIVED**; and,
- II. THAT Administration **BE DIRECTED** to provide a brief presentation outlining the legislative changes when this report proceeds to Council.

Carried.

Report Number: S 103/2024

Clerk's File: GP2024

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 7.2 from the Development & Heritage Standing Committee held on September 3, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240903/-1/10503>

**Subject: Impact of Bill 185 Passed by the Provincial Legislature – City Wide**

**Reference:**

Date to Council: September 3, 2024  
Author: Aaron Farough  
Senior Legal Counsel  
Phone Number: 519-255-6100 ext. 6850  
Email: [afarough@citywindsor.ca](mailto:afarough@citywindsor.ca)  
Department: Legal and Real Estate Services  
Report Date: July 29, 2024  
Clerk's File#: GP2024

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

**Recommendation:**

- I. THAT City Solicitor's report on legislative changes resulting from provincial Bill 185 and related legislation **BE RECEIVED**;

**Executive Summary:**

N/A

**Background:**

On June 6, 2024, Bill 185 in the Ontario provincial legislature, titled the *Cutting Red Tape to Build More Homes Act* received royal assent. Bill 185 included amendments to existing legislation, such as the *Planning Act*, the *Municipal Act, 2011*, and the *Development Charges Act, 1997*. Bill 185 follows a number of recent legislation changes affecting municipalities, which include Bill 108, *More Homes More Choices Act, 2019*, Bill 109, *More Homes for Everyone Act, 2022* and Bill 23, *More Homes Built Faster Act, 2022*.

**Discussion:**

The following is a high-level summary of various changes resulting from Bill 185 which are expected to be the most relevant to the City of Windsor.

**Changes to the *Planning Act*:**

*i) Limiting Third Party Appeal Rights*

As a result of the province's Bill 185, the ability to appeal Zoning By-law Amendments (ZBAs) or Official Plan Amendments (OPAs) is now limited to the applicant, public bodies, registered owners of land to which the proposed ZBA or OPA would apply, and "specified persons". "Specified persons" is a term defined in the *Planning Act* and largely consists of various classes of utility providers. "Public bodies" includes hospitals, a ministry, department, board, commission, agency or official of a provincial or federal government or a First Nation. The general requirement remains that an appellant must have made oral or written submissions to council prior to the ZBA or OPA passing in order to be eligible to appeal.

This change means that parties who may otherwise wish to appeal, such as special interest groups, ratepayers groups, or neighbours can no longer appeal unless they fit into those limited categories named by the province. The City does not have jurisdiction to expand the list of eligible appellants from what is provided in the legislation. Administration has been updating its notices related to these types of development applications to ensure the public is aware of these new rules.

Past amendments to the *Planning Act* had limited the ability of third parties to appeal decisions on subdivision applications, severances, and minor variances. Bill 185 now reflects those changes for Zoning By-law Amendments and Official Plan Amendments as well.

*ii) Removing Mandatory Pre-Consultation*

Bill 185 removed the ability for municipalities to implement mandatory pre-consultation prior to an applicant submitting a development application. This is unlikely to result in much practical change, as applicants are still required to file a complete application, which may consist of studies and reports that identify the impacts of a proposed development. City Planning staff typically work with applicants through pre-consultation to identify required studies and reports and help ensure an application is complete prior to submission. Accompanying this change, municipalities are no longer required to refund application fees for not making a decision on a development application within statutory deadlines.

*iii) Lapsing Approvals*

Changes from Bill 185 further expand on a municipality's ability to attach lapsing provisions to site plan and draft plan of subdivision approvals. This provision is mandatory for draft plan of subdivision approvals. Going forward a municipality must provide that an approval of a draft plan of subdivision will lapse by a certain date, which may be prescribed by the province in the future, but is currently to be not less three years. Site Plan approvals issued by the City generally contain lapsing provisions and the timeline for such lapsing has been updated going forward to reflect the change in legislation.

*iv) Exemption of Post-Secondary Institutions from Planning Act Requirements*

New Section 62.0.2 of the *Planning Act*, which was added by Bill 185 now exempts undertakings of "publicly-assisted universities" or "colleges and universities federated or



affiliated with a publicly-assisted university” from *Planning Act* requirements, provided the undertaking is “for the objects of the institution”.

v) *Additional Residential Units or Additional Dwelling Units (“ADUs”)*

Over the last 15 years changes have been implemented at the provincial level dealing with Additional Dwelling Units (ADUs), which are self-contained residential units with their own kitchen and bathroom facilities within single detached, semi-detached, or townhome dwelling or within an accessory structure (e.g. dwelling unit above a detached garage).

Previous changes to the *Planning Act* required municipal Official Plans and Zoning By-laws to permit up to two ADUs per property (e.g. one ADU within the main building and one within an accessory building). This change required municipalities to permit up to three dwelling units, as-of-right, City-wide. Subsequent changes to the *Planning Act* then required municipalities to permit the establishment of up to three dwelling units on any serviced property in a number of configurations (e.g. three units in a main building or two units in a main building and one unit within an accessory building).

These numerous legislative changes concerning ADUs at the provincial level have tripled the as-of-right residential density within Windsor’s low profile neighbourhoods, which now permit up to:

- Three dwelling units per property where single detached dwellings are permitted;
- Six dwelling units where semi-detached dwellings are permitted; and
- Nine or more dwelling units where townhome dwellings are permitted (i.e. depending on how many townhome dwelling units are attached in a row).

Bill 185 now introduces new Section 49.3 to the *Planning Act* which is to come into force on a date to be proclaimed later by the Lieutenant Governor. That provision, when in force, would allow the province to introduce regulations to exempt or restrict the application of various planning mechanisms such as Zoning By-laws and Site Plan Control to ADUs.

### **Changes to the Development Charges Act, 1997**

- i) The *Development Charges Act, 1997* has been amended so that the costs of a development charge study are once against considered an eligible capital cost which can be included in the calculation of a municipality’s development charge rate.
- ii) Subsection 26.2 of the *Development Charges Act, 1997* allows for an applicant’s development charge rate to be “frozen” as at the date a complete application for zoning by-law amendment or site plan approval (whichever occurs later) is filed. As long as building permits are pulled and the development charges are paid within a certain amount of time from the approval of the relevant planning application, the freeze would apply. Bill 185 reduce this amount of time from 2 years to 18 months.

- iii) Bill 185 also removed a “mandatory phase-in” of development charges that was part of the changes introduced by Bill 23. Previously, for any development charge by-law passed after on or after January 1, 2022, any development charge imposed during the first, second, third and fourth years that the development charge by-law is in force could be no more than 80, 85, 90 and 95 per cent of the charge imposed. This is no longer the case.

### **Changes to the *Municipal Act, 2001***

The *Municipal Act, 2001* contains an “anti-bonusing” provision in Section 106 of the Act, which prohibits a municipality from directly or indirectly providing assistance to any manufacturing business or other industrial or commercial enterprise. There are some exceptions to this general rule and Bill 185 introduced a new potential exception as Section 106.1 of the Act.

The new Section 106.1 allows the Province to make regulations authorizing a municipality to grant assistance to a specified manufacturing business or other industrial or commercial enterprise during a specified period. The regulations may include details on the type of assistance to be granted, as well as any restrictions or conditions that may apply to the assistance.

### **Risk Analysis:**

Administration has been adjusting its forms and procedures to comply with any new requirements in the amended legislation.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

This report is for Council’s information and does not have a financial impact.

### **Consultations:**

Greg Atkinson, Deputy City Planner, Development  
Jason Campigotto, Deputy City Planner, Growth  
Neil Robertson, City Planner

**Conclusion:**

Bill 185 resulted in the amendment of several pieces of legislation which will impact development and development applications within the City of Windsor.

**Departments/Others Consulted:****Approvals:**

Name	Title
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Ray Mensour	Commissioner of Community and Corporate Services
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notification:**

Name	Address	Email

**Appendices:**



**Council Report: C 116/2024**

**Subject: Ward Boundary Review - City Wide**

**Reference:**

Date to Council: September 23, 2024  
Author: Terri Knight Lepain  
Manager of Records & Elections, FOI Coordinator  
(519) 255-6100 x 6578  
tknightlepain@citywindsor.ca  
Council Services  
Report Date: September 9, 2024  
Clerk's File #: ACEE/9968

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

**Recommendation:**

THAT the report of the Manager of Records and Elections dated September 3, 2024 entitled "Ward Boundary Review" **BE RECEIVED** for information; and further,

THAT Council **PROVIDE FURTHER DIRECTION** to the City Clerk regarding the issue of changes to the current ward boundary structure. Options for such direction include:

- a. Direct that the status quo be maintained and that no change be made to the City of Windsor's current ten ward structure for the 2026 municipal election; **or**
- b. Direct that a full comprehensive Ward Boundary Review be undertaken which could result either in the creation of new ward boundaries or the dissolution of the existing ward boundaries for the 2026 election, and a possible change in the representation of council members. Such a review would be undertaken with the assistance of a Consultant. In this option, the City Clerk would be directed to engage a Consultant pursuant to the provisions of the Purchasing By-law, and, the Chief Administrative Officer and City Clerk would be directed to execute a contract for such consulting services satisfactory in technical content to the Manager of Records and Elections, in financial content to the City Treasurer and in legal form to the City Solicitor.

THAT in the event Option b is selected, the City Treasurer would be directed to pre-commit \$100,000 in unallocated 2025 Pay-As-You-Go, Fund 169, funding and make available for immediate use.

## **Executive Summary:**

N/A

## **Background:**

Windsor's existing ward pattern has evolved over time from a five ward structure in 1935 moving to eight wards in 1965, and returning to five wards in 1978. Some of the wards in Windsor reflect older municipalities from before Amalgamation in 1935, such as the Border Cities of East Windsor, Walkerville, Sandwich and Windsor that were amalgamated to form the enlarged City of Windsor, and Annexation in 1965 when the City of Windsor annexed the Towns of Riverside, Ojibway, and portions of the Township of Sandwich East, Sandwich West and Sandwich South.

In 2009, ahead of the 2010 municipal election, the City of Windsor underwent a comprehensive ward boundary review which resulted in the current ten ward structure. This review was conducted with the assistance of Dr. Robert J. Williams, Ph.D., a leading Ontario authority in the area of municipal electoral systems and Professor Emeritus in the Department of Political Science at the University of Waterloo. In his review, Dr. Williams considered the City's population at the time, expected future population growth, interviews with key stakeholders from the community and Windsor residents, and electoral legislative requirements. City Council at the time was presented with various Council composition options and ultimately decided on the current ten ward structure.

The current ten ward structure has been in effect for almost fifteen years, and during that time the City has seen a great deal of population and economic growth, as well as shifting strategic and community priorities. In April of 2022, prior to the October 2022 municipal election, Windsor City Council passed several recommendations put forward by the Council Compensation Review Committee via CR191/2022 and among its suggestions was that the next Council consider undertaking:

*a ward boundary review to determine whether adjustments to ward boundaries or number of Councillors are needed to balance workloads (no update has been made to ward boundaries since they were established in 2010) and ensure fair compensation in the context of full or part-time council.*

This purpose of this report is to provide City Council with some options regarding a ward boundary review as referenced in part of CR191/2022. Administration is also reviewing options for the other items referenced in CR191/2022. Administration, in consultations with other municipalities and in discussions with Dr. Williams determined that a ward boundary review should be undertaken.

## **Discussion:**

### **Statutory Requirements**

The number of members on Council and the boundaries of the wards are governed by the *Municipal Act, 2001* sections 217, 221, 222, 223 respectively.

The election of the Mayor must be by general vote and the election of members of council can be either by general vote, or wards, or by any combination of general vote and wards. Therefore, the representation of a council member may be either at large or restricted to a ward. Council should be aware that the only restriction on the size and composition of Council is that it must be comprised of at least five members, including the head of council.

Two processes exist to allow Council to pass a by-law dividing or re-dividing the municipality into wards or dissolving the existing wards:

- a. Council may initiate a ward boundary change through the passing of a by-law; or
- b. Electors in the municipality representing one percent of the electors in Windsor or 500 electors, whichever is less, may submit a petition to Council asking Council to pass a by-law to change or dissolve the existing ward boundaries.

If Council wishes to change the existing ward boundary structure, it should be aware that the legislation specifies time restrictions, provides for appropriate public notification and a corresponding appeal process directed to the Ontario Land Tribunal (OLT).

The by-law to change the ward boundaries comes into force on the day the new council is organized on the first regular election after the by-law is passed if:

- (i) no notices of appeal are filed,
- (ii) notices of appeal are filed and are all withdrawn before January 1 in the year of the election, or
- (iii) notices of appeal are filed and the Tribunal issues an order to affirm or amend the by-law before January 1 in the year of the election

And the new ward system will be used for voting in that election.

However, the by-law to change the ward boundaries comes into force on the day the new council is organized on the second regular election after the by-law is passed if:

- (i) notices of appeal are filed,
- (ii) the notices of appeal are filed and are not withdrawn before January 1 in the year of the election, or

(iii) notices of appeal are filed and the Tribunal has not issued an order to affirm or amend the by-law before January 1 in the year of the election.

Therefore, the date when voting on the new ward system, if such a by-law is passed, may be delayed to the 2030 election if the by-law is passed at a date in 2025 and notices of appeal are filed that are:

- not withdrawn in 2025; or
- the OLT is not able to issue an order affirming the by-law before January 1, 2026

## **Changes to the Current Electoral System Structure**

When considering the need for changes to an electoral system, and also how to best effect changes, the following five noteworthy factors should be considered and utilized during the review process:

- 1. Representation by Population:** Normally a primary – but not exclusive – goal of any electoral review is the achievement of population parity; that is, to the extent possible, residents should be equally represented, and wards should have reasonably equal population totals.
- 2. Protection of Communities of Interest:** Communities of interest and neighbourhoods within the municipality should be viewed as shaping the relationship between residents with each other and with the municipal government. In this context, the “communities of interest” principle is deemed to include residential and commercial clusters, but also geographic, social, historical, economic, and/or cultural factors, including the identifiable rural and agricultural component of the County. The basic premise is that existing and future communities of interest should not be fragmented or divided between multiple wards if at all possible.
- 3. Consideration of Present and Future Population Trends:** population trends should be reviewed in a dynamic way; that is, the review takes account of changes that can be measured since the present wards were established, but also accounts for anticipated population growth. Where possible, reliable and accurate data will be used to generate current and future population projections, including, but not limited to, Census data, approved building permits, approved development proposals, and estimated population growth.
- 4. Consideration of Natural and Physical Boundaries:** Ward boundaries should be drawn impartially and with consideration for natural and human-made features that may already serve as effective internal boundaries. Such features should be leveraged since they may naturally divide municipal residents from one another and may facilitate the effective representation of the ward’s residents. As well, where possible, the preferred boundaries should follow straight lines, have few turns, and be easily identifiable.



- 5. Effective Representation:** The specific principles listed above are all subject to the overriding principle of “effective representation” as enunciated by the Supreme Court of Canada. The concept of effective representation was derived from the equality provision of the Charter of Rights and Freedoms related to the right to vote and, by extension, the right to be represented equitably in the deliberations of government. It may be necessary to place a higher priority on principles other than population parity (such as respecting a community of interest) to create plausible and coherent electoral districts that better contribute to “effective representation” rather than electoral areas that are drawn simply to achieve population parity.

## **Ward Boundary Review Process and Methodology**

Administration conducted an informal survey of comparator municipalities who have recently engaged in a ward boundary review in their municipality. Some of the municipalities conducted the ward boundary review internally using municipal resources, however most municipalities engaged with an external consultant for guidance and leadership of their ward boundary review process. Based on discussions with both groups of municipalities, it has been determined that the City of Windsor would be best served to engage with a consultant should City Council direct Administration to conduct a ward boundary review.

Engagement with a consultant would likely meet the Sole Source criteria as outlined in the Purchasing By-law 93-2012, and this process could commence as soon as early October, 2024.

Administration anticipates that the ward boundary process would take approximately nine or ten months to complete and would involve the following stages:

1. Project initiation, information gathering and research
2. Interviews with key stakeholders
3. Evaluation of existing ward structure and exploration of alternative options
4. Public engagement/consultation of alternative options
5. Interim report to City Council summarizing engagement findings and alternative options
6. Review of population and growth forecast and other factors
7. Development of new ward boundary options
8. Public engagement/consultation of proposed options
9. Finalization of alternative and proposed options
10. Final report to City Council for approval and adoption of by-law
11. Deadline for forwarding appeal to LPAT/hearing/decision (if an appeal is filed with LPAT)

It is anticipated that the Consultant Team would be responsible for the majority of the project scope, ensuring that the ward boundary review is conducted independently with assistance from Administration.

## **Risk Analysis:**

Since the City of Windsor's last ward boundary review was conducted almost fifteen years ago, it could be assumed that the current ten ward structure might not accurately account for the current and future electoral needs of residents, visitors, investors and local government. Should a ward boundary review not be completed now and adopted through by-law ahead of December 31, 2025, then the next opportunity for electoral system changes won't be until the 2030 municipal election. This would result in more than twenty years elapsing since the last review in 2009.

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

## **Financial Matters:**

Based on discussions with other municipalities and Dr. Williams, given Windsor's comparative size, it is estimated that a fulsome ward boundary review engagement with an external consultant/vendor leading the process would cost approximately \$100,000.

The City Clerk's Office does not currently have a budget to accommodate the anticipated \$100,000 cost of the ward boundary review. Should City Council direct that a review be undertaken, unallocated 2025 Pay-As-You-Go, Fund 169, funding would be pre-committed and made available for immediate use.

## **Consultations:**

Public consultation will be an important element in a ward boundary review with a view to holding public sessions so citizens can have an opportunity to examine the options and give their input.

It will also be as important to gain the opinions of council members since it is the council members who are familiar with representation and workload capacity.

Others consulted related to this report:

Alex Vucinic, Manager of Purchasing and Risk Management

Rosa Maria Scalia, Financial Planning Administrator

Dr. Robert J. Williams, Ph.D.

Jack Ammendolia, BES, PLE

**Conclusion:**

There are many factors to consider should City Council direct Administration to undertake a ward boundary review ahead of the 2026 municipal election. Effective representation and good government call for factors such as physical and geographic boundaries, community interests, and population growth patterns to be taken into account in setting electoral boundaries. Considering these factors with ward boundary changes will ensure that City Council effectively represents the diversity of our community giving fair and equitable representation to all citizens in Windsor.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Terri Knight Lepain	Manager of Records & Elections, FOI Coordinator
Rosa Maria Scalia	Financial Planning Administrator
Steve Vlachodimos	City Clerk
Dana Paladino	Senior Executive Director of Corporate Services (A)
Ray Mensour	Commissioner, Community & Corporate Services
Janice Guthrie	Commissioner of Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

**Subject: Council Report re Declaration of a Vacant Parcel of Land Municipally Known as 0 Aylmer Avenue Surplus and Authority to Offer for Sale – Ward 3**

**Reference:**

Date to Council: September 23, 2024  
Author: Stephanie Allen Santos  
Coordinator of Real Estate Services  
519-255-6100 ext 6420  
ssantos@citywindsor.ca  
Legal Services, Real Estate & Risk Management  
Report Date: September 9, 2024  
Clerk's File #: APM2024

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

**Recommendation:**

- I. THAT the following City of Windsor (the “**City**”) vacant parcel of land **BE DECLARED** surplus:

Municipal address: **0 Aylmer Avenue** – vacant land situates on the south side of Chatham Street East and west of Aylmer Avenue;

- Legal Description: Part lot 6, Block 9 on Registered Plan 126 Windsor, as in R1324835;
  - Approximate Lot size: 17.57 feet (5.35m) x 29.11 feet (8.87m)
  - Approximate Lot area: 511.46 sq ft (47.52 m<sup>2</sup>)
- (herein the “**Subject Parcel**”); and,

- II. THAT the Manager of Real Estate Services **BE AUTHORIZED** to offer the Subject Parcel for sale to the abutting property owner at 229 Aylmer Avenue at a price to be determined by the Manager of Real Estate Services, commensurate with an independent appraisal, as appropriate.

**Executive Summary:**

N/A

**Background:**

The Subject Parcel was acquired by the City in 1995 through a tax vesting order. The Subject Parcel is approximately 17.5 feet x 29 feet with access from the north/south alley between Chatham Street East and University Avenue East. The parcel is located

at the rear of the property known as 229 Aylmer Avenue and includes a small structure that is also used by the owner of 220 Aylmer. As such, the Subject Parcel should be offered to the owner of 229 Aylmer Avenue. The Subject Parcel cannot be developed on its own.

By-Law 52-2014 establishes a policy for the disposal of Land. Section 5.1.2 of Schedule “A” attached to By-Law 52-2014 requires that City-owned lands be declared surplus and that Administration seek authority to sell the lands:

5.1.2 Notification of the intention to declare Land surplus and the authority to offer the Surplus Land for sale will be printed in the “Civic Corner” of the Windsor Star.

## **Discussion:**

Administration was contacted by the City of Windsor Streets & Alleys Clerk inquiring about the Subject Parcel and if Administration would consider selling to the abutting property owner at 229 Aylmer Avenue.

The Subject Parcel was circulated to determine whether there is a municipal use for same. No municipal use for the Subject Parcel was identified.

The City’s Land Disposal Policy (“**LDP**”) outlines the process for the sale of land which is not viable. Section 5.3.1.3 of the LDP states:

5.3.1.3 Land, which is not Viable Land and which cannot be rendered Viable Land by means of consent under the Planning Act may be sold directly to the abutting property owner(s) for lot consolidation purposes at the value established by City Real Estate Staff taking into consideration all relevant factors, but in any event for no less than on a cost-recovery basis. If more than one abutting property owner wishes to acquire the Land City Real Estate Staff will contact the abutting owners to determine whether a consensus can be arrived at in splitting the Land amongst interested abutting owners.

Should Recommendations I and II be approved, Real Estate staff will contact the abutting property owner to negotiate a purchase price. Should Administration successfully negotiate an acceptable price, a report will be brought to Council or under Delegation of Authority, as appropriate, seeking authority to sell the Subject Parcel.

## **Risk Analysis:**

There are potential liability issues should someone be injured on the land. As the property owner of 229 Aylmer Avenue has been using the Subject Parcel, there is additional liability when a third party utilizes City lands. Selling the Subject Parcel will remove any associated liability issues for the City.

## **Climate Change Risks**

### **Climate Change Mitigation:**

Declaring this property surplus does not pose a climate change risk.

**Climate Change Adaptation:**

Declaring this property surplus does not result in any climate change adaptation risk.

**Financial Matters:**

N/A

**Consultations:**

Building: Tea DeAngelis, Research & Policy Analyst

Economic Development: Milan Vujanovic, Senior Economic Development Officer

Fire Department: Michael Coste, Chief Fire Prevention Officer

Housing and Children Services: Diane Wilson, Manager, Social & Affordable Housing

Parks & Facilities: James Chacko, Executive Director, Parks & Facilities

Operations: Elara Mehrilou, Transportation Planner I

Windsor Police Services: Barry Horrobin, Director of Planning & Phys. Resources

Legal: Kate Tracey, Senior Legal Counsel

**Conclusion:**

Declaring the Subject Parcel surplus and authorizing the Manager of Real Estate Services to offer the property for sale to the abutting property owner, will allow for the orderly sale of land that is not required for any municipal purpose.

**Approvals**

Name	Title
Stephanie Allen Santos	Coordinator of Real Estate Services
Denise Wright	Manager of Real Estate Services
Wira Vendrasco	City Solicitor
Dana Paladino	Acting Senior Executive Director, Corporate Services
Ray Mensour	Commissioner, Corporate and Community Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Aerial Image of Subject Parcel

## APPENDIX A





**Council Report: C 97/2024**

**Subject: Renaming a Portion of County Road 42 and Division Road - Ward 9**

**Reference:**

Date to Council: September 23, 2024

Author: Sergio Colucci

Engineer III

(519) 255-6257 Ext. 6785

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

Design – Engineering

Report Date: August 12, 2024

Clerk's File #: SW2024

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

**Recommendation:**

- I. THAT City Council **APPROVE** Administration's Application to Change the Existing Street Names of the following portions of public highway:
  - a. A portion of County Road 42, from the Canadian National Railway tracks to the east City Limit; and,
  - b. A portion of Division Road, from Devonwood Avenue to the Canadian National Railway tracks,to "Cabana Road East".
- II. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law dedicating the lands as a public highway and naming the street.
- III. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
- IV. THAT the cost for registration of the by-law and the cost for the required Reference Plans both **BE CHARGED TO** the Lauzon Parkway & County Road 42 Infrastructure Project, Project ID 7197000.

**Executive Summary:**

N/A

## **Background:**

The Minister of the Environment approved the Lauzon Parkway Environmental Assessment on December 23, 2014, and in April 2015, an addendum related to a future east/west arterial road outlined in the EA was approved by City Council under CR80/2015. The EA identified and recommended numerous improvements to County Road 42 between Walker Road and the east City limit, as well as improvements to Lauzon Parkway.

One of the items within the EA was the future consideration of changing the street names of County Road 42 and Division Road to Cabana Road East. According to the EA the name change would reflect jurisdiction and maintain consistency. A key plan of the name change area is shown in Appendix A.

City Council has approved the Lauzon Parkway & County Road 42 Infrastructure Improvements Project (EDG-001-11) for the multi-phased corridor improvement work recommended in the Lauzon Parkway Environmental Assessment.

Through RFP 107-23 and RFP 154-23 detailed engineering design has begun for improvements to this corridor.

## **Discussion:**

Cabana Road East begins at Ouellette Avenue and ends at Devonwood Avenue. At the Devonwood intersection the road name changes to Division Road which extends past Walker Road to the CN Tracks. At the CN Tracks the street name changes to County Road 42 extending to the east City limit. The change in name to Cabana Road would provide consistency for the entire stretch of road from Highway 3 to the east City limit.

The City of Windsor Street Name Assignment and Change Policy (the "Policy") was approved under CR22/2008. Under the Policy the City of Windsor has the authority to rename a street without the need of property owner support or the petition process

Steps involved in a street name change initiated by the City include the following:

1. A Council Report must be written first, and a Council meeting must be set before sending out Public Notices to property owners and tenants.
2. A newspaper advertisement giving notice of the proposed street name change and intent to enact a by-law with the date and time of the Council meeting will be prepared and forwarded to the City Clerk for advertisement in the local newspaper.
3. If the requested name change is approved and by-law adopted, the City Clerk will notify the applicant that the street name change is in effect.
4. The City shall notify all internal departments, agencies/bodies and adjacent municipalities of the assignment of a new street name or change of an existing street name.
5. The City shall arrange all necessary update including street name signage, EIS mapping and data base, and notify all emergency services.

Property owners and tenants impacted by the proposed street name changes were notified through mailed notifications. A notice has also been published in the Windsor Star on September 14 and 21, 2024.

Administration has submitted the Application to Change Existing Street Names to the Planning Department for their review and input. No objections were brought forward from the Planning Department regarding the name change.

It is not anticipated that municipal address numbers will require changing. The current street numbering system from Devonwood Avenue to the east City limit increases in sequential order.

A search of title for the lands shows that no by-law to dedicate the lands as a public highway has registered on title to the subject property. Administration recommends that this be rectified by including dedication of the road as a public highway as part of the required by-law to change the street name in accordance with Policy. The by-law, once passed by City Council, will need to be registered on title. In order for it to be registered, a new Reference Plan will first be required. There would be no way for surveyors to know that the name has been changed without such a by-law being registered on title. It will also be required should the City elect to widen Cabana Road East in the future.

### **Risk Analysis:**

By effective communication and notifications to the directly impacted property owners, all utility agents, Canada Post, and newspaper advertisement to the public, it will minimize the confusion caused by the street name changes.

### **Climate Change Risks**

The street name change will not increase climate change risks.

### **Climate Change Mitigation:**

The replacement of existing street signage with new street signs would have negligible impact on the Corporate GHC inventory and energy use.

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

Section 8.4 of the Policy states that The City of Windsor shall not be responsible or liable for any costs associated with a street name change. Accordingly, the City is not required to cover property owner costs resulting from the street name change.

Costs associated with the name change are estimated at \$28,000 (excl. HST). Project costs include:

- Street name change application fee
- Mailed notifications
- Newspaper notice
- Removal of existing street name signage
- Installation of new street name signage
- Preparation of Reference Plan
- Registration of by-law on title

The Financial Planning Administrator for Engineering has confirmed there is sufficient funding in project 7197000 – Lauzon Pkwy & County Rd 42 Infrastructure Improvements to undertake the work associated with the change in street names as described in this report.

### **Consultations:**

Jane He	Engineer III
Michael Cooke	Consultant (Former Manager Planning Policy/Deputy City Planner)
Derek Heinbuck	Planning Technician
Kate Tracey	Senior Legal Counsel
Kathy Buis	Financial Planning Administrator
Mike Dennis	Manager, Strategic Capital Budget Development & Control

### **Conclusion:**

Administration recommends the street name changes to Cabana Road East to provide consistency along this major east/west corridor as outlined in the Lauzon Parkway Environmental Assessment.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Fahd Mikhael	Manager of Design
Stacey McGuire	Executive Director of Engineering/Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services
Neil Robertson	City Planner
Wira Vendrasco	City Solicitor

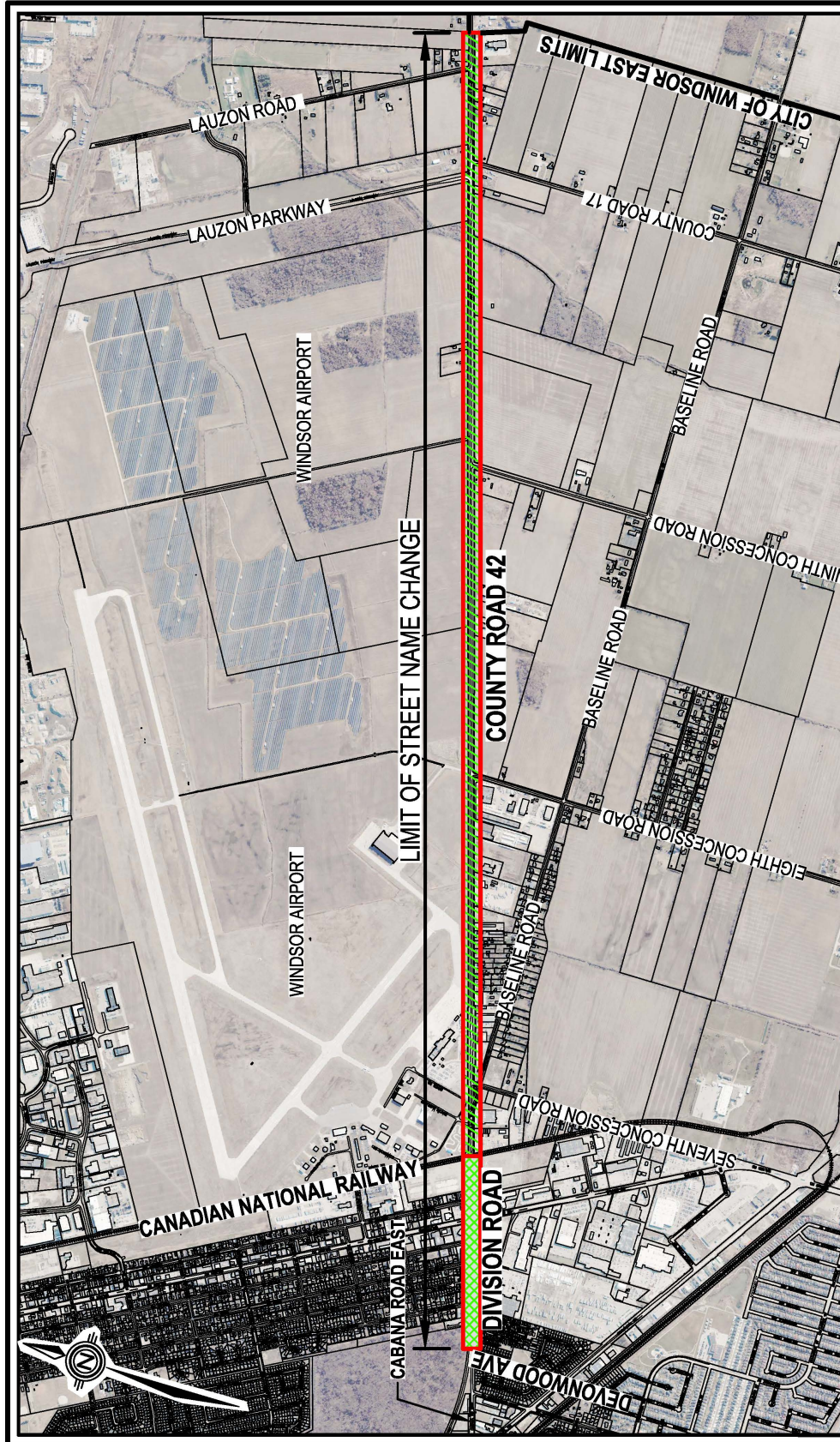
<b>Name</b>	<b>Title</b>
Steve Vlachodimos	City Clerk
Janice Guthrie	Commissioner Finance/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1      Appendix A - C-3822-1



KEY PLAN N.T.S.

LEGEND

- Division Rd Proposed Name Change
- County Rd 42 Proposed Name Change

THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

Proposed Street Name Change to **Cabana Road East** for Division Road from Devonwood Avenue to Canadian National Railway and County Road 42 from Canadian National Railway to East City Limits

Kirk Tamm, Manager of Geomatics	SCALE: 1:25	DATE: AUG 2024	REVISED: -	DWG. NO. C-3822
	DWN BY: AZ	CHKD BY: PUJ / SC	REVISION NO.: -	





**Committee Matters: SCM 89/2024**

**Subject: Response to CQ 36-2023 – Repurposing Lot 16 - City Wide**

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

Decision Number: **ETPS 992**

THAT the report of the Coordinator, Parking Services dated March 11, 2024 entitled “CQ 36-2023 – Repurposing Lot 16” **BE RECEIVED** for information; and,

THAT Option 1, being the:

Installation of a barrier gate (with integrated pay station) to control access to the parking lot 16, possibly including restrictions such as no entry after 10:00 p.m.  
**BE APPROVED**; and,

THAT the initial cost of the barrier gate \$51,950 (plus HST), with associated infrastructure upgrade costs estimated to be approximately \$10,000 **BE FUNDED** from the On-Off Street Parking Reserve fund 138; and,

THAT administration **BE DIRECTED** to investigate different techniques and changes that can potentially assist the surrounding residents with issues related to this parking lot including but not limited to noise detection cameras, speed humps, and an increase to parking fees; and that the information **BE BROUGHT FORWARD** to Council for their consideration.

Carried.

Report Number: S 35/2024  
Clerk's File: ST2024 & ACOQ2024

**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 8.3 from the Environment, Transportation & Public Safety Standing Committee held on March 27, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240327/-1/10474>



**Subject: Response to CQ 36-2023 – Repurposing Lot 16 – City Wide**

**Reference:**

Date to Council: March 27, 2024  
Author: Author: Bill Kralovensky  
Coordinator, Parking Services  
(519) 255-6247 ext. 6103  
bkralovensky@citywindsor.ca

Public Works - Operations  
Report Date: March 11, 2024  
Clerk's File #: ST2024 & ACOQ2024

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

**Recommendation:**

THAT report S35/2024, "CQ 36-2023 – Repurposing Lot 16", **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

On Monday, October 30, Councillor Agostino asked the following Council Question:

**CQ 36-2023**

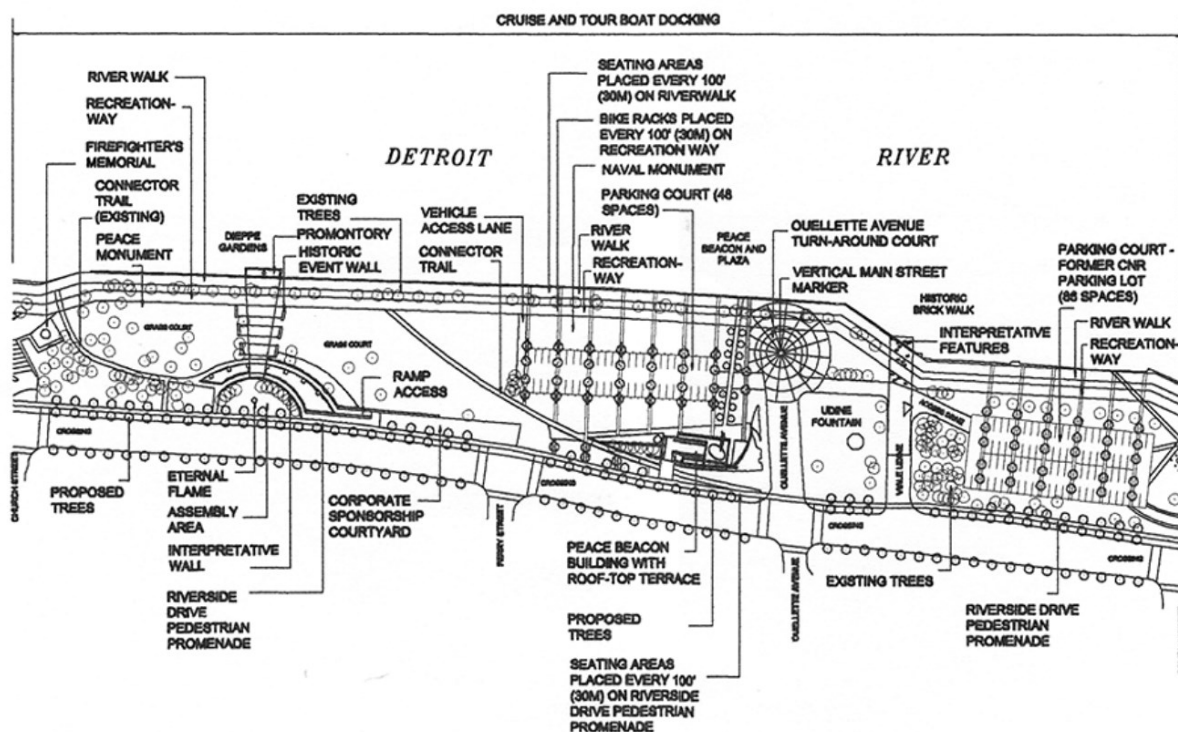
*Downtown residents are having a very tough time dealing with noise and loitering issues in lot 16. The problem is after hours partying and cars performing burnouts. It's my understanding that we have been losing this battle for at least a decade. Asks that Administration report back regarding options available for repurposing parking lot 16.*

This report is provided in response to CQ 36-2023.

## Discussion:

It is important to note that repurposing Lot 16 may not resolve the issues of noise and loitering. There's a likelihood that these challenges could simply shift to nearby parking lots to the east (Lot 34) and/or west (Lot 5), necessitating a broader approach to effectively address these concerns. Similar issues were noted near Festival Plaza previously and with the installation of fencing and gates to address that problem, the challenges shifted to Lot 16.

City Council adopted the Central Riverfront Implementation Plan (CRIP) on September 5, 2000. The CRIP included provisions for parking lots at strategic locations along the riverfront. Specifically, the plan envisaged that Lot 16 would continue to serve as a parking lot.



**Figure 62.** Central Riverfront Implementation Plan. September 2000, p. 75.

If Council wishes to change the functionality of Lot 16 from parking to some other use, they may wish to revisit the CRIP as this area was identified as a parking lot.

Lot 16 along with nearby Lot 5 is typically well utilised during our extended warm weather outdoor season and the Parks department does receive complaints about a lack of parking available. The elimination of Lot 16 and its 86 spaces will leave only the 48 spaces at Lot 5 to service the nearly 1.3 km stretch of riverfront parkland from Glengarry to Caron Ave. This stretch of parkland includes popular destinations such as Rotary Plaza, Festival Plaza and Dieppe Park. Dieppe Park is home to such amenities/attractions as The Great Canadian Flag, Bistro at the River, numerous memorials & monuments and over 30,000sqft of garden beds.

Should Council decide to maintain Lot 16 as a parking lot, there are a number of measures that could be considered to address the issues of noise and loitering. These include:

1. Installing a barrier gate (with integrated pay station) to control access to the parking lot, possibly including restrictions such as no entry after 10:00 p.m. The initial cost of the barrier gate is \$51,950 (plus HST), with associated infrastructure upgrade costs estimated to be approximately \$10,000. Below, Lot 16 is pictured.



Lot 16 - Central Riverfront Implementation Plan Review – Items to Consider, p. 5.

Pros:

- Provides a physical barrier to control access, reducing unauthorized parking and potential for loitering.
- May deter unwanted behavior by imposing a structured entry/exit system.
- Can be programmed to enforce specific access times (e.g., no entry after 10:00 p.m.).

Cons:

- Initial cost for installation and infrastructure upgrades.
- Ongoing maintenance and operational costs.
- May inconvenience legitimate users if access is restricted after certain hours.
- Potential for technical issues or malfunctions.
- Can be bypassed, vehicle(s) park in the lot before the gate restricts access. Even if it is just a single vehicle from the group, the vehicle will drive out to open the gate, and the other vehicles then drive in.

2. Enforcement of noise and loitering complaints by Windsor Police and continued parking enforcement through the current contractor.

Pros:

- Utilizes existing law enforcement and parking enforcement infrastructure.
- Can be effective in addressing specific complaints of noise and loitering.

Cons:

- Does not provide continuous monitoring or deterrence.
- Reliant on the availability and response times of enforcement.
- Enforcement actions will be reactive rather than proactive.

3. Contract security could be hired to monitor the parking lot between the hours of 8:00 p.m. and 4:00 a.m., Thursday through Sunday all year. The estimated 2024 hourly rate is \$30.00. Due to the nature and time of monitoring, two officers may be required. The approximate cost for two officers is \$99,840.

Pros:

- Provides dedicated monitoring during peak hours for noise and loitering issues.
- Visible security presence can deter unwanted behavior.
- Can respond quickly to incidents within the parking lot.

Cons:

- Ongoing cost for security personnel.
- Limited to specific hours and days, leaving gaps in coverage.
- Do not have authority to enforce laws / by-laws.

4. Installation of security cameras has been reviewed at various external locations around the City, i.e. parks, parking lots, etc., to address similar issues. Due to lack of infrastructure (conduits, fibre, connectivity, ability to continuously monitor these locations, etc.) it is not feasible at this time. However, Administration continues to look for potential solutions that could be feasible.

Regarding options for repurposing Lot 16 for alternative community use, ultimately, the determination of an alternate use for Lot 16 rests with Council. Since there are a multitude of options, Council could instruct Administration to explore specific options.

**Risk Analysis:**

It is important to note that repurposing Lot 16 for a different use may not resolve the issues of noise and loitering. There is a likelihood that these challenges could simply shift to nearby parking lots to the east (Lot 34) and/or west (Lot 5), necessitating a broader approach to effectively address these concerns. Similar issues were noted near Festival Plaza previously and with the installation of fencing and gates to address that problem, the challenges shifted to Lot 16.

The loss of these spaces will have a negative impact on park users. Residents and visitors alike will be challenged to find appropriate parking. This will likely lead to an increase in complaints, could lead to an overall reduction in the number of people visiting not only the parkland but also downtown overall which can lead to a negative impact on the city's image.

Further, if Lot 16 is repurposed, monthly permit holders in this lot would be displaced. At the moment, Garage 1 (Pitt & Goyeau) can accommodate the displaced monthly parkers. The monthly rate for Garage 1 is \$12.43 more per month (or \$149.16 more per year).

Finally, the lot houses a transformer owned and operated by Enwin Utilities. Access to this transformer would need to be maintained even if the lot was repurposed.

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

The costs associated with the options noted above are detailed below. Council should be aware that any additional expenditures are considered to be new matters not previously approved within either the current operating or 10-year capital plan. As such, there is no funding current allocated to improving security of Lot 16. City Council would need to provide direction as to which option they would like to be further considered.

#### **Option 1 Cost:**

The cost of a gated exit with a pay station is approximately \$51,950 excluding HST, with site preparation and other related installation costs estimated to be around \$10,000 excluding HST. The risk of the gates being damaged is low / medium, other similar gates in the City require repair a few times each year. Replacement costs for a gate that is damaged could be minimal, i.e. replacement of the gate only, however there is a potential that the concrete base can be damaged which would require funding similar to the initial installation cost. This option would be funded by the capital program for parking equipment, which is funded from the On-Off Street Parking Reserve Fund 138. At this time, gates are not part of the upcoming project works. To complete this project, funding would be required from the On-Off Street Parking Reserve. Parking fees could be increased to replenish funding used from the On-Off Street Parking Reserve.

#### **Option 2 Cost:**

There is no additional cost for option 2.

#### **Option 3 Cost:**

The additional cost to hire contract security to monitor the parking lot between the hours of 8:00 p.m. and 4:00 a.m., Thursday through Sunday all year is estimated at \$99,840 excluding HST based on the estimated 2024 contractual hourly rates. The additional security cost would require an operating budget increase. This increased operating budget would result in an offsetting reduction in the annual transfer to the On-Off Street Parking Reserve fund 138. At this time, the additional security is not part of the ongoing operating budget. To complete this project would require additional funds from the reserve. Alternatively, parking fees could be increased to offset this increased cost annually.

## Lot 16 Revenue:

The parking revenue associated with Lot 16 was approximately \$80,000 for 2022 and \$120,000 for 2023 resulting in a 2-year average revenue of approximately \$100,000 per table 1 below.

Table 1:

Year	Cash Deposits	Debit / Credit	Parking App Net Revenue	Monthly Permit Revenue	Total
2022	\$38,964.16	\$14,549.55	\$5,269.72	\$20,805.29	\$79,588.72
2023	\$32,779.12	\$59,028.52	\$8,912.79	\$19,925.30	\$120,645.73
2-Year Average	<b>\$35,871.64</b>	<b>\$36,789.04</b>	<b>\$7,091.26</b>	<b>\$20,365.30</b>	<b>\$100,117.23</b>

Should Lot 16 be repurposed, there would be a net loss of approximately \$80,000 in revenue. It is anticipated that the loss of revenue would be only the loss of hourly parking revenue as the monthly permit holders would be moved to the Goyeau Garage. Loss of revenue results in a decrease in the transfer of net results (revenue minus expense) annually to the On-Off Street Parking Reserve Fund 138. Parking fees could also be increased to offset this loss of revenue annually.

## Capital Rehabilitation Required:

The pavement in Lot 16 is failing and requires rehabilitation. Lot 16 pre-engineering and soil testing was completed in April 2023. Preliminary results indicate contaminated soils to a depth of 750 mm will need to be removed and remediated. The final soil report provided by the consultant will be utilized by Public Works Engineering to inform the design and remediation processes, as well as to develop a final budget estimate for the construction project. The cost of the Lot 16 rehabilitation is currently estimated in the range of \$850,000 to \$1,250,000 excluding HST pending completion of final cost estimating. The cost of this pending rehabilitation is currently being considered in the 10-year On-Off Street Parking Reserve and capital expenditure forecasts.

Non-refundable HST costs are not applicable for any costs, operating or capital, as Parking Operations are deemed to be commercial in nature with 100% of HST costs refunded to the City.

## Consultations:

Ian Day, Senior Manager, Traffic Operations & Parking (A)

Craig Robertson, Manager, Licensing & Enforcement /Deputy License Commissioner

Cindy Becker, Financial Planning Administrator – Operations

Rob Slater, Executive Initiatives Coordinator



Alex Vucinic, Manager, Purchasing and Risk Management

Emilie Dunnigan, (A) Deputy Treasurer, Financial Planning

### **Conclusion:**

While the repurposing of Lot 16 is possible, it would necessitate that the Central Riverfront Implementation Plan be revisited. The ultimate use of the space is up to Council.

If repurposed, the loss of Lot 16 would reduce the City's parking revenues by approximately \$80,000 per year and reduce the number of available parking spaces for visitors to the Riverfront.

Furthermore, it is important to note that repurposing Lot 16 does not tackle the noise and loitering problems. Consequently, without addressing these underlying issues, there is a high probability that these disturbances would merely shift to other nearby parking lots, either to the east (Lot 34) or west (Lot 5).

Rather than repurposing Lot 16, Council may wish to consider implementing the barrier gate noted in the report to address the issues of noise and loitering.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Cindy Becker	Financial Planning Administrator – Operations
James Chacko	Executive Director, Parks & Facilities
Shawna Boakes	Deputy City Engineer / Executive Director of Operations
Ray Mensour	Commissioner, Community Services
Mark Winterton	(A) Commissioner, Infrastructure Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

### **Notifications:**

### **Appendices:**

**From:** Marc L

**Date:** March 27, 2024 at 8:59:20 AM EDT

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>, "Agostino, Renaldo" <[ragostino@citywindsor.ca](mailto:ragostino@citywindsor.ca)>

**Subject:** Parking lot 16

**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 Everyone,

I'm writing on behalf of the residents at 75 Riverside Drive east, we have been experiencing numerous noise related issues from the cars in Lot 16 and also fireworks at random times from that parking lot. This has been ongoing for the last 8 years and continues to get worse every year, we would like to have an electronic gate, cameras and signs in that parking lot warning of excessive vehicle noise. Our residents are all behind this and we're looking forward to having this situation addressed.

Thanks to everyone involved in regards to improving the quality of life for everyone living at 75 and 111 Riverside drive east.

## Council Report: C 100/2024

**Subject: Extension of the Services Agreement for Parking Enforcement with Canadian Corps of Commissionaires Ottawa Windsor Division – City Wide****Reference:**

Date to Council: September 23, 2024

Author: Bill Kralovensky

Coordinator, Parking Services

519-255-6247 Ext. 6103

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

Public Works – Operations

Report Date: July 27, 2024

Clerk's File #: ST/12911

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

**Recommendation:**

- i. THAT City Council **APPROVE** the extension of the Services Agreement for Parking Enforcement for one (1) year to Canadian Corps of Commissionaires Ottawa Windsor Division as provided in the current contract at a cost of \$764,574.72 (excluding HST) to be adjusted on January 1, 2025 by the inflationary factor as per the terms of the contract; and,
- ii. THAT the CAO and City Clerk **EXECUTE** an extension to the agreement with Canadian Corps of Commissionaires Ottawa Windsor Division for the provision of parking enforcement services as per the Services Agreement for Parking Enforcement, at a cost as provided in the current contract of \$764,574.72 (excluding HST) to be adjusted on January 1, 2025 by the inflationary factor as per the terms of the contract; satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the City Engineer.

**Executive Summary:**

N/A

**Background:**

The Canadian Corps of Commissionaires – Ottawa-Windsor Division, here within to be noted as the Supplier, began performing parking enforcement for the City of Windsor on October 4, 2010. The original contract expired December 31, 2015. As per the contract, three (3) one (1) year extensions were mutually agreed upon and exercised.

The following (current) contract with the Supplier began on January 1, 2018 and will expire on December 31, 2024 per tender No. 68-18. This contract also has an option for the parties to extend for up to three (3) subsequent terms of one (1) year each, subject to agreement on the service fee for any such renewal. This request represents the first of a possible three (3) one-year extensions of this contract, extending to December 31, 2025.

The 2010 contract was the first in which the City utilized an external supplier to perform the parking enforcement duties. At that time, the hourly billing rate was \$26.36. The current 2024 hourly billing rate is \$38.29 per hour and is a result of annual adjustments for contractual increases, prior contract extensions, and tendered submissions.

### **Discussion:**

Administration from Parking Services began discussions with the current Supplier in early 2024 to gauge their interest in a contract extension for 2025. The Supplier agreed with a status quo base service fee, subject to adjustment annually by the December Consumer Price Index (CPI) rate which was 3.4% for the previous year (2023) (all items) as per the contract agreement.

Administration recommends extending the current contract with the Supplier for a one-year term, January 1, 2025 through to December 31, 2025, for the following reasons:

- The contractor is proficient in the duties of the contract;
- Administration is satisfied with the level of service provided by the contractor and has no concerns going forward, even in decreased staff situations; and
- Cost savings continue to be realized with the current model compared to previous models.

Administration believes by keeping the price at the status quo base service fee rate (plus the supplier proposed inflation) for the proposed one-year contract extension represents the best possible pricing available for continued uninterrupted service. A new Request-For-Proposal (RFP) to the vendor market at this time would likely result in higher pricing as any new supplier would need to procure new equipment, staff etc. resulting in high start-up costs reflected in their submission. Given the increasing costs of service and as part of upcoming budget reviews, which may include various service delivery reviews, Administration will undertake a review of options and costs associated with this service prior to any additional extensions being proposed.

### **Risk Analysis:**

If the existing contract was to be terminated at year-end 2024 resulting in the replacement of our current contractor as a result of a new Request for Proposal, there would be a considerable learning curve for the new contractor providing the service. As a result, short-term service levels would decrease and complaints from the public would increase. It is likely the level of service would take in excess of one year to reach current service levels, as a new contractor would need to become familiar with the nuances of enforcement within the City of Windsor. It is highly likely that revenues would be reduced during this learning period.

Additionally, Administration would also expect an increase in the number of officer errors as new officers learn unfamiliar processes resulting in a greater number of customer complaints and inconveniences. Lastly, it is likely that a new RFP would result in higher pricing as any new supplier would need to procure new equipment, staff etc. resulting in high start-up costs reflected in their submission.

Extending the current contract for an additional year mitigates the risk associated with service levels, a higher number of complaints from the public and businesses and potentially higher service level pricing.

There is also a risk that by not going to market now, the lowest price for the service will not be achieved. For the reasons noted above, Administration views this pricing risk as unlikely, therefore, low risk.

## Climate Change Risks

### Climate Change Mitigation:

N/A

### Climate Change Adaptation:

N/A

## Financial Matters:

<b>CONTRACT RATE AND COST SUMMARY</b>	<b>Hours</b>	<b>Hourly Rate</b>	<b>Contract Amount</b>
Current 2024 Contract	19,448	\$ 38.29	\$ 764,574.72

The current 2024 approved budget for this service is \$727,726. Utilizing an estimated inflationary factor of 2.77% (based upon CPI as at July 2024), the 2025 projected expenditure would be \$785,753.44, an increase of \$58,027 over the existing approved budget. The actual rate which would apply to the 2025 year would be determined as at December 2024. A further reduction may occur as CPI index continue to decline.

The net revenues related to parking enforcement activities are credited to the operating fund and are an important non-taxation source of revenue for the overall operating budget. In the past five full years of the current model, 2019 through 2023, \$4,250,113 in net revenues have been realized as illustrated in the table below.

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>Net Revenue/ (Expense)</b>	\$943,237	\$164,409	\$629,258	\$1,258,254	\$1,254,955

The sharp decline in years 2020 and 2021 were due to the COVID 19 pandemic.

It is estimated that the net revenues realized through the parking enforcement service will be sufficient to cover the increase in expenditure. A 2025 budget adjustment will be made by Administration so as to adjust the net revenue and expenditures to reflect the additional cost of the renewal.

**Consultations:**

Legal Department Purchasing & Risk Management

**Conclusion:**

The Parking Enforcement contract contains an option for the City to extend the current service agreement up to for three (3) one (1) year periods. Administration recommends extending the contract for one-year, January 1, 2025 through December 31, 2025 for the above noted reasons.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works
Ian Day	(A) Senior Manager Traffic & Parking Operations
Shawna Boakes	Executive Director of Operations
David Simpson	Commissioner, Infrastructure Services
Alex Vucinic	Purchasing Manager
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
Commissionaires Ottawa Attn.: C. Fifer	24 Colonnade Road Ottawa, Ontario K2E 7G6	cfifer@commissionaires-ottawa.on.ca

**Appendices:**



**Committee Matters: SCM 187/2024**

**Subject: OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9**

Moved by: Councillor Fred Francis  
Seconded by Member Anthony Arbour

THAT the application for OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9 BE DENIED.

The motion is **put** and is **lost**.

Aye votes: Councillors Fred Francis, Mark McKenzie, Angelo Marignani and Member Anthony Arbour.

Nay votes: Councillors Kieran McKenzie and Jim Morrison and Members Daniel Grenier and Robert Polewski.

Absent: None.

Abstain: None.

Moved by: Councillor Kieran McKenzie  
Seconded by: Member Daniel Grenier

1. THAT Schedule “A” of Volume I: The Primary Plan of the City of Windsor Official Plan BE AMENDED by designating Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726 (Roll No. 070-150-00801, 070-150-23126), situated on the north side of Ducharme Street, east of Sixth Concession Road, and known municipally as 3930 and 3950 Sixth Concession Road, as a Special Policy Area; and,

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.X      NORTHEAST CORNER OF SIXTH CONCESSION ROAD AND  
            DUCHARME STREET**

<i>LOCATION</i>	1.X.1	The property described as Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726, situated at the northeast corner of Sixth Concession Road and Ducharme Street is designated on Schedule A:
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Planning Districts and Policy Areas in Volume I - The Primary Plan.

<i>ADDITIONAL PERMITTED USES</i>	1.X.2	Notwithstanding the “Low Profile Residential” land use designation on Schedule NR2-7: Land Use Designations and the Low Profile Residential policies in Section 3.7.2 of the North Roseland Planning Area, a townhome dwelling or multiple dwelling having a maximum building height of 11 m shall be an additional permitted use.
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3. THAT Zoning By-law 8600 BE AMENDED by changing the zoning of Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726; Roll No: 070-150-00801 and 070-150-23126, situated on the north side of Ducharme St, east of Sixth Concession Rd, and known municipally as 3930 and 3950 Sixth Concession Road, further identified as Parts 1, 2 and 3 on the draft reference plan attached as Appendix A to Report S 66/2024, by adding the following site specific exception:

**502. NORTHEAST CORNER SIXTH CONCESSION ROAD AND DUCHARME STREET**

For the lands described as Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726, the following additional provisions shall apply:

- 1) The following are an additional permitted *main use*:
  - Multiple Dwelling*
  - Townhome Dwelling*
- 2) The following additional provisions shall apply to an additional permitted *main use*:
  - a) Notwithstanding the definition of “*front lot line*” in Section 3, for the purpose of the additional provisions below, the *exterior lot line* adjacent to Sixth Concession Road shall be deemed to be the *front lot line*.
  - b) Dwelling units – maximum 24
  - c) Lot Width – minimum 20.0 m
  - d) Lot Area – minimum 135 m<sup>2</sup> per unit
  - e) Lot Coverage – maximum 45% of *lot area*
  - f) Main Building Height – maximum 11.0 m
  - g) Front Yard Depth – minimum 4.5 m
  - h) Rear Yard Depth – minimum 7.5 m
  - i) Side Yard Width – minimum 2.5 m
  - j) Gross Floor Area – *Total Main Building* – maximum 3,900 m<sup>2</sup>

- k) Notwithstanding Section 25.5.10.1, tandem parking spaces are permitted.
- m) Notwithstanding Section 25.5.20.1.5, the minimum parking area separation from a *building* wall in which is located a main pedestrian entrance facing the *parking area* shall be 0.0 m.
- n) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the minimum parking area separation from that portion of the *building* wall shall be 0.0 m.
- p) Sections 5.11.5 and 24.40 shall not apply.

The motion is **put** and is **lost**.

Aye votes: Councillors Kieran McKenzie and Jim Morrison and Members Daniel Grenier and Robert Polewski.

Nay votes: Councillors Fred Francis, Mark McKenzie, Angelo Marignani and Member Anthony Arbour.

Absent: None.

Abstain: None.

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 621**

That the report of the Planner II – Development dated May 16, 2024 entitled “OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9” **BE RECEIVED**.

Carried.

Report Number: S 66/2024  
Clerk's File: Z/14777 & Z/14779

#### **Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 7.5 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/PowerBrowserV2/20240604/-1/10488>

**Subject: OPA and Rezoning – Generation Development Contractors Inc.  
– 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24  
ZNG/7184 - Ward 9**

**Reference:**

Date to Council: June 3, 2024

Author: Author: Diana Radulescu, Planner II – Development

519-255-6543 x 6918

dradulescu@citywindsor.ca

Author: Adam Szymczak, MCIP, RPP - Senior Planner

519-255-6543 x 6250

aszymczak@citywindsor.ca

Planning & Building Services

Report Date: May 16, 2024

Clerk's File #: Z/14777 & Z/14779

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

**Recommendation:**

1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726 (Roll No. 070-150-00801, 070-150-23126), situated on the north side of Ducharme Street, east of Sixth Concession Road, and known municipally as 3930 and 3950 Sixth Concession Road, 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.X NORTHEAST CORNER OF SIXTH CONCESSION ROAD  
AND DUCHARME STREET**

<i>LOCATION</i>	1.X.1	The property described as Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726, situated at the northeast corner of Sixth Concession Road and Ducharme Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.
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ADDITIONAL  
PERMITTED  
USES

1.X.2

Notwithstanding the “Low Profile Residential” land use designation on Schedule NR2-7: Land Use Designations and the Low Profile Residential policies in Section 3.7.2 of the North Roseland Planning Area, a townhome dwelling or multiple dwelling having a maximum building height of 11 m shall be an additional permitted use.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726; Roll No: 070-150-00801 and 070-150-23126, situated on the north side of Ducharme St, east of Sixth Concession Rd, and known municipally as 3930 and 3950 Sixth Concession Road, further identified as Parts 1, 2 and 3 on the draft reference plan attached as Appendix A to Report S 66/2024, by adding the following site specific exception:

**502. NORTHEAST CORNER SIXTH CONCESSION ROAD AND DUCHARME STREET**

For the lands described as Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726, the following additional provisions shall apply:

1) The following are an additional permitted *main use*:

*Multiple Dwelling*

*Townhome Dwelling*

2) The following additional provisions shall apply to an additional permitted *main use*:

a) Notwithstanding the definition of “*front lot line*” in Section 3, for the purpose of the additional provisions below, the *exterior lot line* adjacent to Sixth Concession Road shall be deemed to be the *front lot line*.

- |  |                             |
|--|-----------------------------|
| b) Dwelling units – maximum                                | 24                          |
| c) Lot Width – minimum                                     | 20.0 m                      |
| d) Lot Area – minimum                                      | 135 m <sup>2</sup> per unit |
| e) Lot Coverage – maximum                                  | 45% of <i>lot area</i>      |
| f) Main Building Height – maximum                          | 11.0 m                      |
| g) Front Yard Depth – minimum                              | 4.5 m                       |
| h) Rear Yard Depth – minimum                               | 7.5 m                       |
| i) Side Yard Width – minimum                               | 2.5 m                       |
| j) Gross Floor Area – <i>Total Main Building</i> – maximum | 3,900 m <sup>2</sup>        |

- k) Notwithstanding Section 25.5.10.1, tandem parking spaces are permitted.
- m) Notwithstanding Section 25.5.20.1.5, the minimum parking area separation from a *building* wall in which is located a main pedestrian entrance facing the *parking area* shall be 0.0 m.
- n) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the minimum parking area separation from that portion of the *building* wall shall be 0.0 m.
- p) Sections 5.11.5 and 24.40 shall not apply.

### **Executive Summary:**

N/A

### **Background:**

#### **Application Information**

**Location:** 3930 and 3950 6th Concession Road (north side of Ducharme St, east of 6<sup>th</sup> Concession Rd; Roll No: 070-150-00801, 070-150-23126)

**Ward:** 9      **Planning District:** North Roseland      **Zoning District Map:** 13

**Applicant:** Andi Shallvari, Generation Development Contractors Inc.

**Owner:** Same as Applicant

**Agent:** Mike Davis, Siv-ik Planning and Design Inc.

**Proposal:** Construct a total of 24 dwelling units (16 dwelling units and 8 additional dwelling units (ADUs)) in four townhome dwellings with a maximum height of 12m over three storeys. A total of 40 parking spaces are proposed (16 spaces within 16 garages, 16 spaces in front of the garages and 8 parallel parking spaces). Zero loading spaces and zero visitor parking spaces are indicated. The current front lot line is the lot line adjacent to Ducharme Street. Vehicular access is from Ducharme Street. The project site existing conditions include a residential dwelling, vegetation, a driveway and vehicular access to 6th Concession Road.

The Applicant is seeking an Official Plan Amendment to remove the lands from the North Roseland Secondary Plan Area to permit multiple dwellings. The Applicant is also seeking a Zoning Bylaw Amendment to add site specific exceptions to the existing zoning of Residential District 1.2 (RD1.2) & Residential District 1.4 (RD1.4).

**Submitted Materials:** Attached to Report S 66/2024 as an Appendix:

Appendix A – Plan of Survey

Appendix B – Concept Site Plan

Appendix C – Concept Floor Plan

Appendix D – Planning Rationale Report

Appendix E – Open House Report

Appendix F – Comments

Appendix G – Site Photos

Not attached to this report but available [online](#) or via [email](#):

Application Form Zoning By-law Amendment, Application Form Official Plan Amendment, Plan of Survey, Infill Grade Plan, Natural Site Features Inventory and Preservation Plan, Sanitary Sewer Study, Transportation Impact Assessment

All documents are available online via the Current Development Applications [page](#) or via email at [dradulescu@citywindsor.ca](mailto:dradulescu@citywindsor.ca)

### Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.4 (RD1.4); Residential District 1.2 (RD1.2)	Dwelling	Unknown
LOT WIDTH	LOT DEPTH	LOT AREA	LOT SHAPE
55.2 m	60.8 m	3,335.5 m <sup>2</sup>	Rectangular, Irregular
181.1 ft	199..5 ft	35,903.02 sq. ft	
All measurements are provided by the Applicant and are approximate.			

### Neighbourhood:

Section 2.1 in the Planning Rationale Report (see Appendix D) contains an aerial image of the subject parcels in relation to the surrounding neighbourhood. Residential uses are located to the north, east, south, and west. Commercial and railway uses are located to the north and east. There are several schools nearby including Talbot Trail Public School 525m southeast and First Lutheran Christian Academy 480m northwest. There are several parks nearby including Captain J Wilson Park 400m southeast and Roseland Park 500m northwest. The nearest library is Budimir Public Library 4.2 km northwest.

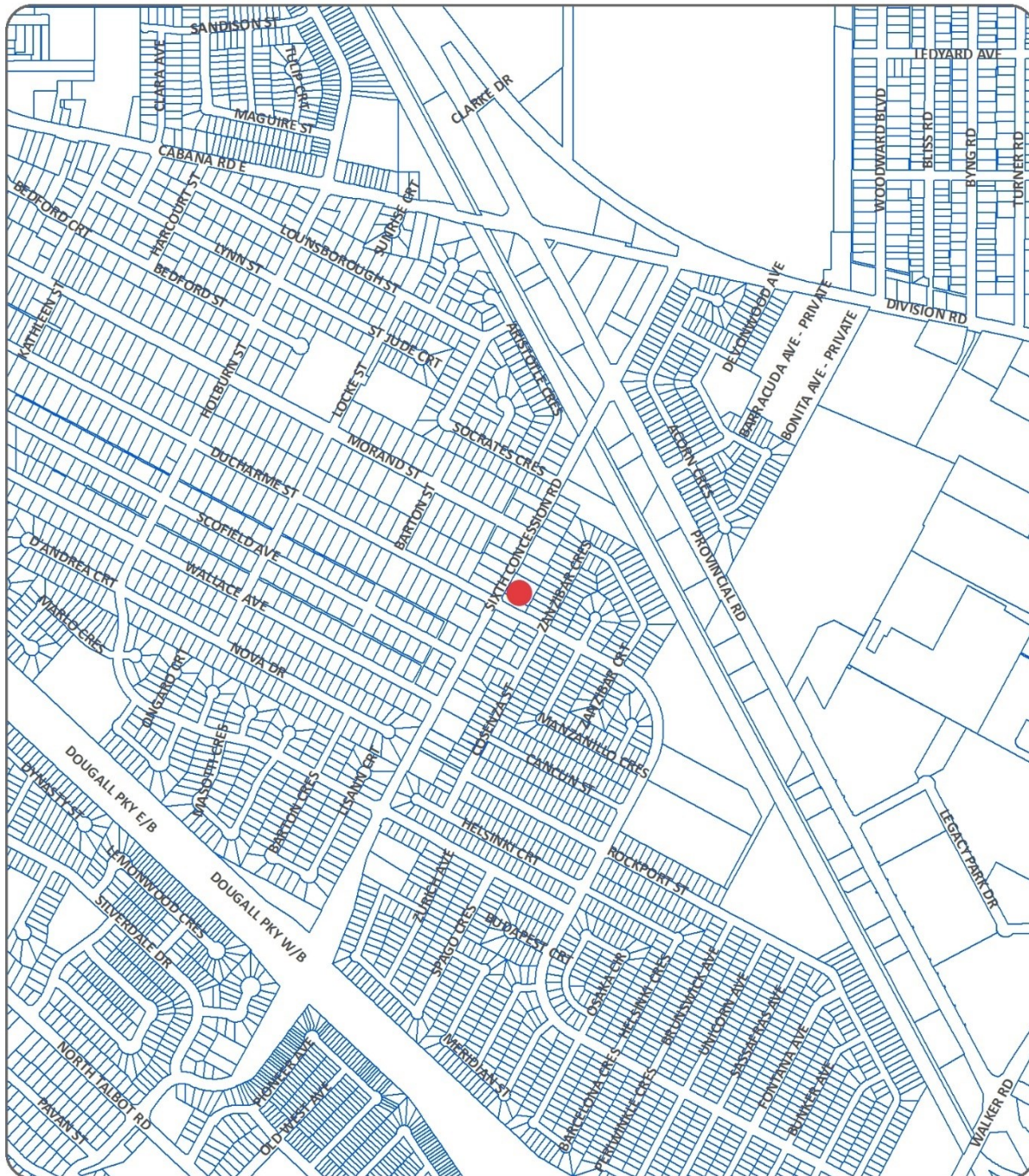
Sixth Concession Road is classified as a Class I Collector as per Schedule F: Roads and Bikeways and a Recreationway as per Schedule B: Greenway System. Ducharme Street is classified as a Class II Collector as per Schedule F: Roads and Bikeways and a Proposed Recreationway per Schedule B: Greenway System. Active transportation is available directly adjacent to the adjacent through existing bike lanes on Sixth Concession Road and Ducharme Street.

Public Transit is currently available on the South Windsor 7 bus route to the north-east of the site. The closest bus stop is located on at the southwest corner of the Provincial Road and Sixth Concession Road intersection approximately 460 m to the northeast. The Transit Master Plan has a new local route (310) that will provide service along Ducharme Street between Sixth Concession Road and Holburn Street. This would provide direct transit access to the subject site with proposed bus stops nearby.

Sanitary and storm sewers are available to service the subject lands.



### Figure 1: Key Map



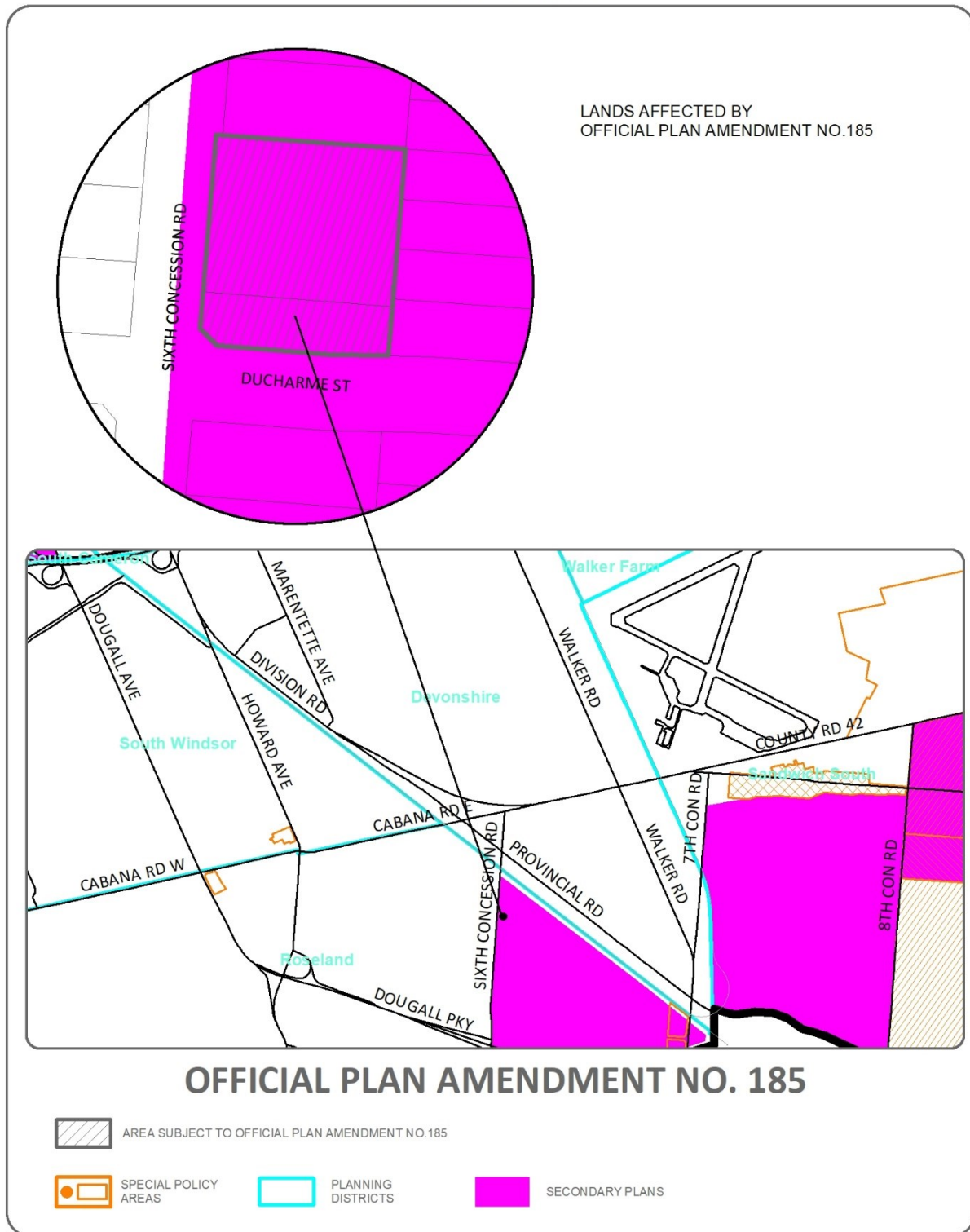
KEY MAP - Z 008-24, ZNG-7184 & OPA 185, OPA-7185



● SUBJECT LANDS

Figure 2: Subject Parcel – Official Plan Amendment

## SCHEDULE A





**Figure 3: Subject Parcel - Rezoning**



PART OF ZONING DISTRICT MAP 13

N.T.S.

## REZONING

Applicant: Generation Development Contractors



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : MARCH, 2024  
FILE NO. : Z-008/24, ZNG/7184



Figure 4: Neighborhood Map



NEIGHBOURHOOD MAP - Z-008/24, ZNG-7184,  
OPA 185, OPA-7185



SUBJECT LANDS

## **Discussion:**

### **Planning Rationale Report (Siv-ik Planning & Design – February 24, 2024)**

The Planning Rationale Report (PRR), attached as Appendix D to Report S 66/2024, states that the site is ideally suited for residential development as there is sufficient land to accommodate the development and the site can accommodate municipal water, storm and sanitary infrastructure. The PRR outlines that the built form has been conceived to be sensitive to neighbouring uses and buildings, to respond to the unique context of the site and has considered the Provincial Policy Statement, Windsor Official Plan and Zoning Bylaw 8600. The PRR concludes that the proposed development is compatible with the existing area and represents “*a substantial opportunity for infill development*.” The Planning Department generally concurs with the PRR.

### **Transportation Impact Assessment (RC Spencer Associates Inc - October 2023)**

The Transportation Impact Assessment concluded that the existing surrounding intersections are expected to operate well when factoring in the proposed development. In addition, the City will be undertaking intersection improvements as part of already planned reconstruction projects and the completed Sixth Concession-North Talbot Environmental Assessment. There is sufficient sight distance for safe egress from the proposed Ducharme Street access to the development. The report concludes that “*based on the results of the technical work, it is the engineers’ opinion that the proposed development will not adversely impact area traffic operations. Geometric/ traffic control improvements are not required to accommodate the subject development proposal.*”

### **Sanitary Sewer Study (Haddad Morgan & Associates Ltd – November 3, 2023)**

The Sanitary Sewer Study concludes that “*the existing 250 mm diameter Sixth Concession Road sanitary sewer has sufficient capacity to accommodate the sanitary servicing of the proposed residential development at 3930/3950 Sixth Concession Road.*”

### **Provincial Policy Statement (PPS) 2020:**

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

Policy 1.1.1 of the PPS states:

*“Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

*e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;”*

The proposed development of up to 24 dwelling units represents an efficient development and land use pattern that will have no adverse impact on the financial well-being of the City of Windsor, land consumption and servicing costs, accommodates an appropriate range of residential uses, and optimizes investments in transit and infrastructure. The requested zoning and official plan amendments are consistent with Policy 1.1.1.

Policy 1.1.3.1 states *“Settlement areas shall be the focus of growth and development”* and Policy 1.1.3.2 of the PPS states:

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

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;”*

The lot is located within a settlement area. The zoning amendment promotes a land use – a multiple dwelling with 24 dwelling units - that makes efficient use of land and existing infrastructure. Active transportation options and transit services are located near the parcel and include planned improvements. The zoning amendment is consistent with Policies 1.1.3.1 and 1.1.3.2.

The agent indicates that the objectives of the PPS have been considered and have informed their professional planning opinion and concept design for the project site. The Planning Department generally concurs with this and is of the opinion that the proposed amendments to the Official Plan and Zoning Bylaw 8600 are consistent with the PPS.

#### **Official Plan:**

The subject property is located within the Roseland Planning District in Schedule A – Planning Districts & Policy Areas of Volume I of the Official Plan.

The subject property is designated Low Profile Residential in the North Roseland Secondary Plan (hereafter referred to as “the Plan”). This designation provides for single detached, semi-detached and on-street townhouse developments and only permits on-street townhouses along local roads (section 3.7.2). The Plan objectives indicate that low profile residential lot frontage should be avoided along collector roads, which includes Sixth Concession Rd and Ducharme St (section 3.6.3). The road network policies indicate that only limited access to the Sixth Concession will be permitted with the exception of infill single detached homes (section 3.7.7.4). As the following sections outline, the proposed Amendment adheres to the goals of the PPS and Volume I of the Windsor Official Plan.



The Plan was approved by Council in 1998 to provide direction for the development of 108 ha of undeveloped vacant land west of Sixth Concession Road. At that time, there were no supporting facilities available within the Plan area (i.e. schools, library, parks, police precinct, fire station, public or active transportation, etc.). The Plan was prepared in accordance with the former City of Windsor Official Plan (1972, as amended). Most of the lands in the area are built-out and services are available. The Planning Department generally concurs with the North Roseland Secondary Plan analysis in sections 3.2, 3.3 and 6.1 of the Planning Rationale Report submitted by the Applicant.

Since the adoption of the Plan, the PPS has been revised several times and now encourages a range of residential dwelling types, residential intensification and redevelopment, and compact form (see PPS analysis above).

The Windsor Official Plan has also been revised to reflect the PPS changes and encourages residential intensification. Objective 6.3.1.1 of the Official Plan supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote selective residential redevelopment, infill and intensification initiatives. The proposed low profile residential multiple dwelling with 24 units represents a complementary and compact form of housing, redevelopment, and intensification that is located near active and public transportation. The proposed amendment to the Official Plan satisfies the objectives set out in Section 6.3.1 of the Official Plan.

The proposed development is composed of multiple dwellings classified as a Low-Profile housing development under Section 6.3.2.3 (a) and is compatible and complementary with the surrounding land uses (Section 6.3.2.5 (c)). Through the proposal of low profile residential dwelling units, the development is of a scale that is compatible with profile and uses of the surrounding neighbourhood. No deficiencies in municipal physical and emergency services have been identified (Section 6.3.2.5 (e)). The proposed Official Plan amendment conforms to the policies in Sections 6.3.2 of the Official Plan.

The recommended Official Plan Amendments adds a special policy to the subject lands that notwithstanding the “Low Profile Residential” land use designation and the Low Profile Residential policies in Section 3.7.2 of the North Roseland Planning Area, a townhome dwelling or multiple dwelling having a maximum building height of 11 m shall be an additional permitted use. This is consistent with the direction of the PPS and conforms to the residential intensification goals in the Official Plan.

The proposed amendment to Zoning By-law 8600 will conform to the general policy direction of the Official Plan when Official Plan Amendment 185 is adopted. The Planning and Development Services generally concurs with the Official Plan analysis in section 6.1 of the PRR submitted by the Applicant.

### **City of Windsor Intensification Guidelines:**

The City of Windsor intensification Guidelines provide further direction for infill and intensification within existing neighbourhood patterns. The intent is to guide new development to become distinctive, while relating harmoniously to the use, scale, architecture, streetscapes, and neighbourhoods of Windsor, as well as meeting the needs of its citizens and visitors.



The subject parcels are located within an established neighbourhood area but not within a defined Mature Neighbourhood or a Mixed-Use Corridor as per the Official Plan. Due to this, the Applicant has included an analysis of the Intensification Guidelines for Mature Neighbourhoods in the PRR.

The general guidelines for all development within the Intensification Guidelines state that low profile development includes single-detached, semidetached, duplex, townhouses, and apartments that are generally no greater than three (3) storeys in height and should be compatible and sensitively integrated with residential buildings in the surrounding neighbourhood.

For a townhouse development, the guidelines state that building mass should be compatible with buildings in the immediate vicinity of the development, that a development should maintain traditional range of building heights (i.e. not more than three storeys), and that the main entrance to a building should face the street.

The Planning Department and Development Division reviewed the Windsor Intensification Guidelines and is of the opinion that the proposed rezoning and Official Plan amendments are consistent with the general directives of the Guidelines.

### **Zoning By-Law:**

The parcel is zoned Residential District 1.4 (RD1.4) and Residential District 1.2 (RD1.2) which permits one single unit dwelling, semi-detached dwellings and duplexes. The Applicant is requesting to amend the zoning of the two parcels from RD1.4 and RD1.2 to Residential District 2.5 (RD2.5) with site-specific provisions to allow for multiple dwellings and associated design.

The Applicant's request for a change in zoning to RD 2.5 with site-specific provisions is supported in principle. However, a better approach is to maintain the existing RD1.4 and RD1.2 zones and add a site-specific exception that allows the development to proceed as proposed. Below is a discussion of relevant additional provisions.

Dwelling units: Site-specific provision 2b) recommends a maximum number of dwelling units of 24 for this proposed development. The Applicant is proposing 24 dwelling units [16 units with 8 additional units (ADUs)]. Section 5.99.80.1.1.b) of the Additional Dwelling Unit 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."

Section 35.1: *Restriction for residential units* of the *Planning Act* requires a zoning by-law to allow a minimum 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. The Applicant is proposing 8 ADUs in total, which is not permitted under section 5.9.9.80.1 b) of the Zoning By-law as ADUs are only permitted within townhome dwellings that are located on their own parcel of land or can be subdivided. The proposed site-specific provision would provide the development with the desired density in a multiple dwelling or mix of townhome and multiple dwellings.

Parking: A total of 30 parking spaces are required and 40 spaces are shown on the Concept Plan (see Appendix B). There are two parking spaces provided for each of the 16 dwelling units, accessible through a combination of garages and driveways/parking spaces. There are eight additional parallel parking spaces provided along the East

property line. Site specific provision 2 k) permits tandem parking on this proposed development to facilitate the functionality of a garage and front yard parking. Site specific provision 2 m) permits the design of parking in front of a garage in each of the 16 multiple dwelling units. Site-specific provision 2 n) addresses a gap in the application of minimum parking separations with respect to habitable windows within section 25.5.20.1 in Zoning Bylaw 8600.

Loading zone: Site-specific provision 2 p) provides relief from loading zone requirements in sections 5.11.5 and 24.40 of Zoning Bylaw 8600. The conceptual site plan identifies excess parking spaces and land beyond what is required that can accommodate loading spaces.

The proposed development complies with all other applicable zoning provisions.

### **Site Plan Control:**

The development as proposed is subject to Site Plan Control. Comments from municipal departments and external agencies will be considered during the Site Plan Control process.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

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

In general, residential intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers, sidewalks, and public transit.

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

The proposed construction of low profile residential multiple dwellings provides an opportunity to increase resiliency for the development and surrounding area through supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options.

### **Financial Matters:**

N/A

### **Consultations:**

Two Open Houses were held virtually on October 25 and December 13, 2023. Notifications were distributed through postcards to residents within 120m of the subject site which directed to a project website with additional information. In total, 15 members of the public attended the Open Houses. Feedback received through the Open Houses and project website is summarized in the Open House Report (Appendix E).

Comments received from municipal departments and external agencies are attached as Appendix F. Statutory notice as required by the Planning Act was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and tenants within at least 120m of the subject lands. Submitted documents were posted on the City of Windsor [website](#).

### **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. Based on the supporting documents submitted by the Applicant and the analysis in this report, it is our opinion that the requested amendments to the Official Plan and Zoning By-law are consistent with the PPS 2020 and the requested Zoning By-law Amendment is in conformity with the City of Windsor Official Plan, as recommended for amendment.

The proposed amendment permits a use, low profile residential multiple dwellings containing up to 24 units, which is compatible with existing uses in the surrounding neighbourhood. The proposed development represents an incremental increase in density and provides an opportunity for the construction of modern and safe housing stock, while also supporting a complementary form of housing located near various transportation options. The proposed design has considered the Windsor Intensification Guidelines and design transitions to the surrounding neighbourhood.

Site plan control is an appropriate tool to incorporate the requirements and comments of departments and agencies. The recommendations to amend the Official Plan and Zoning By-law 8600 constitute good planning. Staff recommend approval.

### **Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*

*Thom Hunt, MCIP, RPP*

*Deputy City Planner - Development*

*City Planner*

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

JP

JM

### **Approvals:**

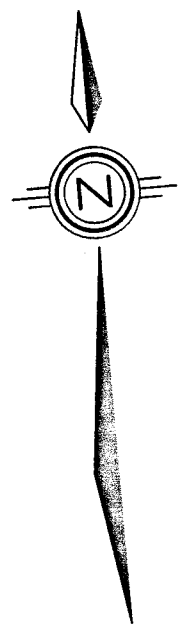
<b>Name</b>	<b>Title</b>
Greg Atkinson	Deputy City Planner - Development
Thom Hunt	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

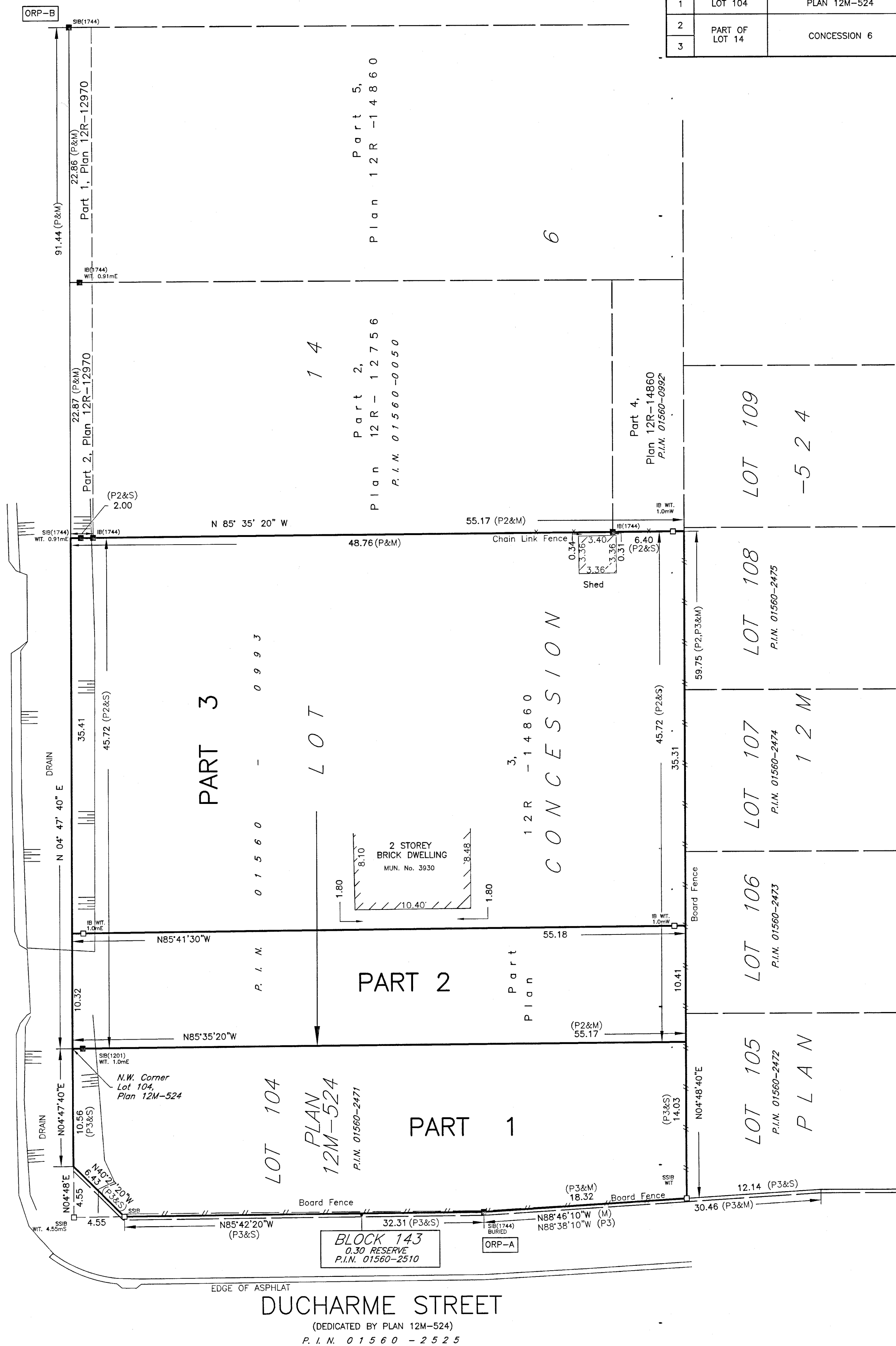
<b>Name</b>	<b>Address</b>	<b>Email</b>
Generation Development Contractors Inc.  Attn: Andi Shallvari	1780 N Talbot Rd  Windsor, ON N9A 6J3	andi.shallvari@gmail.com
Siv-ik Planning and Design Inc.  Attn: Michael Davis	201A-258 Richmond Street  London, ON N6B 2H7	mdavis@siv-ik.ca
Kieran McKenzie (Ward 9)		
Property owners and tenants within 120 m of the subject lands		

**Appendices:**

- 1 Appendix A - Plan of Survey
- 2 Appendix B - Concept Site Plan
- 3 Appendix C - Concept Floor Plan
- 4 Appendix D - Planning Rationale Report
- 5 Appendix E - Open House Report
- 6 Appendix F - Comments
- 7 Appendix G - Site Photos



SIXTH CONCESSION ROAD  
(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 5 & 6)  
P.I.N. 01560-0785



## PARTS SCHEDULE

PART	LOT	CON/PLAN	P.I.N.	AREA(Sq.m.)
1	LOT 104	PLAN 12M-524	ALL OF 01560-2471	812.3
2	PART OF LOT 14	CONCESSION 6	ALL OF 01560-0993	572.1
3				1,951.1

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE AUGUST 23, 2021

ANDREW S. MANTHA  
ONTARIO LAND SURVEYOR

PLAN 12R-28726  
RECEIVED AND DEPOSITED

DATE 2021-08-24

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (12)

## PLAN OF SURVEY

OF  
LOT 104, PLAN 12M-524  
AND  
PART OF LOT 14,  
CONCESSION 6  
GEOGRAPHIC TOWNSHIP OF SANDWICH SOUTH  
NOW IN THE  
CITY OF WINDSOR  
COUNTY OF ESSEX, ONTARIO  
VERHAEGEN LAND SURVEYORS - A DIVISION OF J.D. BARNES LTD.

SCALE = 1:250



## 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 0.99990360

THERE IS A 1°18'10" CLOCKWISE ROTATION APPLIED TO PLAN 12M-524 TO ALLOW COMPARISON TO ASTRONOMIC BEARINGS.

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

SIB DENOTES 25mm X 25mm X 1.22m STANDARD IRON BAR  
SSIB DENOTES 25mm X 25mm X 0.61m SHORT STANDARD IRON BAR  
IB DENOTES 16mm X 16mm X 0.61m IRON BAR  
IB # DENOTES 19mm diameter X 0.61m ROUND IRON BAR  
CC DENOTES CUT-CROSS  
CP DENOTES 5mm X 50mm STEEL PIN  
■ DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT SET AND MARKED 1744  
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(1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.  
(1201) DENOTES CLARKE SURVEYORS INC., O.L.S.

## 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	N4679927.70	E336785.05
ORP-B	N4680036.66	E336757.16
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

THE RESULTANT TIE BETWEEN ORP 'A' AND ORP 'B' IS 112.48m (GROUND), N14°21'30"W.

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

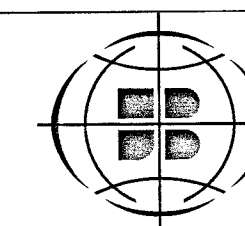
## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- 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.
- THIS SURVEY WAS COMPLETED ON THE 25th DAY OF MAY, 2021.

DATE JUNE 17, 2021

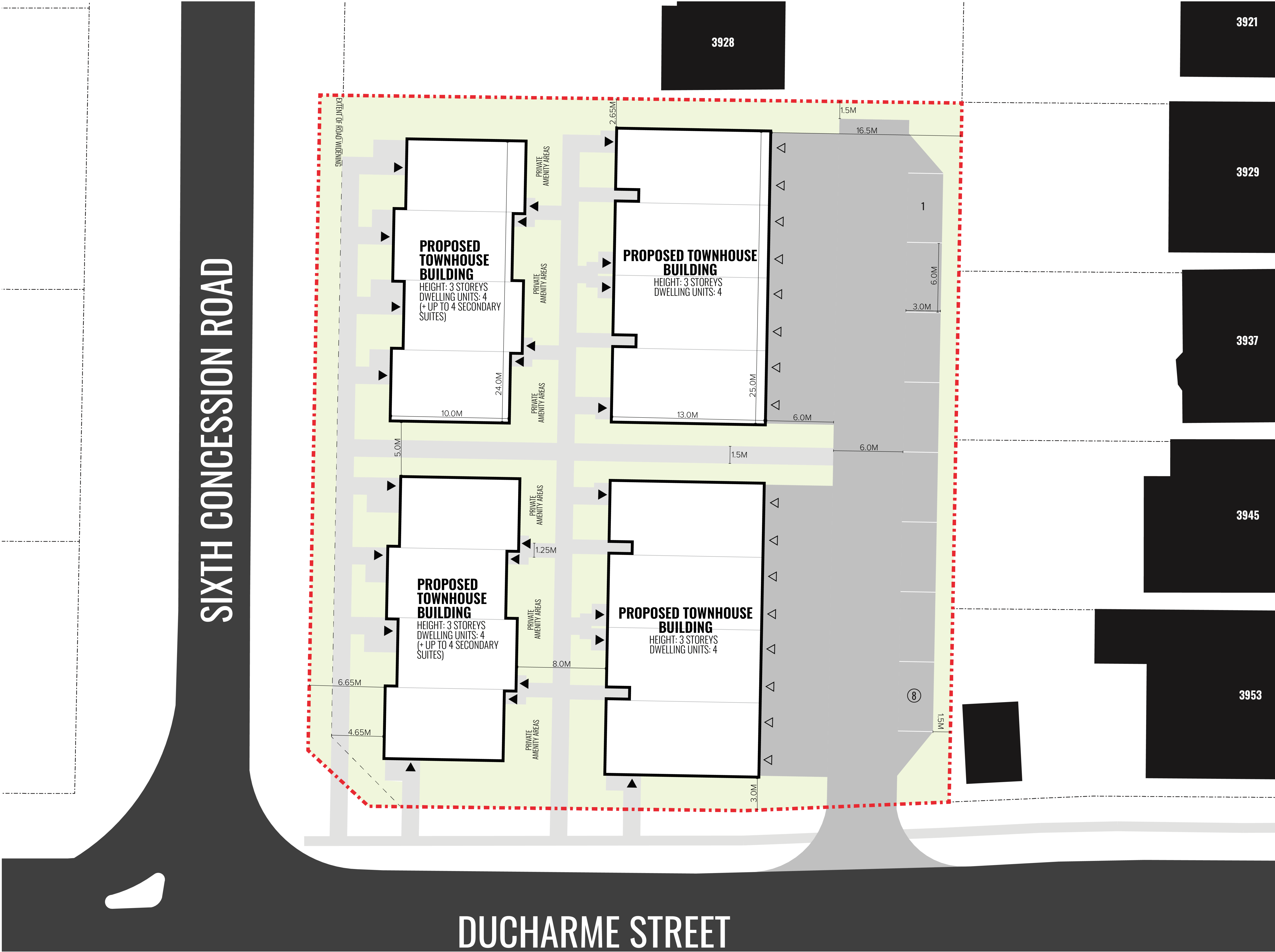
ANDREW S. MANTHA  
ONTARIO LAND SURVEYOR



VERHAEGEN  
LAND SURVEYORS  
A DIVISION OF J.D. BARNES LTD.

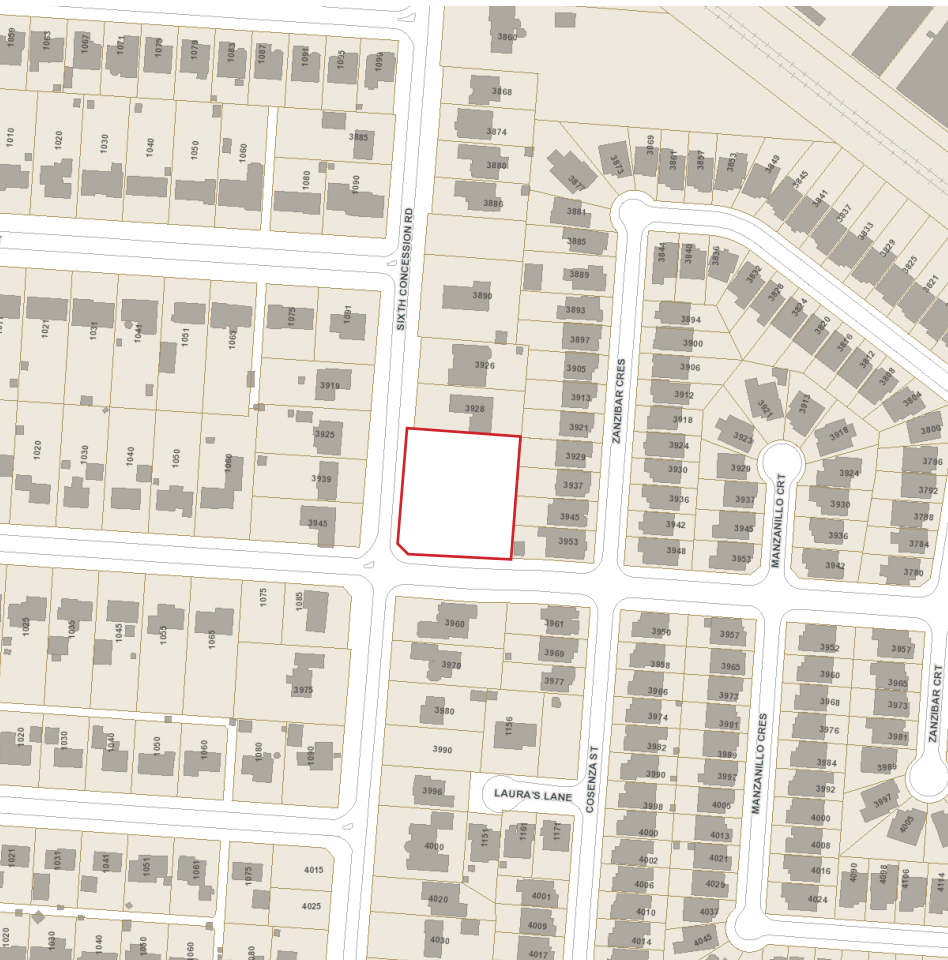
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1  
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: A.J.M.	CHECKED BY: A.S.M.	REFERENCE NO.: 21-47-212-00
FILE: 21-47-212-01.dwg	E-WIND-6-1	CAD Date: August 23, 2021 12:33 PM CAD File: 21-47-212-01.dwg



CONCEPT PLAN

PROJECT SITE  
3930 Sixth Concession Road

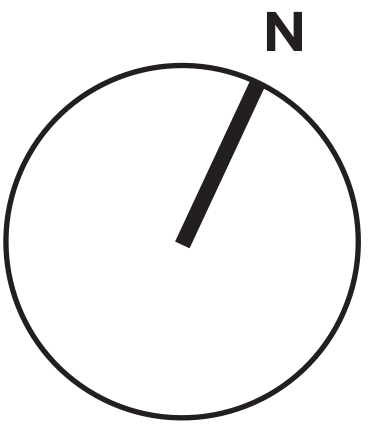


SITE DATA



Regulations	Required	Proposed
Permitted Uses:	Section 11.5.2	Townhome Dwellings Additional Dwelling Units
Lot Area:	3,040m² (190m² per unit)	3,335.5m²
Lot Width	20.0m (min) 6.0m (min.)	60.8m
Front Yard:	7.0m (max.)	4.65m* 2.65m (North) 3.0m (South)
Side Yard:	2.5m (min.)	
Rear Yard:	7.5m (min)	16.5m
Lot Coverage:	50% (max.)	32%
Height:	14.0m (max.)	3-Storeys
Parking:	Townhouse with attached garage: 1/unit	
	Townhouse without attached garage: 1.25/unit	
	Additional Dwelling Unit: 1/ unit	
	Visitor: 15% of stalls provided	
	Total required: 24	40 provided
* Requires Special Provision		

Client:	Masotti Construction Inc.
Date:	[11.22.23]
Drawn By:	D. Murphy
Plan Scale:	nts
File No:	3930SC
Version	1.0



Contact Us  
www.siv-ik.ca  
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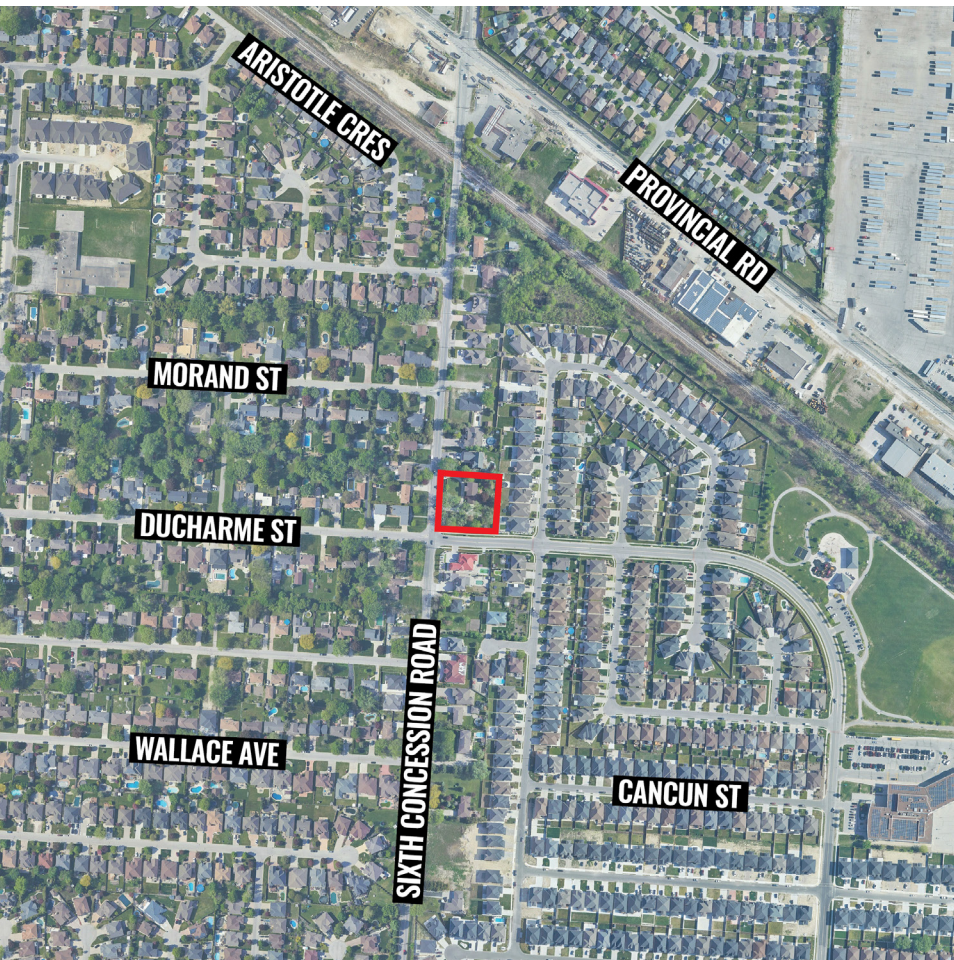


GROUND FLOOR PLAN

CONCEPTUAL FLOOR PLANS

PROJECT SITE  
3930 & 3950 Sixth Concession Road

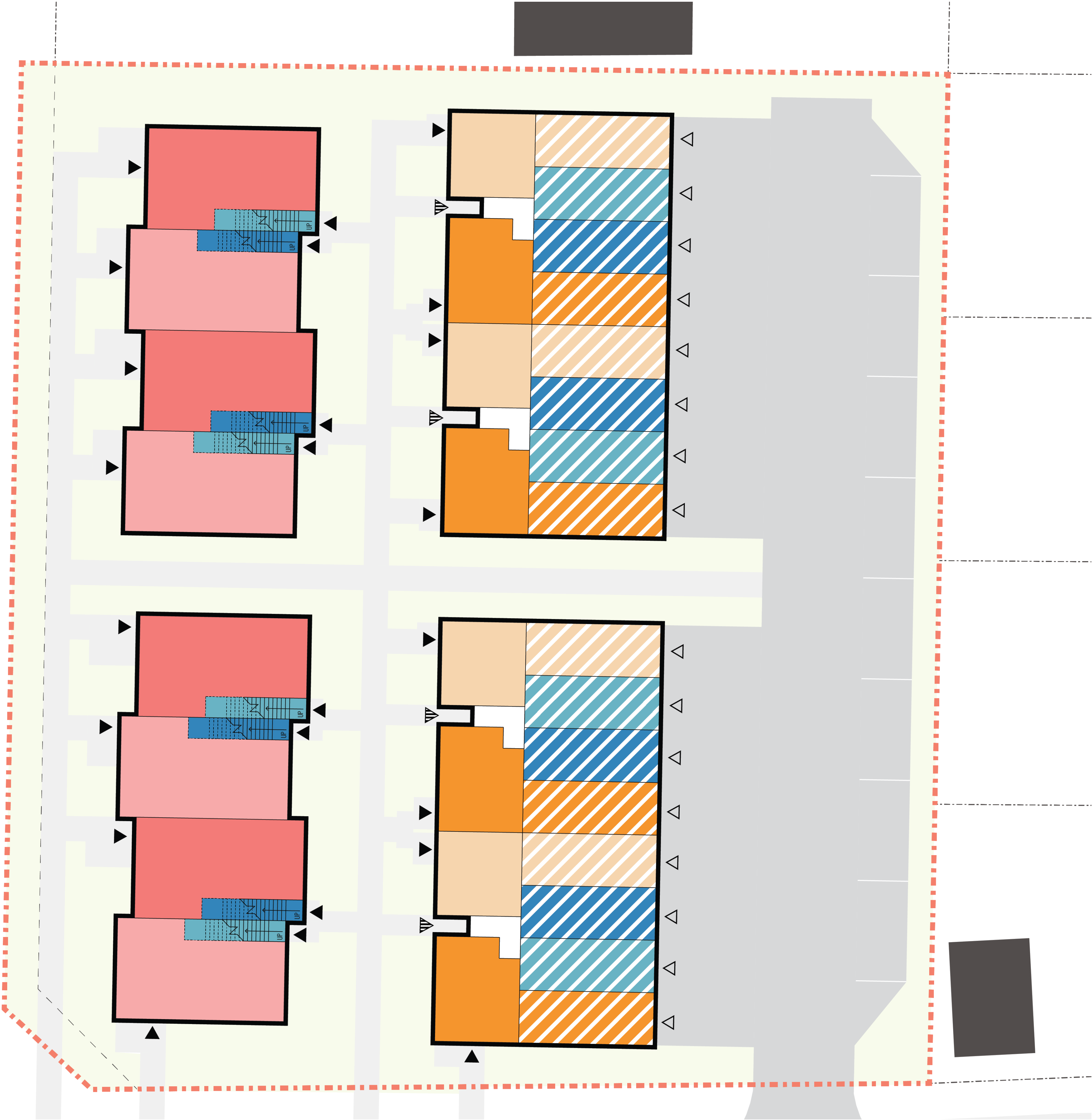
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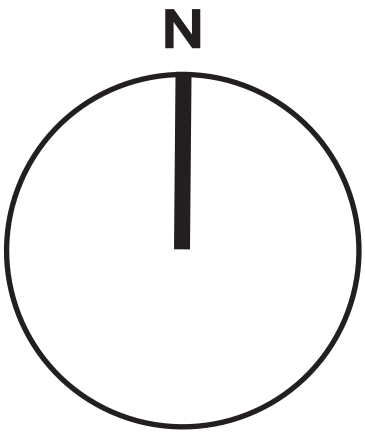
LEGEND

- Additional Dwelling Units
- Two - Storey Townhouse Units
- Three - Storey Townhouse Units
- Garage
- Individual Unit Entrance
- Garage Entrance
- Common Hallway Entrance

SIXTH CONCESSION ROAD



Client:	Masotti Construction Inc.
Date:	[12.06.23]
Drawn By:	L. Sooley
Plan Scale:	nts
File No:	3930SC
Version	1.0



[siv-ik]

PLANNING  
/ DESIGN

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PLANNING & DESIGN **BRIEF**

# 3930 & 3950 6TH CONCESSION ROAD

WINDSOR / ON

**[siv-ik]** PLANNING  
DESIGN

**Client**

Masotti Construction Inc.

**Contact**

Michael Davis, MCIP, RPP  
mdavis@siv-ik.ca | 905.921.9029 | siv-ik.ca

PREPARED BY

Siv-ik Planning and Design Inc.

PREPARED FOR

Masotti Construction Inc.

VERSION 2.0

ISSUED

02.29.2024

CONTACT

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CONTENTS

S1: Introduction	01
S2: Context	05
S3: Planning Framework	07
S4: Site Analysis	13
S5: Design Principles	15
S6: The Proposal	17
S7: Technical Analysis	33
S8: Engagement	37
S9: Interpretation	39

ABOUT THIS REPORT

This report has been prepared by Siv-ik Planning and Design Inc. for Masotti Construction Inc. as part of our **CREATE** process. The report provides an overview of the physical context, planning framework and technical requirements that are the genesis of the project design. The graphics and supporting text are intended to highlight links between those factors the specific planning and design response proposed for the site. The report describes the relevant details of the proposed Official Plan and Zoning By-law Amendment for 3930 & 3950 6th Concession Road d and the unique planning process that is being undertaken by the project team.

S1 INTRODUCTION

S1.1 Project Consulting Team



[siv-ik]


PLANNING  
DESIGN

Siv-ik Planning and Design Inc. is an urban planning and design studio based in London and Hamilton, ON and serving clients across southern Ontario. We’re a team of planners and designers who help those around us unpack the complexities of urban development and use graphic design as fuel for these conversations, communicating complex ideas visually.



RC SPENCER ASSOCIATES INC.  
Consulting Engineers

RC Spencer Associates Inc. is committed to technical excellence in civil engineering design, project management and inspection services, and to providing a full range of professional engineering services related to municipal roads, traffic and transportation engineering, bridges, land development, environmental assessment, sewerage and municipal drainage, water works, and parks development.



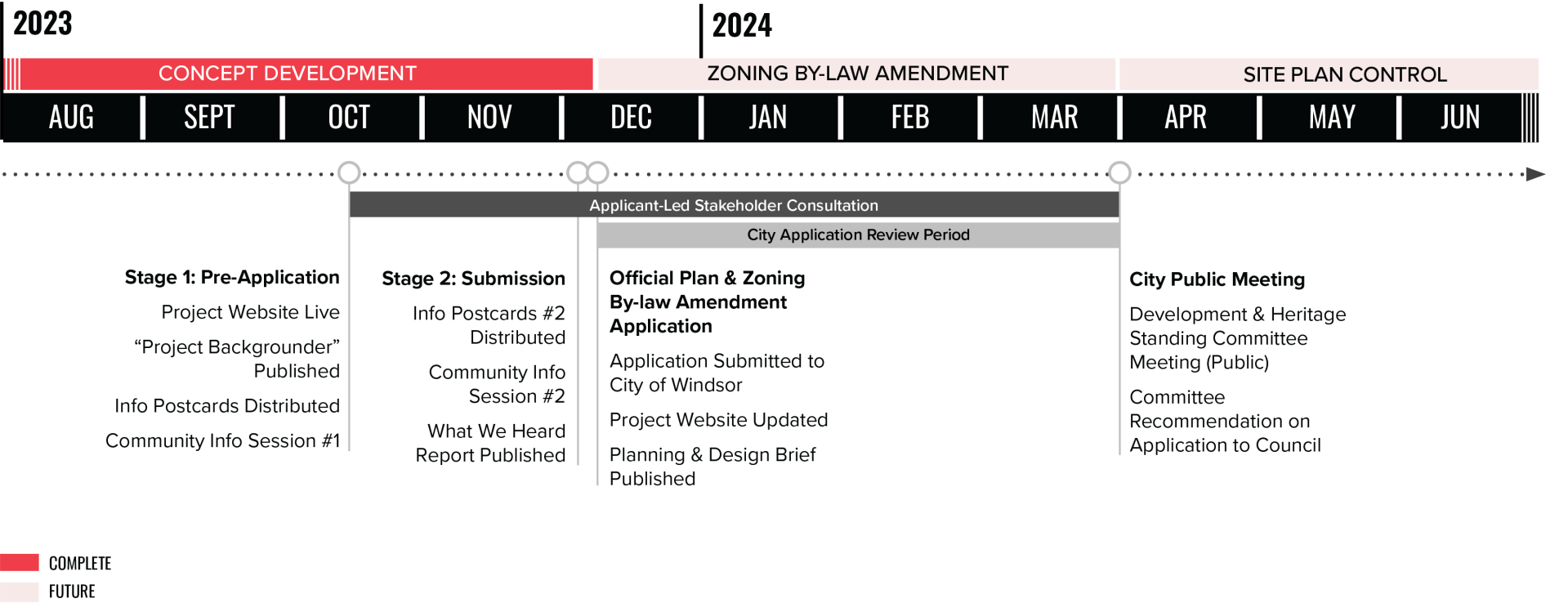
HADDAD MORGAN  
& ASSOCIATES LTD  
CONSULTING ENGINEERS

Founded in 1986 by Haddad Morgan and Associates Ltd has been proudly providing civil and structural consulting engineering services for 26 years. During its rich history our office has efficiently and professionally undertaken thousands of projects. These projects are for a vast spectrum of clientele including government agencies, institutional, commercial, residential, and industrial groups.

S1.2 About the Project

Masotti Construction Inc. is the registered owner of the properties known as 3930 & 3950 6th Concession Road in Windsor, ON. With the support of Siv-ik Planning & Design Inc. and the project team, they are planning a redevelopment of the site for a new low-rise, ground-oriented housing project which includes four new 3-storey buildings containing 16 townhouse dwelling units. Up to eight (8) of the proposed townhouses may include an accessory dwelling unit on the main floor. The project team understands that change in neighbourhoods warrants conversation. This report provides an opportunity for those who are interested to learn about the genesis of the development proposal, understand the various factors that shape development on this site, and specifically understand how that web of factors has informed the development proposal for 3930 & 3950 6th Concession Road. The report also provides an overview of our unique approach to navigating this project from concept to reality.

/ Project Timeline



NOTE: Projected “future” timelines subject to change.



S1.3 Site Description

The project site is comprised of two legal parcels, municipally referred to as 3930 & 3950 Sixth Concession Road in the City of Windsor. The site is located on the east side of Sixth Concession Road at the intersection of Ducharme Street. The project site is located in the North Roseland Planning District which encompasses the area generally bound by Cabana Road to the north, the CN rail line to the east, and Provincial Highway 401 to the south and west. The site currently contains an existing 2-storey single detached dwelling but is of a suitable size and shape to accommodate a new urban infill development.

The North Roseland area is predominantly a residential neighbourhood area. Within a 600m radius (i.e. 5 min walk) of the site there is a Public Elementary School, a Neighbourhood Park and recreational trail network. Transit services are also within a short distance with existing routes at Provincial Road, approximately 400m north of the site. Commercial services and employment opportunities are also within close proximity (800m-1km) of the site, providing an opportunity for residents of the area to access their day-to-day needs conveniently.

At-A-Glance

SITE AREA	FRONTAGE	DEPTH	EXISTING USE
0.33 Hectares	60.8 Metres	55.2 Metres	Residential Single Detached Dwelling



Figure 1: The Project Site



S2 CONTEXT

S2.1 Spatial Analysis

**Figure 2** shows the physical and spatial characteristics of the lands immediately surrounding the project site. The lands immediately surrounding the project site (within 150m) are predominantly developed with single-detached residential dwellings. Properties to the north and south of the project site, fronting onto Sixth Concession Road, are generally older larger residential lots, with a typical frontage of 24 metres (80ft.) and typical lot depths of over 50 metres. The period of construction for parcels on 6th Concession Road varies, ranging from the 1950’s to as recently as the 2010’s. The lands to the east of the project site are developed with 1-2 storey residential dwellings on more contemporary/smaller lots. These homes have been developed through more recent draft plan of subdivision approvals (mid 2010’s) and given their age their is little forecast for redevelopment, even over the medium to long-term. In contrast, the size and shape of parcels along Sixth Concession Road, however, presents a substantial opportunity for infill development. This is an important planning/design consideration as the capacity for infill development along Sixth Concession Road means that the existing context could evolve significantly over the next planning horizon.

Spatial Context At-A-Glance

NORTH		SOUTH	
Existing	Planned	Existing	Planned
Single Detached Dwelling	Low Profile Housing	Single Detached Dwelling	Low Profile Housing
EAST		WEST	
Existing	Planned	Existing	Planned
Single Detached Dwelling	Unlikely to Change	Single Detached Dwelling	Low Profile Housing

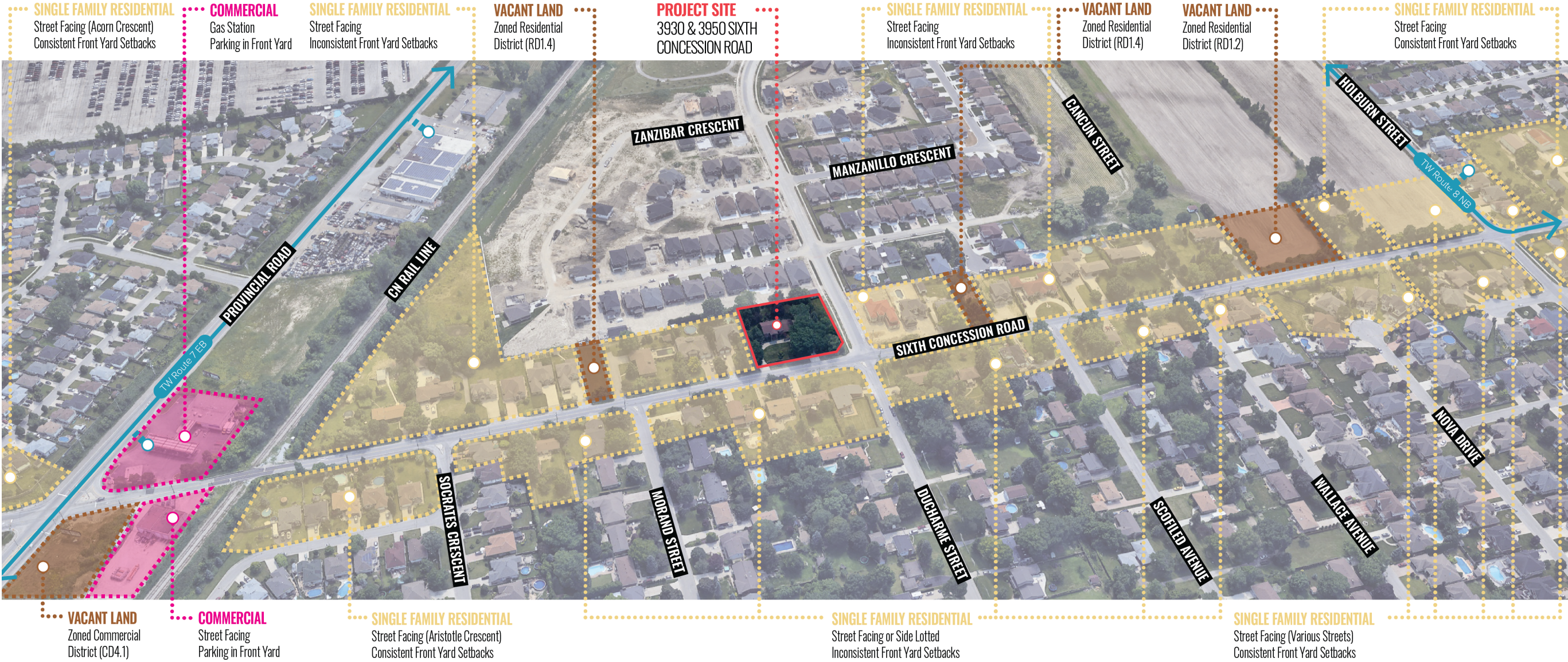


Figure 2: Neighbourhood Spatial Context (400m)



# S3 PLANNING FRAMEWORK

## S3.1 Provincial Planning Policy

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS 2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

The primary mechanism for the implementation of the Provincial plans and policies is through the City of Windsor Official Plan. Through the preparation, adoption and provincial approval of the City of Windsor Official Plan, the City of Windsor has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are largely addressed in the Official Plan discussion in this report.

The PPS includes policy guidance on housing and residential intensification in settlement areas which are matters of provincial interest. It sets out four main objectives:

- 1. To encourage the development of a range of housing types and tenures that meet the diverse needs of Ontario's population.
- 2. To encourage the development of housing in a way that is efficient, compact, and environmentally sustainable.
- 3. To encourage the development of housing that is accessible and affordable for all Ontarians.
- 4. To encourage the development of housing in a way that supports healthy and livable communities.

These objectives are intended to guide land use decision-making and development in Ontario, with a focus on creating more diverse, sustainable, and accessible housing options for the benefit of all Ontarians. These key objectives have been considered and have informed our professional planning opinion and concept design for the project site.



Figure 3: Windsor City Structure

## S3.2 City Policy Overview

### / Official Plan (Schedule D - Land Use)

The project site is within the “Residential” designation as per Schedule D - Land Use Plan - of the City of Windsor Official Plan. Lands designated as “Residential” are intended to provide the main locations for housing in Windsor. In order to develop safe and diverse neighbourhoods, residential lands provide opportunities for a broad range of housing types including low and medium profile forms of housing. Infill and intensification of existing neighbourhoods is generally supported based on a range of design criteria.



### / Official Plan (Schedule E - Roads & Bikeways)

The project site is bounded by a Class I Collector Road (6th Conc Rd) to the west and a Class II Collector Road to the South (Ducharme Street), as illustrated on the Schedule E - Roads and Bikeways of the City of Windsor Official Plan. Class I & II Collector Roads are intended to carry moderate volumes of traffic and shall have a minimum right-of-way width of 28 and 26 metres respectively. Direct property access is generally permitted with some limited controls.



### / North Roseland Secondary Plan

The North Roseland Secondary Plan was prepared in 1998 to provide direction for the development of 108 hectares of undeveloped vacant land west of Sixth Concession Road. This secondary plan was prepared in accordance with the former City of Windsor Official Plan (1972, as amended). The majority of the lands in the planning area have now been built-out. The secondary plan was not designed with the purpose of enabling contemporary forms of low profile infill development and, in our opinion, does not accurately reflect the City's current infill policy for residential lands.



S3.3 Residential Designation Policies (Section 6.3)

The lands designated as “Residential” on Schedule D provide the main locations for housing in Windsor. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided for in residential neighbourhoods. In accordance with the overarching intent for residential lands, the City of Windsor Official Plan establishes key objectives for lands in the residential designation including: supporting a complementary range of housing forms and tenures in all neighbourhoods; promoting compact neighbourhoods which encourage a balanced transportation system; and, promoting selective residential redevelopment, infill and intensification initiatives.

Uses permitted in the Residential land use designation include Low 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. For the purposes of this Plan, these housing categories are further classified in the table below along with an evaluation of their appropriateness for implementation on the project site. For residential redevelopment in established neighbourhoods Section 6.3.2.5 of the Official Plan requires that a proposed residential development is: compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas; provided with adequate off street parking; capable of being provided with full municipal physical services and emergency services; and, facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate.

Characteristics for Residential Land Use Categories: 3930 & 3950 Sixth Concession Road

LOW PROFILE DWELLING UNITS	MEDIUM PROFILE DWELLING UNITS	HIGH PROFILE DWELLING UNITS
<div><div><input checked="" type="checkbox"/></div><div>Low Profile buildings are generally no greater than three (3) storeys.</div></div> <div><div><input checked="" type="checkbox"/></div><div>Single detached, semi-detached, duplex and rowhouses (i.e., townhouses) and multiplexes (under 8 units)</div></div> <div><div><input checked="" type="checkbox"/></div><div>Locate less dense and lower scale residential buildings in locations adjacent to existing low density neighbourhoods.</div></div>	<div><div><input type="checkbox"/></div><div>A Medium Profile building is any building generally no greater than six (6) storeys in height.</div></div> <div><div><input type="checkbox"/></div><div>A Medium Profile building can be a landmark, a prominent destination, or a focal point of a community that provides a transition between stable neighbourhoods and High Profile buildings.</div></div> <div><div><input type="checkbox"/></div><div>Separate Medium and High Profile building from low profile buildings with a Local Road</div></div>	<div><div><input type="checkbox"/></div><div>A High Profile building is a multi-storey structure generally no more than fourteen (14) storeys in height.</div></div> <div><div><input type="checkbox"/></div><div>Separate Medium and High Profile buildings from low profile buildings with a Local Road.</div></div>
BEST FIT		

Give the location and physical attributes of the project site, we suggest that the applicable policies of the City of Windsor Official Plan would support the development of Low Profile Residential Uses uses on the project site. An Official Plan Amendment is being pursued given the existing designation of the lands in the North Roseland Secondary Plan which was applied to the land historically but does not reflect the contemporary intensification policies of the parent Official Plan.

/ Locational Criteria (Section 6.3.2.4)

Section 6.3.2.4 of the Official plan provides that 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. 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. With regard to the locational criteria outlined in Section 6.3.2.4, the site contains frontage on both a Class 1 and Class 2 collector road, has access to full municipal services with optimal capacity, is within close walking distance to Captain J Wilson Park and Talbot Trail Public School as well as public transit at 6th Concession/Provincial Road. As discussed further in Sections 5, 6 & 7 of this report, the proposed built form will remain of a low-profile nature (3-storeys) which is expressly permitted within lands having a neighbourhood development pattern.

/ Evaluation Criteria for a Neighbourhood Development Pattern (Section 6.3.2.5)

Section 6.3.2.5 provides a range of general policy criteria relating to residential intensification projects in neighbourhood areas, of which this project would qualify. 6.3.2.5 requires the proponent to demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas; In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate. This Planning and Design Brief has been prepared to aid in the evaluation of the proposal and draw direct links between key design considerations for residential intensification and the proposed site and building design. The graphics and illustrations in this brief also address functional considerations such as driveways, parking, landscaped open space, outdoor residential amenity area, buffering and setbacks, and waste storage/management which are key in evaluating the appropriateness of the proposed intensity of the development in the context of these policies.

Urban Design (Section 8.7.2.3)

From an urban design perspective, Section 8.7.2.3 of the Official Plan provides policy guidance for new proposed infill development/residential intensification within an established neighbourhood. The policies of 8.7.2.3 intend that new infill development is to be designed to function as an integral and complementary part of that area’s existing development pattern by having regard for a multitude of existing neighbourhood character attributes. Subsection a) directs that new development should be complementary to adjacent development in terms of its overall massing, orientation, setback and exterior design, particularly character, scale and appearance. Windsor Council adopted Design Guidelines intended to assist in the design and review of applications for development in accordance with the policies noted above. In this regard, the information outlined in Section 2, 3 and 4 of this brief clearly articulates the character of the site and surrounding area. The design principles described and illustrated in Section 5 and the annotated graphics in Section 6 document how the proposed Zoning By-law and the conceptual site layout and building form(s) have been designed to respond to the unique context of the site, and have taken into account the Urban Design policies of the Official Plan along with other urban design best-practices for neighbourhood intensification projects.



/ Intensification Guidelines (2022)

Guided by the community vision articulated in the Official Plan (OP), and building on the principles of ‘compatible’ development, the objective of the City of Windsor’s Intensification Guidelines is to provide direction for the design of future uses that respect the unique character of Windsor’s neighbourhoods. The design guidelines are intended as a framework that outlines the salient characteristics of various design concepts and principles. The intent is to guide new development to become distinctive, while relating harmoniously to the use, scale, architecture, streetscapes, and neighbourhoods of Windsor, as well as meeting the needs of its citizens and visitors. The Urban Design Guidelines are meant to provide predictability for applicants, the City, and stakeholders, by providing consistent direction about the criteria for the design of proposed development in Intensification Areas. The subject site is within an established neighbourhood area but is not within a Mature Neighbourhood identified through OPA159 (and A-1 of the Official Plan). Some of the key guidelines for the development of new low-profile residential forms at 3930 & 3950 Sixth Concession Road are summarized below for reference:

2.2 General Guidelines for All Development

- Low Profile development in the Stable and Mature Neighbourhoods includes single-detached, semidetached, duplex, townhouses, and apartments that are generally no greater than three (3) storeys in height.
- Ensure the scale of Low Profile buildings is compatible and sensitively integrated with residential buildings in the immediate vicinity in terms of building mass, height, setbacks, orientation, privacy, landscaping, shadow casting, accessibility, and visual impact.
- Maintain consistent front yard setbacks along the street. New development should have a set back equal to the predominant setback (70%+) on the street (+/- 1.0m), or a distance that is the average of those on either side of the development site (+/- 1.0m).
- Provide side yard setbacks that reflect those of adjacent homes, or are the average distance of those on either side of the development, in accordance with existing zoning standards, to a minimum of 1.2 metres.
- Limit continuous residential forms such as stacked townhouse buildings to **3 to 8 units per block** and the length of the townhouse block should not exceed 50 metres, unless it is essential to the architectural style of the building.

2.4 Townhouse Development

- Building mass should be compatible with buildings in the immediate vicinity of the development. Generally, the building foot print should not exceed **35%** of the lot area. In addition, **40%** of the lot area should be dedicated to landscaped open space exclusive of parking facilities and driveways.
- Maintain the traditional range of building heights. **Townhouses should not exceed three storeys.** Consideration of height will depend on the height of housing in the immediate vicinity of the development.
- The main entrance should face the street, with the door in a prominent position. The front door should be clearly visible and approachable from the street.

S3.4 Zoning By-law 8600 Implications

/ Residential District 1 (RD1.4) Zone

The project site is currently zoned Residential District 1 (Low Density Housing) RD1.4 Zone in the City of Windsor Zoning By-law 8600. The existing RD1.4 Zone was originally applied to this site in 1986 through the passing of the City of Windsor’s Comprehensive Zoning By-law 8600. The RD1 Zone is the least intense residential category zone and provides for and regulates single detached dwellings and duplexes. There are seven variations within the RD1 Zone family. The variations are differentiated on the basis of site requirements in order to provide for a range of lot sizes and dwelling styles. The following graphics highlight key regulations guiding development in the RD1.4 Zone variation which applies to the majority of the site. Our understanding of the existing zone permissions provides a frame of reference to measure and understand the degree of change being pursued through the proposed Zoning By-law Amendment and understand any potential impacts of the proposed change/intensification project.

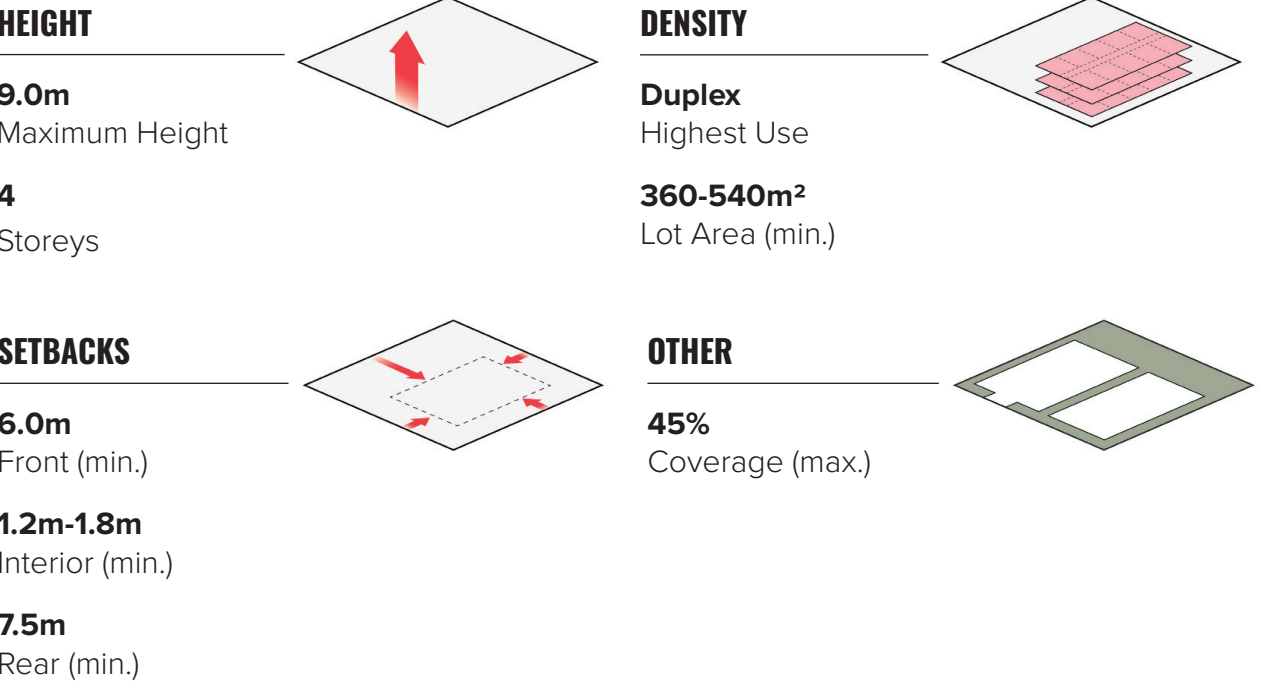


Figure 4: Key Existing Zoning By-law Regulations

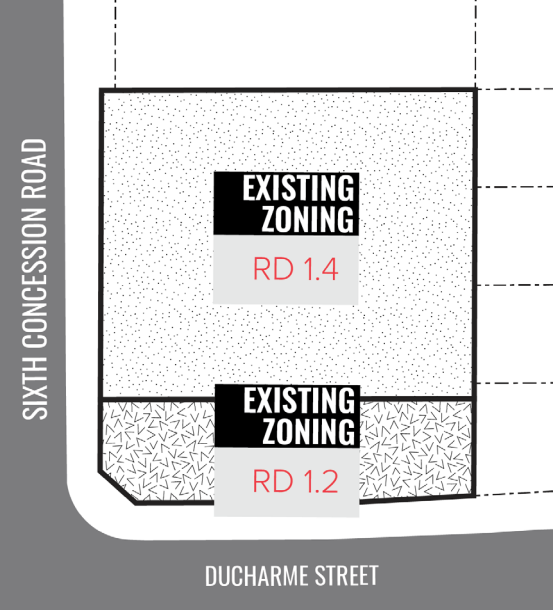
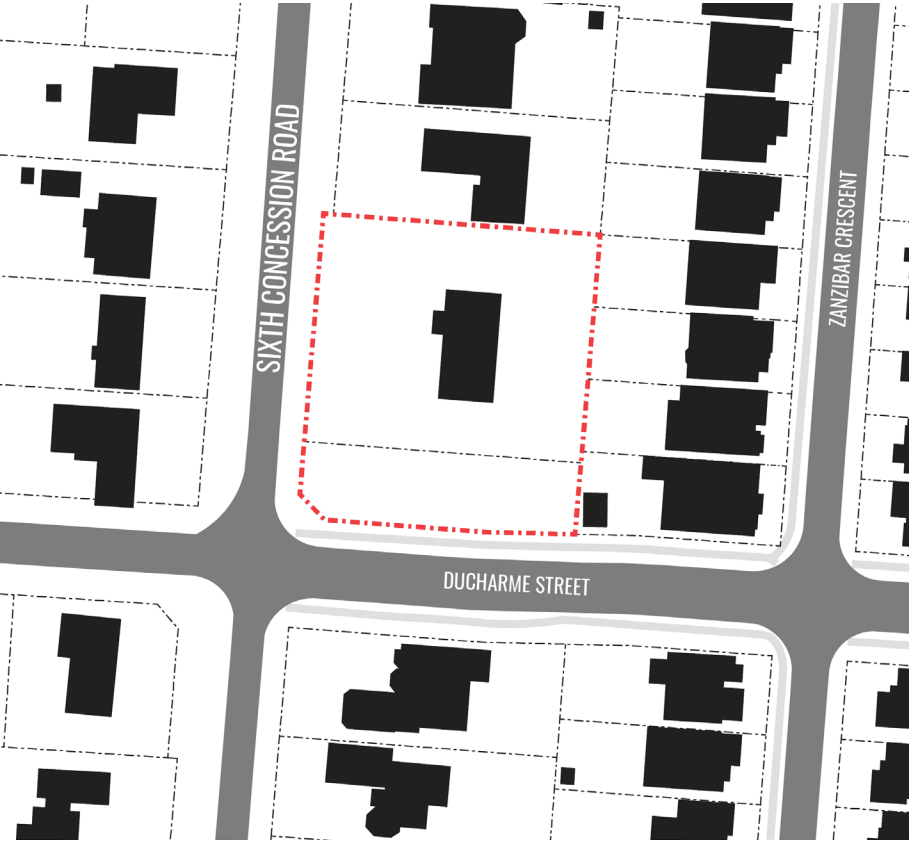


Figure 5: Existing Zoning Map

S4 SITE ANALYSIS



--- Site Boundary

1 Figure Ground

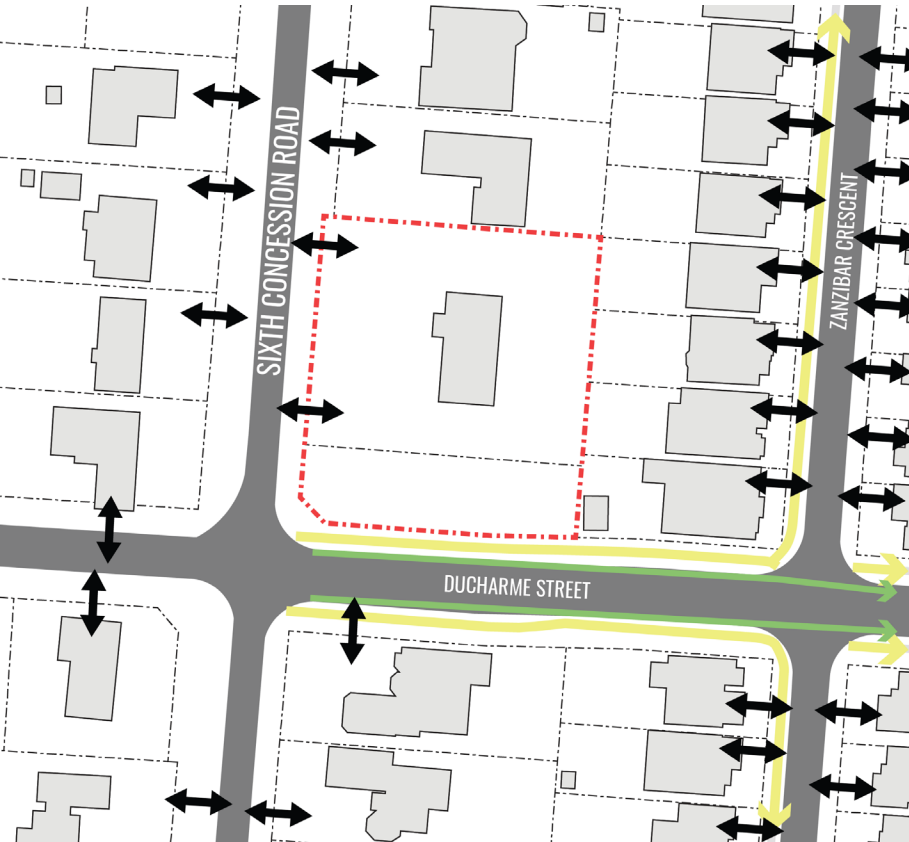
The existing size, shape, and location of built form in the immediate area, surrounding the project site, represents the framework upon which new infill development must integrate with and respond to. The figure-ground diagram illustrates the relationship between the existing built and unbuilt space on and in proximity to the site. Land coverage of buildings is visualized as solid mass, while unbuilt lands and public spaces are represented as voids.



● Trees      ● ROW Dedication

2 Site Conditions

A range of potential physical and natural conditions (e.g., trees, vegetation, natural features, topography, major infrastructure, road widening dedications, etc.) can influence the ultimate design and complexity of any redevelopment project. The graphic above highlights the key physical characteristics of the site. The new development will respond to and account for these conditions from a planning and design perspective.



— Bike Lane      — Sidewalk      ↔ Access

3 Mobility

The surrounding mobility framework (e.g., roads, intersections, access driveways, sidewalks, bike lanes, transit routes and stops, etc.) has been taken into consideration while planning for the re-development of the site to ensure that the ultimate development is complementing or enhancing the planned function of the mobility network and minimizing operational impacts to the extent possible.

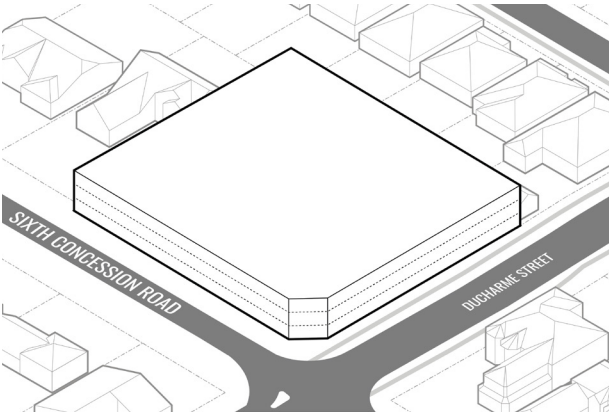


/// Sensitive Interface      /// Moderate Interface      /// Active Frontage

4 Edge Conditions

The placement, orientation and design of new development has been designed to respond to the existing/planned conditions directly adjacent to the site in order to minimize privacy impacts and protect access to sunlight/sky views for adjacent properties, particularly on adjacent rear yard amenity areas. The graphic above characterizes the various edge conditions/adjacencies that have been taken into consideration.

S5 DESIGN PRINCIPLES

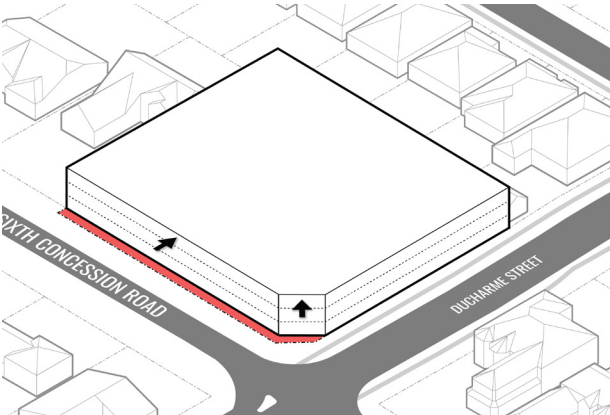


1 Low-Rise Built Form

Given the locational characteristics of the site and the existing pattern of surrounding built form, the development to maintain a “low-profile” built form. The City’s Residential Intensification Guidelines (2022) characterize “low-profile” as being 3-storeys in height or below. In this regard, the development will be within a traditional height range for a neighbourhood streetscape and not more than 1-storey taller than adjacent homes on 6th Concession Road.

Official Plan References

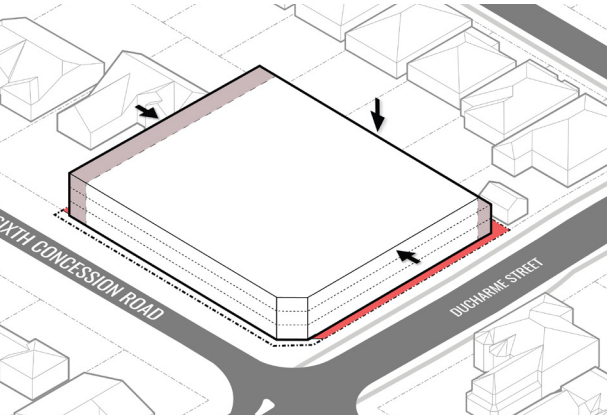
Section 6.3 - Residential Designation  
Section 6.3.2.4 - Location Criteria  
Intensification Guidelines - Section 2.4.1.1



2 Account for the Road Widening

As per Volume III, Schedule X, an approximately 2.0 metre road right-of-way widening is required to be dedicated to the City of Windsor along the Sixth Concession Road frontage of the project site. This reduction in land area has been accounted for in the development design.

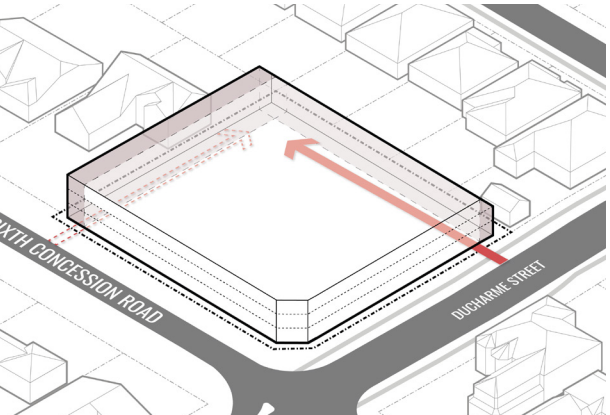
Volume III: Right-of-Way Width Schedule



3 Shape Massing to Fit Context

The new built form has been conceived to be sensitive to neighbouring uses and buildings. To achieve this, buildings have been designed to fit within a 45 degree angular plane measured from the east (rear) property line. The side yard setbacks respect the existing development pattern and include added regulations vary to accommodate appropriate facing distances based on the type of orientation (e.g., side-to-rear, front-to-rear).

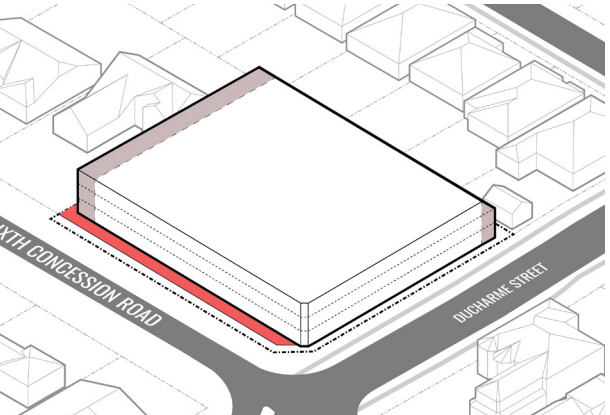
Section 6.3.2.5 - Evaluation Criteria for Neighbourhood Development Pattern  
Section 8.7.2.3 - Urban Design/Infill Development Intensification Guidelines - Section 2.2.1.2



4 Carve for Access

The new development has been designed with a 6.0 metre wide access/driveway from Ducharme Street. The placement of the site access has been optimized to maximize separation from the intersection and also position the driveway to buffer new development, via horizontal plane separation, from existing development and rear yards to the east.

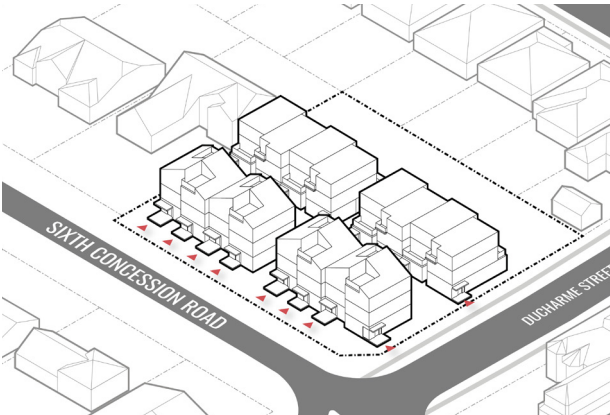
Section 6.3.2.5 - Evaluation Criteria for Neighbourhood Development Pattern  
Section 8.7.2.3 - Urban Design/Infill Development Intensification Guidelines - Section 2.2.1.6 & 2.2.3



5 Acknowledge the Streetwall

The new development on the project site has considered the existing and planned (i.e., existing as-of-right zoning) “streetwall” character along 6th Concession Road to establish appropriate front yard setbacks and other design features facing 6th Concession Road.

Section 6.3.2.5 - Evaluation Criteria for Neighbourhood Development Pattern  
Section 8.7.2.3 - Urban Design/Infill Development Intensification Guidelines - Section 2.2.1.3 & 2.2.1.4



6 Program and Activate

The proposed built form is street-oriented such that primary building frontage and entrance(s) faces towards Sixth Concession Road and the secondary building frontage faces towards Ducharme Street, with principal unit entrances and walkways facing the street where possible to create an interesting and animated streetscape.

Section 8.7.2.3 - Urban Design/Infill Development Intensification Guidelines - Section 2.2.1.3 & 2.2.1.4

**NOTE:** The above noted urban design principles have been informed by the applicable policy, regulatory and contextual considerations for the site, many of which are highlighted in the preceding sections of this brief. These principles are central to our planning/design narrative for the site and the overall project goal of being sensitive to, compatible with, and a good fit within, the existing and planned urban fabric of the surrounding area. The images do not represent buildings. They show a potential “outer-envelope” within which a building or multiple buildings could be built.



# S6 THE PROPOSAL

## S6.1 Proposed Official Plan Amendment

The City of Windsor has a series of “Secondary Plans” and special policy areas (i.e., Volume II of the Official Plan) which provide specific schedules and policies for those areas of the city where more detailed directions for land use, infrastructure, transportation, environment, urban design or similar matters are required beyond the general framework provided by the Official Plan. Secondary Plans are used to implement a variety of planning objectives including: to provide a process and a framework for addressing planning issues affecting or characterizing specific areas of the City; to facilitate the application of the general planning principles expressed in the Official Plan; to strengthen existing developed areas of the City and to facilitate, where desirable, appropriate and orderly redevelopment; to ensure the orderly, efficient and appropriate development of large tracts of vacant or underutilized land; to ensure that desirable characteristics of the City are protected and enhanced. The City currently has secondary plans for East Riverside Planning Area, North Roseland, and South Cameron.

The project site is within the boundary of the North Roseland Secondary Plan. This Secondary Plan was prepared in 1998 to provide direction for the development of 108 hectares of undeveloped vacant land west of Sixth Concession Road. This secondary plan was prepared in accordance with the former City of Windsor Official Plan (1972, as amended). The majority of the lands in the planning area have now “built-out”, including key public uses/infrastructure such as Talbot Trail Public School, Captain Wilson Neighbourhood Park and the Stormwater Management Pond. Given the build-out of the area, the secondary plan has effectively served its intended purpose. The secondary plan is now over 25 years old and was not prepared with current local planning and housing objectives in mind, nor does it contemplate the Intensification, Infill and Redevelopment Policies outlined in Section 6.3. (through OPA 159). In our opinion, the plan does not accurately reflect the City’s current infill policy for “Residential” lands and is not in conformity with the current Provincial Planning Framework as it relates to 3930 & 3950 6th Concession Road.

In light of the foregoing, the proposal includes an Official Plan Amendment which would effectively remove the lands from the North Roseland Secondary Plan Area. Given the nature of the amendment, the site would become subject of the Residential Designation policies of the parent Official Plan which more accurately represents and provides a policy framework for dealing with contemporary housing and infill policy.

### OPAXXX\_ 3930 & 3950 6th Concession Road

Volume II, Chapter 3 of the City of Windsor Official Plan is hereby amended by making the following change to Schedule NR2-7 - North Roseland Planning Area - Land Use Designations.

The proposed amendment will have the effect of removing the site from the land use framework and allow the parent Official Plan policies (including OPA 159) to guide development of the site.



Figure 6: Proposed Official Plan Amendment

## / Basis for the Amendment

The specific details of the proposed Official Plan amendment are outlined in Figure 6 on page 17 of this report. The following planning rationale serves as the basis for the proposed amendment:

1. The Plan was prepared in accordance with the former 1972 City of Windsor Official Plan and a previous growth and housing paradigm that is challenged by current demographic trends, affordability, growth objectives, etc.
2. The primary purpose of the North Roseland Secondary Plan was to guide the growth on what was (at the time of its creation) a large tract of vacant land to ensure the appropriate and orderly use of land, economic development and the efficient provision of infrastructure. Coordination, planing and implementation of the area servicing network, public school and neighbourhood park have now been resolved and implemented through various Draft Plans of Subdivision and, as such, one of the major purposes of the secondary plan has been fulfilled. In our opinion, the North Roseland Secondary Plan has largely served it’s purpose in this regard.
3. The Policies of Section 6.3 “Residential Designation” provide appropriate guidance for redevelopment of the site, ensuring that but in a manner that considers contemporary planning and housing objectives.
4. Special Policy Areas are typically reserved for situations where more detailed direction is required beyond the policies of Volume I: The Primary Plan, and in this case it is our opinion that and the best policy approach is to remove the site form the North Roseland Secondary Plan.

S6.2 Proposed Zoning By-law Amendment

The proposed Zoning By-law will provide a framework for ground-oriented, medium density/low-profile residential development. To support the development vision for 3930 & 3950 Sixth Concession Road and to implement the applicable Official Plan policies, we propose to rezone the site from the Residential Districts 1 (RD1.4 & RD 1.2) to a Residential Districts 2 (RD2.5(⌒)) Special Provision Zone. The proposed Zoning By-law will provide a framework for ground-oriented residential intensification in an appropriate low-profile building form. The proposed zone includes special regulations to account for the unique context of the project site, implement applicable form-based policy directions of the City of Windsor Official Plan and the Intensification Guidelines (2022). The proposed zone and special regulations are structured to facilitate an appropriate range of desirable site design outcomes but are not directly tied to a specific development design. In this regard, the proposed Zoning By-law Amendment will “lock-in” the key development and built form standards but will also allow for a degree of flexibility to address site and building design details through the future Site Plan Control application process.

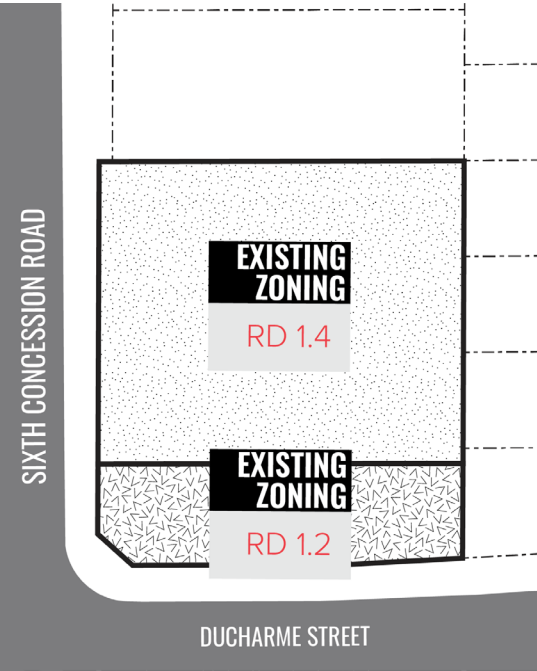


Figure 7: Existing Zoning

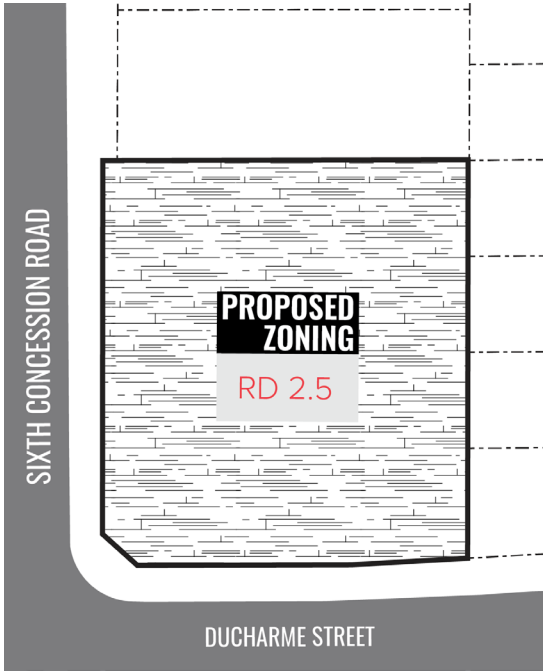


Figure 8: Proposed Zoning

PROPOSED HEIGHT

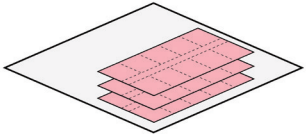
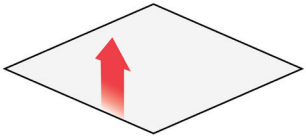
STOREYS

3

PROPOSED DENSITY

UPH

48.5



/ Proposed By-law

3930 & 3950 6th Concession Road		
Regulation	RD2.5	Proposed RD2.5(⌒)
Permitted Uses	Double Duplex Dwelling; Duplex Dwelling; Multiple Dwelling; Semi-Detached Dwelling; Single Unit Dwelling; Townhome Dwelling; and, Any use accessory to the above uses.	-
Lot Area (min.)	190m² per unit	200m² per unit1
Lot Width (min.)	20.0m	-
Front Yard Depth (min.)	Min: 6.0m Max: 7.0m	Measured from existing ROW limit along 6th Concession Road and, where multiple buildings are to be developed, shall only apply to the building(s) nearest the lot line to the street.2
Side Yard Width	2.5m	
Rear Yard Depth (min.)	7.5m	1.0m per 1.0m of main building height but in no case less than 7.5m.3
Lot Coverage (max.)	50%	-
Height (max.)	14.0m	3-Storeys4
Parking	Townhome Dwelling w/ Garage: 1 per unit Townhome Dwelling: 1.25 per unit Additional Dwelling Unit: 1 per unit Visitor: 15%	-
Additional Special Regs.	- -	Section 11.5.5.50 shall not apply.  Notwithstanding any provisions of the by-law to the contrary, up to 50% of the Townhome Dwellings may contain an additional dwelling unit (subject to the remaining applicable provisions of Section 5.99.80)5

Table 1: Special Regulations Overview

Note: See page 21-23 for additional details and explanation for proposed special regulations.

Special Regulation Explanations

1 Gentle Density

The proposed RD2.5 Zone will provide an appropriate framework for the development of low-profile “townhome dwellings” on the subject site. It includes with a range of regulations designed to ensure the built form outcome fits well with a neighbourhood context. To provide further certainty to the concept shown through the rezoning process, we propose a stricter lot area requirement that will , in effect, limit the number of townhome dwellings to a maximum of 16, as shown.

Official Plan References

Section 6.3 - Residential Designation

4 Middle Height

The proposed Zoning By-law includes a site-specific height regulation (i.e. max 3-storeys). The height regulation has been crafted to implement the Intensification Policies for Neighbourhood areas (i.e., 3 storeys) and the City of Windsor Intensification Guidelines. This regulation is more restrictive than the existing 14.0m height limit prescribed by the RD2.5 Zone, which, in and of itself, could enable a 4-storey building to be built.

Section 6.3 - Residential Designation  
Section 6.3.2.4 - Location Criteria  
Intensification Guidelines - Section 2.4.1.1

2 Front Yard Depth

The existing 6.0-7.0m front yard setback requirement is generally appropriate to guide development of the site, ensuring a street-oriented built form and fit with the planned context along 6th Concession Road. Additional clarification regarding the measurement of the “front yard” setback has been included to help clarify the measurement, in light of multiple buildings being developed on the site, the ROW widening requirement and the determination of front lot line.

Section 6.3.2.5 - Evaluation Criteria for Neighbourhood Development Pattern  
Section 8.7.2.3 - Urban Design/Infill Development  
Intensification Guidelines - Section 2.2.1.3 & 2.2.1.4

5 Additional Regs.

There are a range of general provisions of By-law 00-8600 that apply to, and affect, the proposed development. A series of additional special regulations are proposed to clarify the nature of the proposed development/built form, and enable the development a limited amount of additional dwelling units within the main floor of 50% of the proposed townhouses to allow for housing choice and flexibility. The special regulations will defer appropriate material selection to occur through the Site Plan Control process.

Section 6.3 - Residential Designation  
Section 6.3.2.23 - Additional Dwelling Units

3 Enhanced Rear Yard

The proposed zoning by-law includes an enhanced rear yard setback requirement. This special regulation has been included recognizing that existing low-rise residential development and rear yard amenity spaces to the east are unlikely to change. The enhanced regulation will ensure all new buildings on the project site fit within a 45 degree angular plane measured from grade, thereby mitigating potential massing and shadow impacts.

Section 6.3.2.5 - Evaluation Criteria for Neighbourhood Development Pattern  
Section 8.7.2.3 - Urban Design/Infill Development  
Intensification Guidelines - Section 2.2.1.2

NORTH

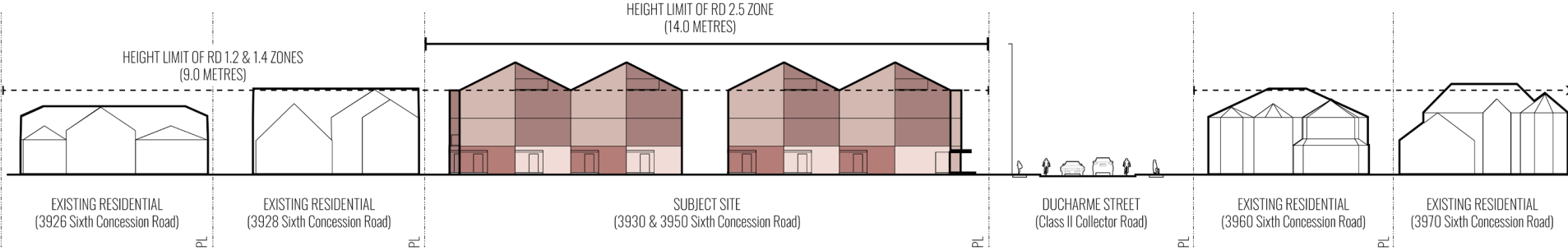


Figure 9: North-South Section Diagram

**Note:** Figure 9 illustrates, via a north-south section diagram, the heights permitted by the existing RD1.2 & RD1.4 Zone categories that apply to adjacent properties along 6th Concession Road, the standard height limit for the proposed RD2.5 Zone, and the height of the proposed building forms themselves. Given the corner location of the site it acts as a logical transition/step-up zone. As evident by the cross-section analysis, the proposed development provides a built form that is only 1-storey taller than existing adjacent development, in conformity with the direction outlined in the intensification guidelines. The proposed building heights maintain a “human-scale” along 6th Concession Road and are appropriate for a low-profile residential area.

SOUTH

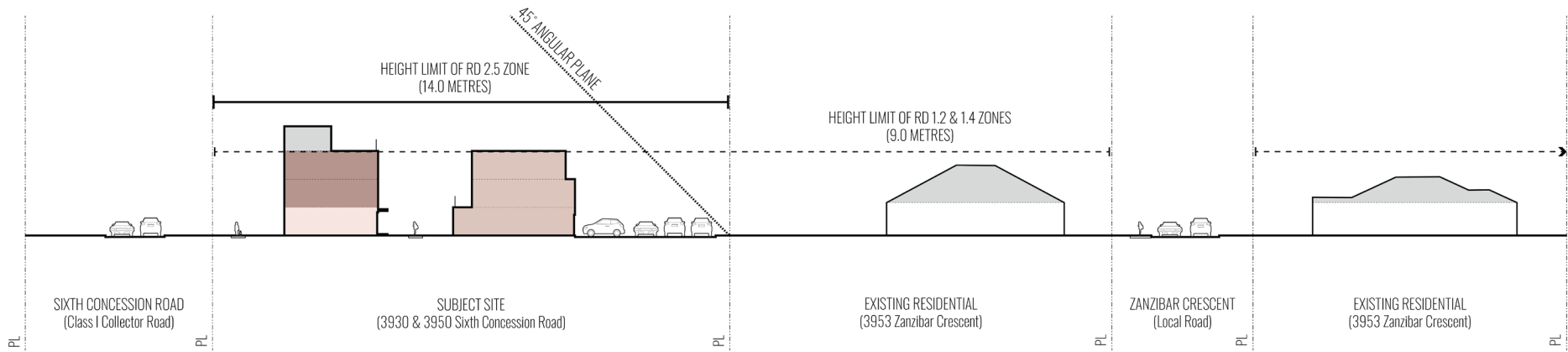


Figure 10: East-West Section Diagram

**Note:** Figure 10 above, illustrates the setbacks of the proposed development from the existing east and west property lines. The diagram illustrates a 45 degree angular plane measured from the shared lot line with the adjacent dwelling/rear yard on Zanzibar Crescent. The proposal establishes substantial separation in order to preserve access to sunlight and to minimize overlook into rear yard amenity spaces. The proposal is also showing a reduction in building height versus what is normally permitted via the proposed RD2.5 Zone, and how the proposed height, at many points, aligns with the height limit within the existing RD1.4 Zone that applies to the site and surrounding properties.

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S6.3 Proposed Development Concept

/ Mixed Urban Towns + ADU's

The following illustrations and graphics provide an overview of the development concept for 3930 & 3950 6th Concession Road. The development concept is representative of the developer's future intention for the project site and represents a desirable implementation of the proposed Zoning By-law amendment outlined in Section 6.2 of this brief. The concept includes a total of 16 3-storey townhouses, with the town house blocks/units along the Sixth Concession Road each also containing an additional dwelling unit (ADU) integrated into the main floor. The ADU's include front doors and porches facing the street, while the main units (above) and rear row of townhouses have their entrances facing the pedestrian courtyard in the centre of the site. Each townhouse unit features either integrated rooftop or balcony amenity spaces while the ADU's include at-grade amenity spaces in the internal pedestrian courtyard. Each townhouse unit has access to two parking spaces, provided through a combination of integrated garages and driveways. The eight parallel parking spaces located along the east property line are intended to serve the ADU's and/or visitors. A dimensioned conceptual site plan has been prepared and is available for public download at [www.siv-ik.ca/3930sc](http://www.siv-ik.ca/3930sc). A series of simplified supporting illustrations have been included in this report to highlight key elements of the conceptual site and building design in a manner that enables a more seamless evaluation by stakeholders and decision-makers. The detailed conceptual site plan should be referred to where detailed dimensions and specifications are required for review or evaluation.



/ Concept At-A-Glance

SITE AREA

0.33  
Hectares

BUILDING HEIGHT

3  
Storeys

DENSITY

1.0  
Floor Area Ratio  
  
48  
Units Per Hectare

DWELLING UNITS

16  
Townhome Dwelling Units  
*(+ ADU's on the main floor of up to 8 of the Townhome Dwellings)*

PARKING

2.5/unit  
Overall Rate  
  
40  
Overall Stalls

OTHER

42%  
Landscaped Open Space  
  
32%  
Lot Coverage





**Note:** Artist's Rendering of Conceptual Built Form.

**SE PERSPECTIVE**



- 1** The project pays consideration to neighbouring properties to the north through, limiting windows to habitable rooms, setbacks and building placement that avoids the creation of new shadows on the rear yard for extended periods.
- 2** The Townhome dwellings have been conceived with street oriented design features such as front door, stoops and walkways that will serve to animate enhance the quality of the street environment.

- 3** The Townhome blocks have been limited to a maximum of 4 units in a row which serves to “break down” the massing of the proposed built form and complement the neighbourhood oriented streetscape.
- 4** The design includes the development of a common pedestrian walkway along the 6th Concession Road frontage, which ties to individual walkways and provides a safe connection to the sidewalk network at Ducharme Street.

**Note:** Artist's Rendering of Conceptual Built Form.

**NW PERSPECTIVE**



- 5** Integrated garages and parking area have been strategically sited at the “rear” of the proposed buildings to ensure garages/parking do not dominate the streetscape and that the front and exterior yards are landscaped.
- 6** The proposal includes a 1.5m “landscaped strip” which will allow for the construction of a 1.83m privacy fence and plantings - collectively providing enhanced screening/buffering from existing development to the east.

- 7** The townhome blocks each have direct access to an interior green courtyard, providing opportunities for at-grade, outdoor residential amenity area and pedestrian circulation throughout the site.
- 8** The rear townhome blocks have been sited in a manner that maximizes horizontal plane separation from existing development to the east and minimizes direct overlook. The rear wall of the rear row is generally in line with the existing homes along 6th Concession Road.

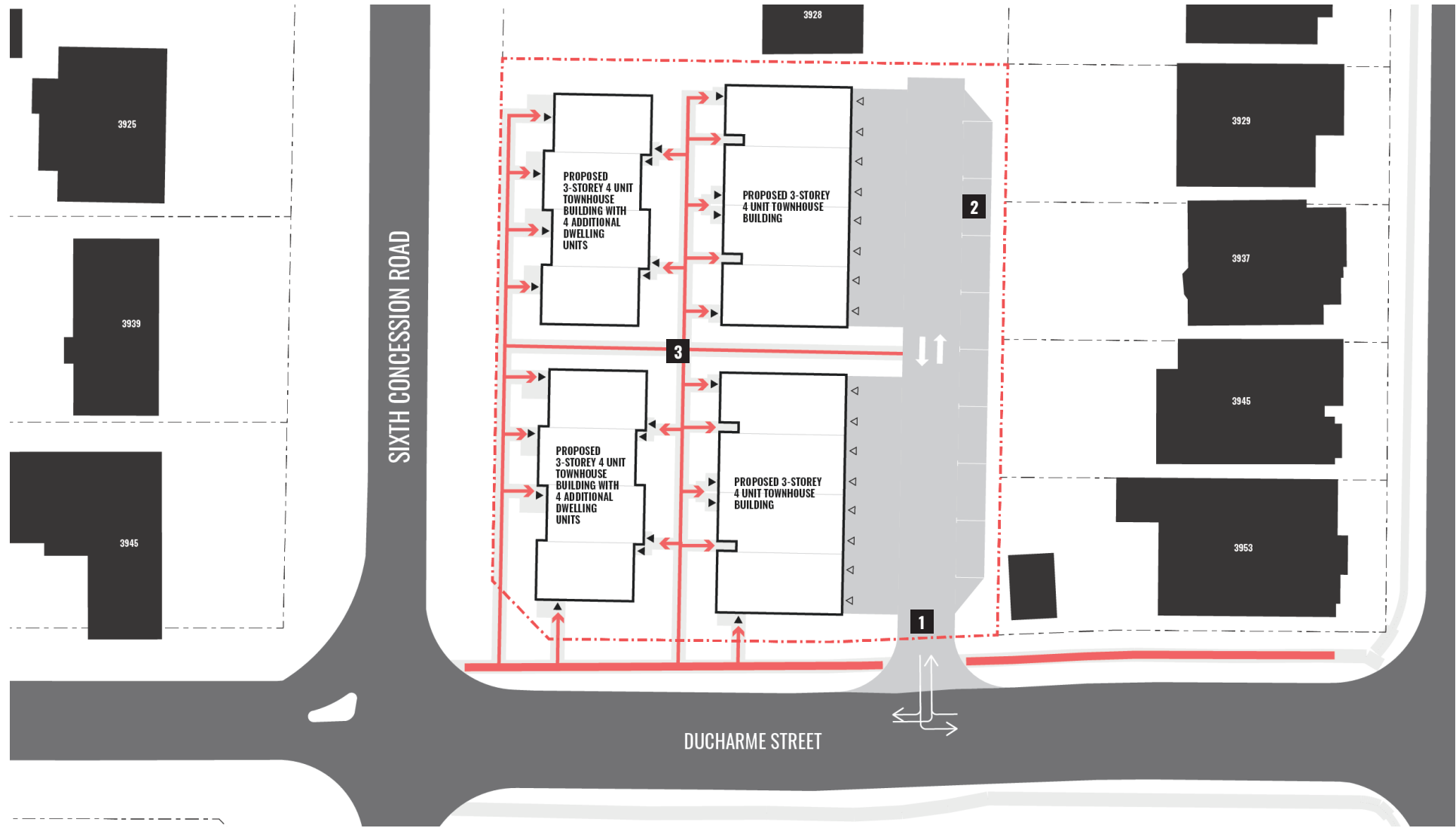


Figure 11: Simplified Site Circulation Plan



Figure 12: Simplified Landscape Plan

# S7 TECHNICAL ANALYSIS

## S7.1 Sun/Shadow Study

### / Spring Equinox



**9AM**  
March 21



**12PM**  
March 21



**3PM**  
March 21

- NOTES:**
1. The sun/shadow diagrams have been created by Siv-ik Planning and Design Inc. using industry-standard modeling practices to help illustrate how the sun moves across the project site and surrounding area. These graphics estimate the potential shadows that could be cast by the proposed development upon the existing surrounding context. The results of sun/shadow study are conceptual in nature and represent an interpretation of the potential building massing, surrounding built form and natural features. The simulated dates and times shown are based on City of London requirements.
  2. Sept 21 and March 21 (equinox) both result in similar shadow patterns so the diagrams have only shown March 21st.

### / Summer Solstice



**9AM**  
June 21



**12PM**  
June 21



**3PM**  
June 21

/ Winter Solstice



**9AM**  
December 21



**12PM**  
December 21



**3PM**  
December 21

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S7.2 Transportation Impact Assessment

A Transportation Impact Assessment has been prepared by RC Spencer Associates Inc. The Transportation Impact Study (TIS) includes an analysis of existing traffic conditions, a description of the proposed development, assessment of traffic impacts with recommendations to accommodate the proposed development as appropriate, review of on-site vehicle circulation and Transportation Demand Management measures appropriate to the subject site.

Figure 15 below highlights the peak hour vehicle trip generation anticipated from the proposed development. Based on the evaluation of the existing infrastructure and the proposed development, it was concluded that the intersection of 6th Concession Road and Ducharme Street is forecast to operate at the same exact level of service (LOS A & B depending on time of day and turning movement) pre and post-development and the site generated traffic by the development will not significantly impact traffic operations at this intersection. The proposed site access from Ducharme is forecast to operate with a desirable level of service (LOS A). A left-turn lane warrant analysis was completed for the eastbound approach on Ducharme Street to the proposed site access. Given the design speeds of Ducharme and the projected traffic volumes, a left-turn lane was not warranted. Lastly, a sight-line analysis was completed to evaluate the safety of the proposed access location and it was determined that there is sufficient sight distance to enable safe access at the proposed site access location on Ducharme Street. Further details and supporting technical analysis is contained within the RCSA TIA.



Figure 13: TIA Highlights

S7.3 Natural Features Inventory

A Natural Features Inventory was carried out for the property by Bezaire Partners Landscape Architects. No significant natural features or natural hazards were identified on the subject site. The most notable/relevant is the presence of existing trees/vegetation. The NFI identifies and evaluates all trees of all sizes in the adjacent City right-of-way and trees greater than 10 cm in diameter measured at breast height on, and within 3 metres of, the project site. The inventory identified 36 individual trees. The size, location and quality of the existing trees can be found on the Existing Tree List and Condition table on the Tree Inventory Plan prepared by BP. No rare or endangered tree species were identified. 12 of the 36 trees were identified as being in “Poor” condition or “Dead”. In considering the potential impacts and disturbance associated with the proposed development concept, it is anticipated that the large majority of existing on-site trees will require removal. The preservation plan will continue to be refined through subsequent stages of the development process when further details about site grading and engineering are finalized (e.g., through the future site plan control application process). New tree plantings will be contemplated through the future landscape plan which will be prepared during the site plan control application process.

S7.3 Sanitary Servicing Report

Through the pre-application consultation process with the City of Windsor it was identified that the applicant’s engineer was to provide a sanitary servicing report demonstrating how the site is intended to be serviced by municipal sanitary sewers. Haddad Morgan & Associates was retained to prepare a Sanitary Servicing Report to support the development strategy and Official Plan and Zoning By-law Amendment application. The report determines the maximum peak flows which will result from the proposed development and an overview of the function and capacity of the existing 250mm diameter sewer which exists along 6th Concession Road.

From a sanitary perspective, the HMA report assumed a peak population of 58 for the proposed development based on City of Windsor methodologies for townhome dwelling. It was concluded that the existing 250mm sewer outlet on 6th Concession Road is currently operating at a current peak utilization of 18%. Factoring in the maximum potential flow rates from the proposed development, the peak utilization will increase to 21%. Based on these factors, it is concluded that the existing sewer provides an appropriate outlet, with sufficient capacity to serve the planned development and significant additional redevelopment within this sewer-shed area.

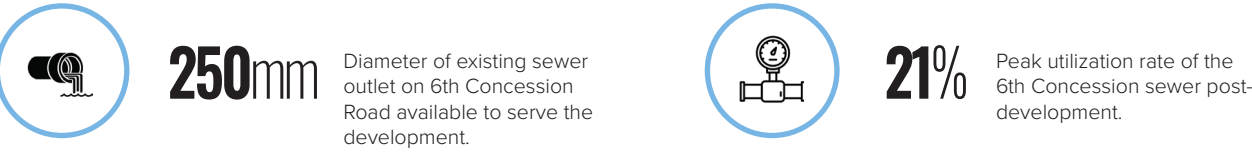


Figure 14: Servicing Feasibility Report Highlights



S8 ENGAGEMENT SUMMARY

S8.1 Our Program

We understand that change in neighbourhoods warrants conversation. Our community engagement program was designed to provide an opportunity for those who are interested to learn more about the vision for the site early on in the planning process and share their thoughts. The Developer (Masotti Construction Inc.) and the project team are committed to engaging with local residents at multiple points in the process.

The timeline below shows a general overview of the steps in the planning process for 3930 & 3950 6th Concession and how those steps interact with our applicant-led community engagement program.

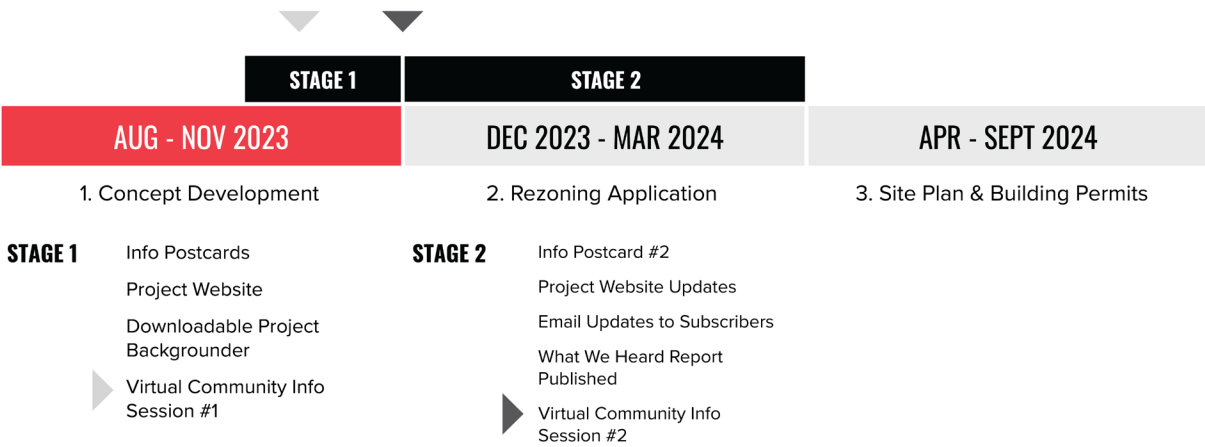


Figure 15: Engagement Program Overview

Feedback received through our outreach program is used to deepen our understanding of the local context and shape some elements of the design of the project, where possible. We acknowledge that change is difficult and that no outcome will satisfy all interested parties completely. As such, the project team cannot integrate everything suggested by our neighbours and the community at-large. However we commit to: providing residents with quality and up-to-date information about the project; helping residents to understand how they can participate in the process; asking for their thoughts and opinions; and sharing what we have heard and our team’s response to it.

STAGE 1 TACTICS



Info Postcard

83 information postcards were circulated to surrounding homes and businesses to notify the local community of the planned redevelopment via direct mail and to direct them to the project website.

Project Website

A project website (www.siv-ik.ca/3930sc) was launched on October 11, 2023 to provide a “home base” for sharing information and updates about the project and gathering feedback through an online feedback form.

Downloadable “Project Backgrounder” Publication

Siv-ik published a project backgrounder document to provide informative content regarding City planning policy, the planning process and the preliminary design principles that were established for the site. The backgrounder was made available for download on the project website.

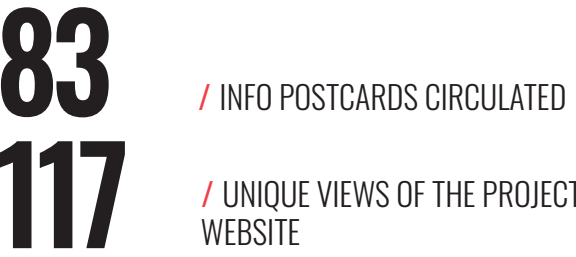
Virtual Community Information Session

The project team hosted a Zoom webinar on October 25, 2023 to provide a live forum to share information directly with residents/participants and to facilitate a Q&A session with lead members of the project team.

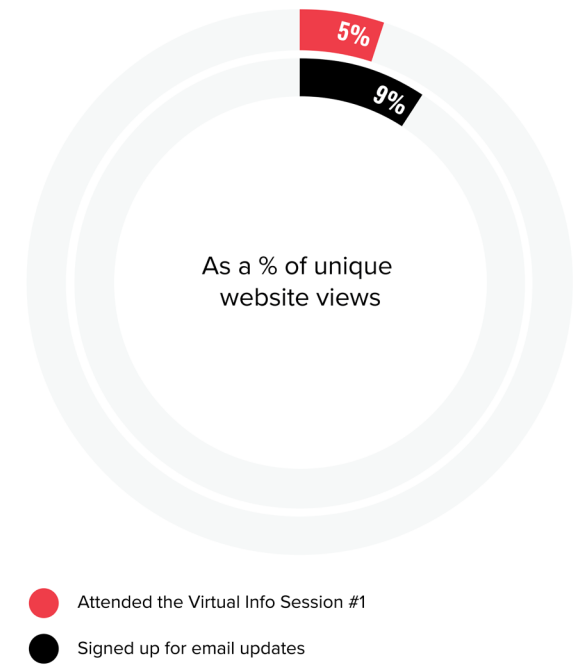
What We Heard Report

The report will been published and shared on the project website. The report “closes the loop” on Stage 1 of our community engagement program by clearly documenting the feedback that was received and our response to it.

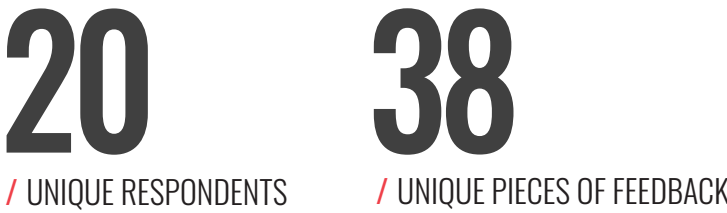
REACH



ENGAGEMENT



FEEDBACK



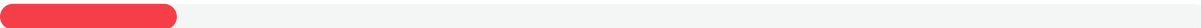
TOPICS OF INTEREST

Key topics of interest have been extracted from the feedback and comments provided. The table below shows the frequency that respondents provided feedback on specific topics. Some respondents provided feedback on more than one topic of interest. In some cases, comments were received that could not be organized into a topic of interest but were taken into consideration as part of this project.

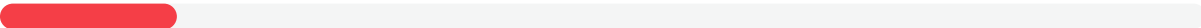
Proposed Housing Type



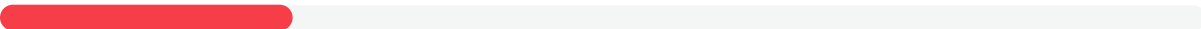
Development Process & Timing



Site Layout



Traffic



**NOTE:** The graphics and text above represent highlights of Stage 1 of our community engagement program. Further details regarding the engagement program and the verbatim feedback can be found in the 2023-11-27 What We Heard Report by Siv-ik Planning and Design Inc. The report is available for public download at www.siv-ik.ca/3930sc.



# S9 INTERPRETATION

## 1 Purpose of this Brief

We understand that site's are not blank slates. This Planning and Design Brief outlines the planning and design rationale for the development of 3930 & 3950 6th Concession Road in Windsor, ON. The Brief provides an overview of the proposed Official Plan Amendment, Zoning By-law Amendment and Concept Plan which is representative of the project team’s best thinking for the site’s development, considering the policy, regulatory and physical context and the end user. The Brief is meant to highlight the key factors that shape development on this site and help stakeholders to understand how those key factors have shaped the proposed Zoning By-law and Concept Plan.

## 2 The Development Design

The proposed zone and special regulations are structured to facilitate a narrow range of desirable site design and built form outcomes, however, the zone is not tied to a specific development design. The proposed Zoning By-law Amendment will “lock-in” the key development and built form standards but will also allow for a degree of flexibility to address site and building design details through the future Site Plan Control application process. The specific development plans highlighted in the report are conceptual in nature and are subject to a degree of change through the future development design and approval process. The massing diagrams presented are not to be construed as buildings but rather an artist’s interpretation of typical elements found in buildings of a similar scale as what is contemplated through the proposed Zoning By-law Amendment.

## 3 Stakeholder Engagement

The project team has carried out early communications/engagement with the Ward 9 Councillor, City Administration (Planning and Development), and surrounding residents to inform the redevelopment vision for the site and looks forward to continuing to do so as the applications progress through the review process.



## REFERENCES

1. City of Windsor Official Plan (2000).
2. North Roseland Secondary Plan (1998).
3. City of Windsor Intensification Guidelines (2022).
4. City of Windsor Zoning By-law 8600
5. City of Windsor, MappMyCity (Last updated 2023).
6. Notice of Adoption for City of Windsor Official Plan Amendment 159 (July 15, 2022)
7. Natural Features Inventory Plan, prepared by Bezaire Partners, dated October 12, 2023).
8. Transportation Impact Assessment, prepared by RC Spencer Associates Inc., dated October 2023.
9. Sanitary Servicing Study, prepared by Haddad Morgan & Associates Ltd., dated October 2023.
10. Legal Survey, prepared by Verhaegen Land Surveyors, dated June 17, 2021.





## STAGE 1

# WHAT WE HEARD REPORT

### Developer

Masotti Construction Inc.

### Project Site

3930 & 3950 Sixth Concession Road /  
Windsor / ON

**11.27.2023**

### Contact

Michael Davis

mdavis@siv-ik.ca | 905.921.9029 | siv-ik.ca

**SOCRATES COURT**

**MORAND STREET**

**DUCHARME ST**

**SCOFIELD AVENUE**

**SIXTH CONCESSION ROAD**

**COSENZA STREET**

**LANZIBAR CRESCENT**

**MANZANILLO CRESCENT**

**120M**

**PREPARED BY**  
Siv-ik Planning and Design Inc.

**PREPARED FOR**  
Masotti Construction Inc.

**VERSION 1.0**

**ISSUED**  
11.27.2023

**CONTACT**  
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# CONTENTS

<b>S1: Introduction</b>	<b>01</b>
<b>S2: Program Overview</b>	<b>03</b>
<b>S3: What We Heard</b>	<b>07</b>
<b>S4: Summary</b>	<b>13</b>

**ABOUT THIS REPORT**  
This What We Heard Report has been prepared by Siv-ik Planning and Design Inc. for Masotti Construction Inc. as part of our CREATE process. It provides an account of all community engagement activities undertaken in support of the planning process for 3930 & 3950 Sixth Concession Road, the feedback received throughout the process and the project team’s response to common questions and concerns. This report includes all of the feedback that the project team has received up to November 27, 2023. It will be updated as we continue to work with various stakeholders over the coming months through City review of the Official Plan and Zoning By-law Amendment application.



# S1: INTRODUCTION

## S1.1 About the Project

The project site is comprised of two legal parcels, municipally referred to as 3930 & 3950 Sixth Concession Road in the City of Windsor. The site is located on the east side of Sixth Concession Road at the intersection of DuCharme Street. The project site is located in the Roseland Planning District which encompasses the area generally bound by Cabana Road to the north, the CN rail line to the east, and Provincial Highway 401 to the south and west. The site currently contains an existing 2-storey single detached dwelling but is of a suitable size and shape to accommodate a greater intensity of development.

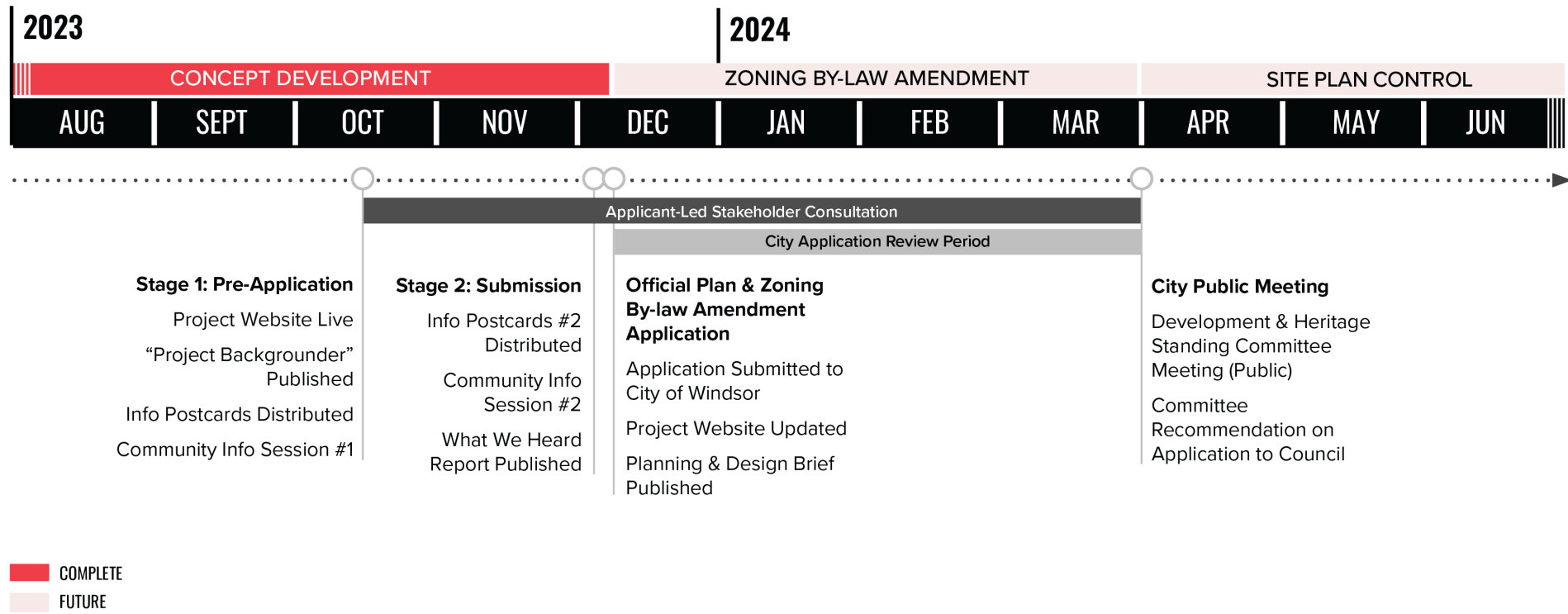


Figure 1. The Project Site



Figure 2. Proposed Development

## / Project Timeline



**Note:** Projected "future" timelines subject to change.

# S2: PROGRAM OVERVIEW

We understand that change in neighbourhoods warrants conversation. Our community engagement program was designed to provide an opportunity for those who are interested to learn more about the vision for the site early on in the planning process and share their thoughts. The Developer (Masotti Construction Inc.) and the project team are committed to engaging with local residents at multiple points in the process.

The timeline below shows a general overview of the steps in the planning process for 3930 & 3950 Sixth Concession Road and how those steps interact with our applicant-led community engagement program.

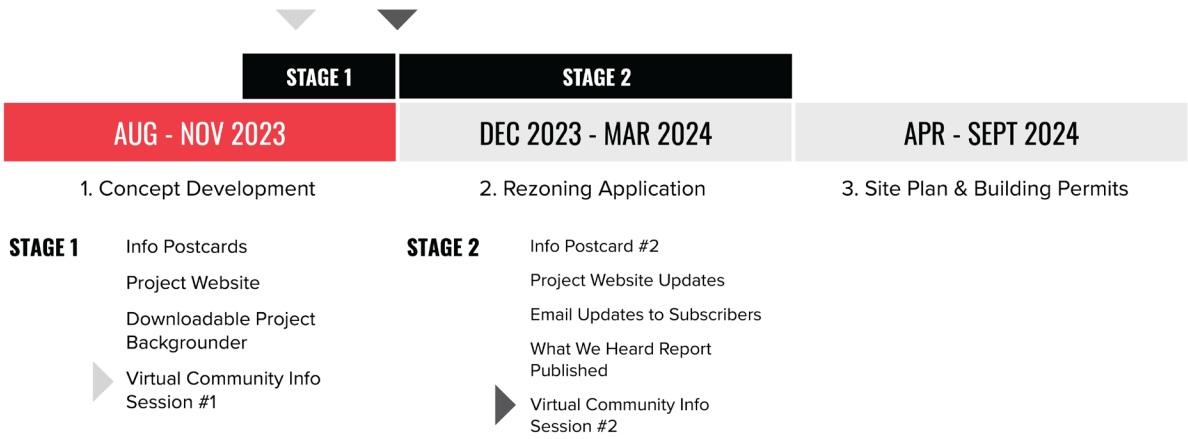


Figure 3. Engagement Program Overview

Feedback received through our outreach program is used to deepen our understanding of the local context and shape some elements of the design of the project, where possible. We acknowledge that change is difficult and that no outcome will satisfy all interested parties completely. As such, the project team cannot integrate everything suggested by our neighbours and the community at-large. However we commit to: providing residents with quality and up-to-date information about the project; helping residents to understand how they can participate in the process; asking for their thoughts and opinions; and sharing what we have heard and our team’s response to it.

## STAGE 1 TACTICS

### Info Postcard

83 information postcards were circulated to surrounding homes and businesses to notify the local community of the planned redevelopment via direct mail and to direct them to the project website.

### Project Website

A project website ([www.siv-ik.ca/3930sc](http://www.siv-ik.ca/3930sc)) was launched on October 11, 2023 to provide a “home base” for sharing information and updates about the project and gathering feedback through an online feedback form.

### Downloadable “Project Backgrounder” Publication

Siv-ik published a project backgrounder document to provide informative content regarding City planning policy, the planning process and the preliminary design principles that were established for the site. The backgrounder was made available for download on the project website.

### Virtual Community Information Session

The project team hosted a Zoom webinar on October 25, 2023 to provide a live forum to share information directly with residents/participants and to facilitate a Q&A session with lead members of the project team.

### What We Heard Report

The report has been published and shared on the project website. The report “closes the loop” on Stage 1 of our community engagement program by clearly documenting the feedback that was received and our response to it.

Figure 4. Info Postcard Snapshot

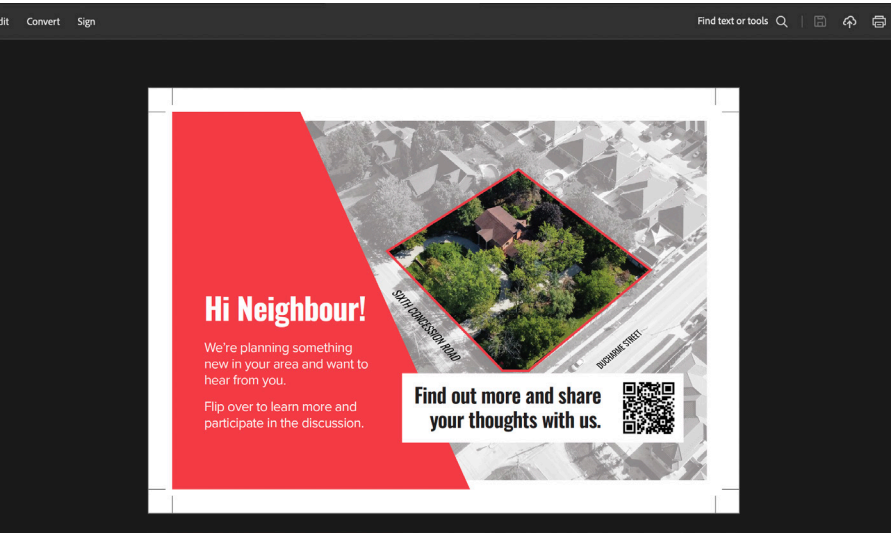


Figure 5. Project Backgrounder Snapshot

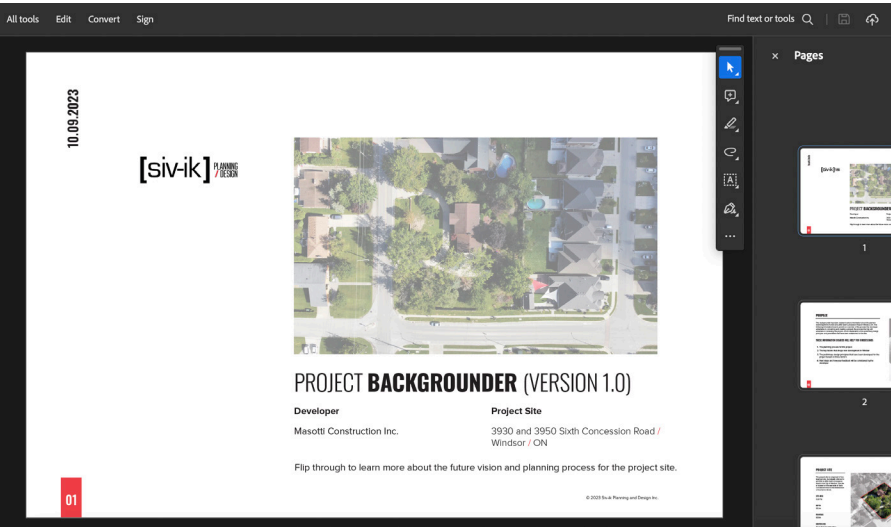


Figure 6. Project Website Snapshot

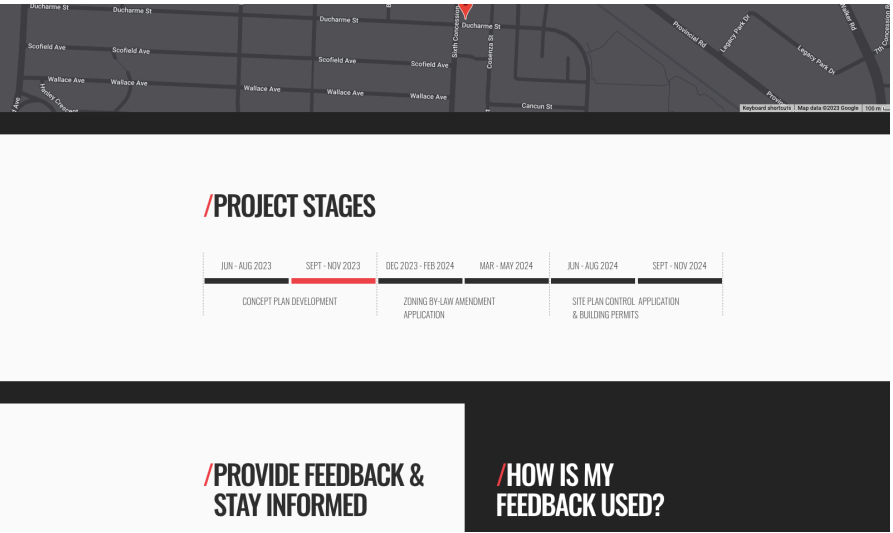
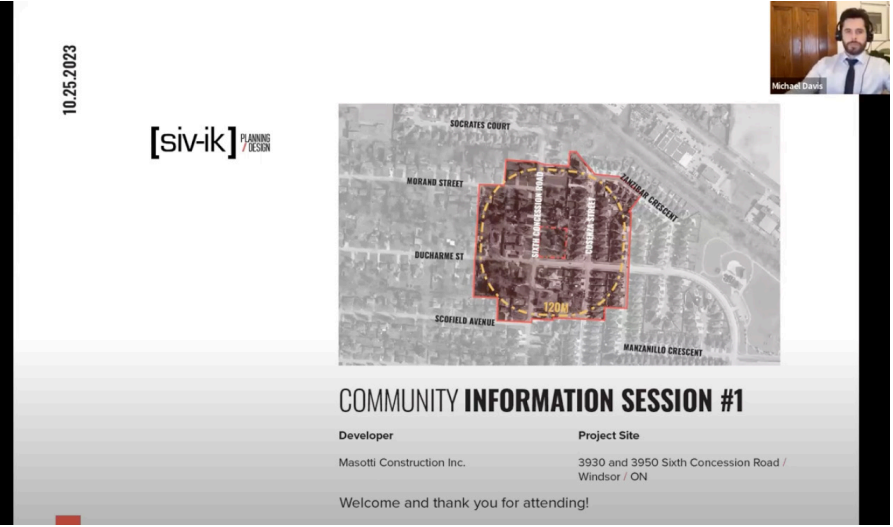


Figure 7. Community Info Session Snapshot





# / STAGE 1 BY THE NUMBERS

## REACH

83

INFO POSTCARDS CIRCULATED

117

UNIQUE PROJECT WEBSITE VIEWS

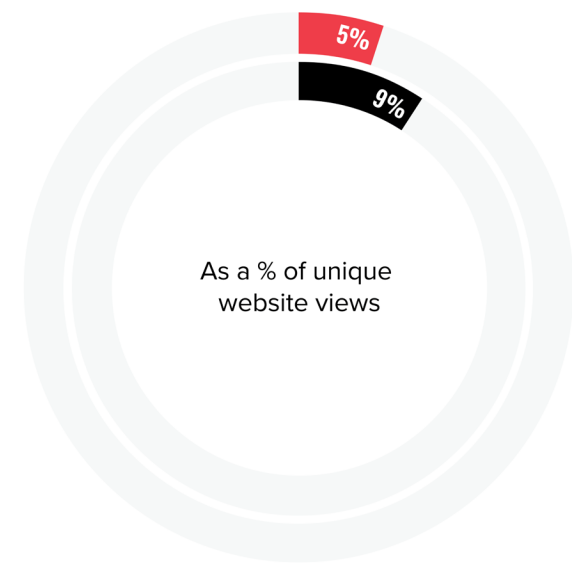
20

UNIQUE RESPONDENTS

39

UNIQUE PIECES OF FEEDBACK

## ENGAGEMENT

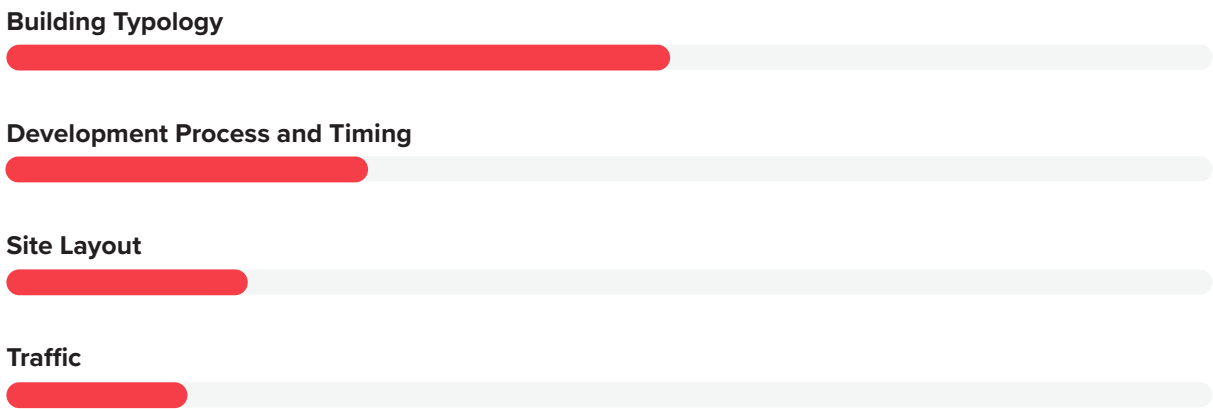


- Attended the Virtual Info Session #1
- Signed up for email updates

## FEEDBACK

### TOPICS OF INTEREST

Key topics of interest have been extracted from the feedback and comments provided. The table below shows the frequency that respondents provided feedback on specific topics. Some respondents provided feedback on more than one topic of interest. In some cases, comments were received that could not be organized into a topic of interest but were taken into consideration as part of this application process and included in this report. All verbatim responses received can be found in the Section 3 of this report.



**Note:** The graphics and text above represent highlights of Stage 1 of our community engagement program.

# S3: WHAT WE HEARD

## S3.1 Key Themes & Response

This section of the What We Heard Report includes an inventory of all written verbatim feedback collected by the project team through various channels during Stage 1 of the engagement process. The project team has applied best practice privacy rules to this What We Heard Report and therefore names, locations and contact information have been redacted in all instances to protect the anonymity of those who provided feedback.

### 1 Building Typology

SELECT COMMENTS	PROJECT TEAM RESPONSE
<ul style="list-style-type: none"><li>I understand the need for higher density. But a 30+ apartment building on this lot is not realistic.</li><li>I am concerned about the number of units in a small area.</li><li>Will these be rental or resell units?</li></ul>	<p>While the project site could accommodate a low-rise apartment building, after careful consideration of the existing city planning policies and the neighbourhood context the proposed concept plan includes 16 townhouses (up to 8 of the proposed townhouses may contain a secondary dwelling unit on the main floor). The proposed concept follows the applicable policies of the Windsor Official Plan and is supported by the City of Windsor Intensification Guidelines.</p> <p>It is anticipated that the large majority of residential units will be offered at a market rate. The specific form of tenure (e.g. owner-occupied condominiums vs. rental housing) has not been determined at this time and is not regulated by the City of Windsor through the Official Plan and Zoning By-law Amendment application process.</p>

### 2 Development Process and Timing

SELECT COMMENTS	PROJECT TEAM RESPONSE
<ul style="list-style-type: none"><li>Are they looking to utilize government funding for the project?</li><li>What stages can we make changes, provide feedback that will be listened to?</li><li>I think there should be a public forum with the ward Councillor so we can have a public discussion.</li></ul>	<p>At this time, the developer has not indicated whether they are looking to utilize any government funding for the project.</p> <p>In addition to the applicant-led community engagement process, the City will provide an opportunity for additional participation in the planning process once the Official Plan and Zoning By-law Amendment application has been submitted to and accepted by the City. Community members will be able to provide comments directly to the City Planner assigned to the file, review the application materials and provide your comments at a future public participation meeting before the City’s Development and Heritage Standing Committee. Windsor City Council is the approval authority for the applications.</p>

### 3 Site Layout

SELECT COMMENTS	PROJECT TEAM RESPONSE
<ul style="list-style-type: none"><li>Where will the parking be? Will it be a large parking lot?</li><li>Where are the windows facing?</li><li>What is going to happen to all the mature trees that are on the lot?</li></ul>	<p>Vehicle parking for the proposed townhouse units is provided in the rear yard of the site, entered from Ducharme Street. Parking will be provided by way of integrated/attached garages and individual driveways in front of each garage. A single row of parallel parking spaces are provided along the common driveway.</p> <p>The townhouse layout has been designed to reduce overlook onto neighbouring residential properties. The majority of unit windows face towards the public streets (Sixth Concession Road &amp; Ducharme), towards the internal spaces of the site. or towards the rear of the property. In cases where windows face towards existing residential buildings (specifically towards the rear), increased setbacks and vegetation buffers have been contemplated to reduce the potential for overlook.</p> <p>A Tree Inventory is required as part of this Official Plan and Zoning By-law Amendment application. Several of the large mature trees on the site are identified as “Poor” or “Fair” condition. New tree plantings will be contemplated through the future landscape plan which will be prepared during the site plan control application process. The Tree Inventory will be made available online at <a href="http://www.siv-ik.ca/3930sc">www.siv-ik.ca/3930sc</a>.</p>

### 4 Traffic

SELECT COMMENTS	PROJECT TEAM RESPONSE
<ul style="list-style-type: none"><li>Is 6th concession going to be widened with 4 lanes with all this traffic? Also, are there going to be traffic lights by Ducharme and 6th concession for all this extra traffic?</li><li>I am against this proposal. It will cause too much congestion.</li></ul>	<p>A Traffic Impact Brief is required by the City as part of the Official Plan and Zoning By-law Amendment application. Based on the evaluation of existing infrastructure and the proposed development, the study concluded that the existing intersection of Ducharme Street and Sixth Concession Road is expected to operate well even with the additional traffic generated by the proposed development. It was also identified that a mini roundabout is proposed at this intersection as part of the completed Sixth Concession-North Talbot Environmental Assessment. The full Traffic Impact Brief will be made available online at <a href="http://www.siv-ik.ca/3930sc">www.siv-ik.ca/3930sc</a>.</p>

S3.2 Verbatim Feedback

This section of the What We Heard Report includes an inventory of all written verbatim feedback collected by the project team through various channels during Stage 1 of the engagement process. The project team has applied best practice privacy rules to this What We Heard Report and therefore names and contact information have been redacted in all instances to protect the anonymity of those who provided feedback.

/ Online at [www.siv-ik.ca/3930sc](http://www.siv-ik.ca/3930sc)

Date	Respondent	Verbatim Feedback
2023-10-14	#1	<ul style="list-style-type: none"><li>Please mail me info about the project. I don't have a computer.</li></ul>
2023-10-17	#2	<ul style="list-style-type: none"><li>Is 6th concession going to be widened with 4 lanes with all this traffic??? Also, are there going to be traffic lights by Ducharme and 6th concession for all this extra traffic. I'm not happy about this development at all. This was a quiet neighborhood now it's going to be one big traffic jam!</li></ul>
2023-10-25	#3	<ul style="list-style-type: none"><li>Interested in finding out what the development will look like.</li></ul>
2023-10-25	#4	<ul style="list-style-type: none"><li>For zoom meeting!</li></ul>
2023-10-26	#5	<ul style="list-style-type: none"><li>We are not happy with Masotti constructions new project. It will ruin the entire street. Think about people who are already living here</li></ul>
2023-10-26	#6	<ul style="list-style-type: none"><li>I understand the need for higher density. But a 30+ apartment building on this lot is not realistic.</li></ul>
2023-10-27	#7	<ul style="list-style-type: none"><li>What are you planning ?</li></ul>
2023-10-27	#8	<ul style="list-style-type: none"><li>I am not in favour of this multiple unit project in this neighbourhood . Instead would recommend 2-3 town houses .</li></ul>
2023-10-29	#9	<ul style="list-style-type: none"><li>I am concerned about the number of units in a small area.</li><li>I think there should be a public forum with the ward councillor so we can have a public discussion.</li></ul>
2023-10-30	#10	<ul style="list-style-type: none"><li>Stop ruining our beautiful neighbourhood. Get out of here!</li></ul>
2023-10-31	#11	<ul style="list-style-type: none"><li>Will these be rental or resell units?</li><li>What zoning use will you be applying for?</li></ul>
2023-10-31	#12	<ul style="list-style-type: none"><li>I am against this proposal. It will cause too much congestion. Walker and Ducharme is already suffering. It's not fair to close up the other end. If there is a community vote, many will vote NO.</li></ul>

/ Virtual Community Meeting #1

Date	Respondent	Verbatim Feedback
2023-10-25	#13	<ul style="list-style-type: none"><li>What is the typology? Townhouse? Apartment? One building? Multiple buildings?</li><li>How is drainage going to be affected?</li><li>Concerned about multiple buildings – worried about too many people/apartments as they have kids</li><li>Renovated my house – beautiful neighbourhood, we will loose money when reselling our houses. Concerned about pool, property values – Do you think about the people living on this street for 20+ years</li></ul>
2023-10-25	#14	<ul style="list-style-type: none"><li>How many units are you proposing?</li><li>If an apartment where will the parking be? Will it be a large parking lot?</li><li>Is our plan for Sixth Concession to be redone before we start? Or will you go ahead before reconstruction?</li><li>Are you looking more for condo or rental?</li><li>How high is 3 storeys? In m?</li><li>Where are the windows facing?</li><li>Do you know if there will be any changes to the intersection of Ducharme and Sixth Concession? Would there be a stop light? No one stops at the stop sign.</li><li>House was for sale for 10 months or so – why the change in direction?</li><li>What's the projected timeline for construction? From shovels in the ground to occupancy?</li><li>Would there be underground parking?</li></ul>
2023-10-25	#15	<ul style="list-style-type: none"><li>What is the maximum number of units based on Design Principal 1?</li><li>Concerns with an apartment complex.</li><li>What stages can we make changes, provide feedback that will be listened to.</li><li>Believe that 2 houses should be developed on the site – no more, no apartment complex – does not want 25-35 units on the site.</li></ul>
2023-10-25	#16	<ul style="list-style-type: none"><li>How many buildings are you actually considering and how many storeys?</li><li>Are they looking to utilize government funding for the project?</li><li>Can this project be stopped?</li></ul>
2023-10-25	#17	<ul style="list-style-type: none"><li>What is going to happen to all the mature trees that are on the lot. It doesn't sound that the green space will be saved. When I look out my window, instead of seeing beautiful green space I'm going to see an eyesore of a building?</li></ul>



Date	Respondent	Verbatim Feedback
2023-10-25	#18	<ul style="list-style-type: none"><li>Is there any chance or actually stopping this project with the provincial mandate?</li></ul>
2023-10-25	#19	<ul style="list-style-type: none"><li>Thank u all.... very professional.</li></ul>
2023-10-25	#20	<ul style="list-style-type: none"><li>Thank you for your time gentlemen.</li></ul>

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# S4: SUMMARY

## S4.1 Purpose of this Report

This report represents the culmination of Stage 1 of our Applicant-led community engagement program for the proposed redevelopment of 3930 & 3950 Sixth Concession Road. The report is intended to be read in conjunction with the 2023-11-27 Planning and Design Brief, also prepared by Siv-ik Planning & Design Inc. That brief will be made available for public download at [www.siv-ik.ca/3930sc](http://www.siv-ik.ca/3930sc). We understand that what various stakeholders such as local residents think and say about an issue should be factored into the project planning for consideration. This report provides a transparent account of all feedback received to help inform decision-makers about issues that are important to local residents. It also represents a “closing of the loop” with participants in our engagement program where they can learn about how key themes of feedback have been addressed by the project team

## S4.2 Stakeholder Engagement

The project team has carried out early engagement with City Administration and surrounding residents, to inform the redevelopment vision for the site and looks forward to continuing to do so as the applications progress through the review. The next steps for our Applicant-led engagement program (i.e., Stage 2) are detailed above.



## REFERENCES

1. City of Windsor Official Plan (2000).
2. North Roseland Secondary Plan (1998).
3. City of Windsor Intensification Guidelines (2022).
4. City of Windsor Zoning By-law 8600
5. City of Windsor, MappMyCity (Last updated 2023).





## APPENDIX D – CONSULTATION

### ENBRIDGE – JOSE DELLOSA

After reviewing the provided drawing at Concession rd 6 and Ducharme St and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

#### **Please Note:**

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

Enbridge Gas requires a minimum separation of 0.6m 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





### **Municipal requirements**

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this development 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).

### **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.

## **CITY OF WINDSOR - ENGINEERING – ROW AND DEVELOPMENT**

We have reviewed the subject Official Plan & Zoning By-Law Amendment application and offer the following comments:

### **Sewers**

The site may be serviced by a 250mm PVC sanitary sewer and the 5th Concession Drain for the storm outlet, located along the Sixth Concession Road frontage. The 5th Concession Drain is a municipal drain with by-laws, and is governed under the Drainage Act. An engineer's report prepared in accordance with the Drainage Act is required for

any major improvements to the drain, which includes the installation, relocation, or removal of culverts for access. Any redundant sewer connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

A Sanitary Sewer Study, dated November 2023 by Haddad Morgan & Associates LTD, has been received and reviewed. The applicant's consultant has confirmed that the existing 250mm PVC sanitary sewer on Sixth Concession Road will effectively accommodate the site's sewer servicing needs. The study demonstrates that the municipal sanitary sewer has adequate capacity, and no adverse impacts are expected on the surrounding areas as a result of the proposed development. The Sanitary Sewer Study has been deemed acceptable, and the proposed sanitary servicing strategy is supported by the Engineering Development department.

The applicant will be required to submit, prior to the application for a building permit, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels.

The submission for a Storm Retention Scheme will include, at a minimum:

- a. Submission of stormwater management review fee,
- b. Stormwater management report stamped by a professional engineer
- c. Stormwater management check list (see link below)
- d. Site servicing drawings stamped by a professional engineer

Submission of a stormwater management report alone **will be deemed incomplete**, unless accompanied by the additional requirements specified above. Please visit the [City of Windsor Website](#) and the [ERCA Website](#) for additional information on stormwater management requirements.

### **Roads and Right-of-Way**

Sixth Concession Road is classified as a Class I Collector road by the Official Plan, with a required right-of-way width of 24 metres according to Schedule X. The current right-of-way width is insufficient, however, a conveyance is not required as per the Sixth Concession Road/North Talbot Road Environmental Assessment. Ducharme Street is classified as a Class II Collector road by the Official Plan, with a required right-of-way width of 22 metres according to Schedule X. The current right-of-way width is sufficient; therefore, a land conveyance is not required.

Currently, Sixth Concession Road lacks curb and gutter, as well as sidewalks along both sides and are required under the Environmental Assessment. The owner shall agree to contribute \$3,626.55 towards the future construction of curb and gutter, as well as \$6,861.05 towards the future construction of sidewalks along the entire Sixth Concession Road frontage.

A 0.3 metre reserve (City owned) exists along the entire Ducharme Street frontage, which controls access to the right-of-way. Driveway and leadwalk access to Ducharme Street is subject to partial removal of the existing reserve. There are several proposed leadwalks connecting to the existing municipal sidewalk along Ducharme Street and shall be consolidated on private property prior to tying in two connections to the

municipal sidewalk. Driveways shall be constructed of asphalt or concrete as per the City of Windsor Standard Engineering Drawing AS-221 or AS-222, complete with straight flares and no raised curbs in the right-of-way. The proposed driveway entrance shall have a minimum 1.0 metre separation from any hydro poles or vertical obstruction and a minimum corner clearance of 15 meters.

There are several items that currently reside within the existing drain maintenance corridor (10 metre setback from edge of drain), including two redundant driveways, their associated culverts, and an existing brick wall along the Sixth Concession Road frontage. It was also noted that the proposed building will be located within this designated working space. An engineer's report under the Drainage Act is required and a "Notice of Request for Drain Major Improvement – 78 (1.1)" form shall be submitted, addressing the removal of said items as well as the change of land use. This report must also propose an acceptable working space (corridor) from the existing top of bank, including an easement setback from the property line, which must remain free of any structures in perpetuity.

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 application for building permit, the sum of \$6,861.05 being the Owner's contribution towards the future construction of a concrete sidewalk along the Sixth Concession Road frontage of the subject lands.

**Curb and Gutter** – The Owner further agrees to pay to the Corporation, prior to application for building permit, the sum of \$3,626.55 being the Owner's contribution towards the future construction of concrete curb and gutter along the Sixth 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 Engineer's Report in accordance with Section 78 of the Drainage Act, which shall include a working corridor from the existing top of bank, as well as a drain easement setback from the property line along the entire Sixth Concession Road frontage.

**Drain Easement** – Prior to application for building permit, the owner shall gratuitously grant an easement satisfactory to the City Engineer along Sixth Concession Road for the maintenance and improvement of the 5th Concession Drain.

If you have any further questions or concerns, please contact Amy Olsen, of this department at [aolsen@citywindsor.ca](mailto:aolsen@citywindsor.ca)

## ENWIN

### Hydro Engineering: Jeremy Allossery

No objection provided adequate clearances are achieved and maintained. Take note of the ENWIN owned hydro pole at the northern edge of the 3930 Sixth Concession property, within the 3928 property lines, carrying overhead secondary and communication conductors that dip underground. Also be advised of the underground secondary conductors servicing the currently existing building.

### Water Engineering: Bruce Ogg

Water Engineering has no objections. The existing water service will need to be upgrades to accommodate the proposed development.

### CITY OF WINDSOR - 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 Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

### CITY OF WINDSOR - FORESTRY - Yemi Adeyeye

Forestry has following comments on this property.

After reviewing the Conceptual site plan and it looks to be a clear cut of the entire lot. If this site is going to be cleared of all the trees listed, it is a large loss of canopy cover for the City of Windsor.

I have removed all of the dead trees from the total and that DBH total is 1273cm.

**\*\*For every 5cm of DBH = 1 replacement tree(\$680.00)\*\***

1273/5cm=254.6 replacement trees

255 replacement trees at \$680.00 = \$173 400.00

### CITY OF WINDSOR - NATURAL AREAS - Karen Alexander

Natural Areas has following comments on this liaison.

The property is mowed under the trees, so the Natural Areas Inventory and Tree Preservation Plan is appropriate.

Natural Areas has no concerns as long as the tree inventory is approved by Forestry.

### CITY OF WINDSOR - PARKS - Hoda Kameli

Parks D&D has no objection to this Liaison.

### CITY OF WINDSOR - TRANSPORTATION PLANNING

- Sixth Concession Rd is classified as a Class I Collector road by the Official Plan with a required right-of-way width of 24 metres according to Schedule X. The current right-of-way width is insufficient, however, a conveyance is not required as per the 6th Concession Road/North Talbot Road Environmental Assessment.

- Ducharme St is classified as a Class II Collector road by the Official Plan with a required right-of-way width of 22 metres according to Schedule X. The current right-of-way width is sufficient; therefore, a land conveyance is not required.
- Per the Official Plan, a sidewalk is required on two sides of a Collector Road. A sidewalk contribution is required for Sixth Concession Rd frontage as per Engineering Right-of-Way requirements.
- All parking must comply with ZBL 8600, otherwise, a Parking Study will be required.
  - Accessible spaces and bicycle spaces must be clearly indicated on revised site plan
  - Transportation Planning would suggest additional bicycle parking to what is required according to ZBL, as there are many bicycle facilities within the area
  - The site plan does not show any loading spaces; they should be clearly indicated on the site plan if they are required as per ZBL 8600.
- Transportation Planning has reviewed the submitted Traffic Impact Brief titled, "3930 Sixth Concession Road Townhomes Windsor, On" conducted by RC Spencer Associates Inc. in October 2023 and has the following comments:
  - Transportation Impact Brief is satisfactory in its current form
- A Swept Path Analysis is required in order to demonstrate all turning maneuvers can be made with sufficient space
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings (AS-203 and AS-204).
- Raised curbs not permitted within the right-of-way
- Curved flares not permitted within the right-of-way
- Throat length for the proposed driveway onto Ducharme St must be 8 metres as per the TAC Guidelines
- Driveways proposed must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane)
- All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).



## APPENDIX G - Site Photos



*Eastern view of subject property from Sixth Concession Road*



*Northeast view of the subject property at Sixth Concession Road and Ducharme Street*





*Northerly view from Ducharme St*

Package A was initially provided to members of the Development & Heritage Standing Committee at their meeting held June 3, 2024 regarding Item 7.5 - OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9 (**S 66/2024**) as part of the Consolidated Agenda.

-----Original Message-----

From: AMARDEEP GHANGAS

Sent: Tuesday, May 28, 2024 11:52 AM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>

Subject: AGAINST ZONING CHANGE 3930&3950

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

As a resident of Ward 9, I'm against the proposal of Rezoning of ward 9, as it will negatively impact our neighbourhood.

It will create traffic nuisance, will put more stress on our already inefficient sewer drainage and will make the entire area overly populated and unsafe for its current residents.

Thanks

Amardeep Singh Ghangas

**From:** Satvir Gill

**Sent:** Tuesday, May 28, 2024 11:04 AM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>

**Subject:** Against an AMENDMENT ( 3930 & 3950 6th concession road)

**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

Subject : AGAINST ZONING CHANGE (3930 & 3950 6th concession road)

As a resident of Ward 9, I'm against the proposal of Rezoning of ward 9, as it will negatively impact our neighbourhood.

It will create traffic nuisance, will put more stress on our already inefficient sewer drainage and will make the entire area overly populated and unsafe for its current residents.

Thanks

Andy Muller

## **Lawful Notice to the Development and Heritage Standing Committee**

**Corporation of the City of Windsor**

**Subject: Community individuals have decided “no” to Proposed  
Zoning By-law Amendment and Official Plan Amendment**

**File Number: Z 008-24 [NG-7184] & OPA 185 [OPA-7185]**

**Date: Friday May 31, 2024**

**To: The Members of the Development and Heritage Standing  
Committee**

### **Introduction:**

We, the community of individuals, hereby issue this lawful notice to the Corporation of the City of Windsor. We express our gratitude to the men and women committed to justice and the rule of law, enabling us to stand proudly on this land as individuals born on this land with our full lawful capacity.

### **Engagement:**

Before proceeding, please take note of the following court case numbers, which are crucial to understanding the lawful basis of our binding decision that nullifies any further action on this matter:

1. [1980] 1 SCR 54
2. [2005] O.J. No. 2890



## **Main Argument:**

### **Canada's Status as a Juristic Entity:**

The Supreme Court, in Reference Re Authority of Parliament in relation to the Upper House [1980] 1 SCR 54, unequivocally clarified that Canada operates as a corporation, a juristic federal unit with lawful personality. This means any actions taken by this corporate entity and or its agents known as municipalities must comply with established binding laws and international obligations.

### **International Covenants:**

Canada, as a signatory to significant international human rights covenants such as the ICCPR and ICESCR, has binding obligations to uphold and protect human rights backed by supreme law. These commitments are reinforced through Canada's periodic reporting to the United Nations Human Rights Committee.

### **Legal Implications:**

The Constitution Act, 1982, establishes the supremacy of the Constitution. Section 52(1) states that any law inconsistent with the Canada's internal Constitution is of no force or effect. This includes laws that violate international covenants once they are incorporated into Canada's internal domestic law.

### **Key Case: Vincent v. DeGasperis [2005] O.J. No. 2890:**

The court introduced the concepts of need and hardship in the context of minor variances, emphasizing that a minor variance is not a “special privilege” but **must be justified by genuine need or hardship**. This case ensures that any decisions made by municipal bodies are fair and just.

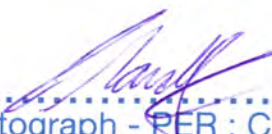
### **Opposition to Proposed Amendments:**

We, the individuals of this community, stand upon our our full lawful capacity. We assert that the proposed amendments to Zoning By-law 8600 and the Official Plan (File Number Z 008-24 [NG-7184] & OPA 185 [OPA-7185]) do not meet the criteria of genuine need or hardship as required by law.

### **Conclusion:**

We reclaim our ownership of these lands and assert our right to make binding decisions affecting our community. Any decision by the Corporation of the City of Windsor that infringes upon our rights is hereby declared invalid. We, the people, have decided and say no to the proposed changes. See attached signed affidavit by the individuals in our community...

**With love and respect,  
Ho'oponopono**

  
.....  
Autograph - PER : CLAUDIO SILVAGGI  
non assumpsit - without prejudice  
individual with intrinsic, unalienable rights



## Exposing the Truth: Canada as a Corporation and Its Lawful Boundaries

Dear Friends,

We have always believed that those who make decisions and pass laws in our country are doing so for our collective good. However, recent findings reveal a different reality. It turns out that what we often refer to as "our government" is actually operating as a corporation, bound by lawful frameworks similar to those governing businesses. This has profound implications for us all, particularly regarding the laws they create and their adherence to international human rights standards.

### What This Means for You:

- **A Corporation, Not a Government:** The entity we thought of as our governing body is lawfully recognized as a corporation. This means they operate under corporate rules and obligations, not as a true government "By The People".
- **International Obligations:** As a corporation, they are bound by international treaties and human rights agreements they have signed. These agreements are meant to protect our fundamental rights and freedoms against such corporations acting as governments.
- **Invalid Laws:** Any law created by this corporation that violates these international agreements is invalid. They have no lawful force because they breach the higher laws set by international human rights covenants.

### Key Points in Our Claim:

1. **Supreme Court Recognition:** The Supreme Court of Canada has recognized Canada as a "juristic federal unit" – a corporation with lawful personality.
2. **Lawful Definitions:** According to Canadian law, the term "person" includes corporations. Therefore, Canada functions lawfully as a corporation.
3. **Binding International Covenants:** Canada is a signatory to major international human rights covenants, meaning it must adhere to these global lawful agreements.
4. **Constitutional Supremacy:** The Canadian Constitution, made for its own governance of its employees, states that any law inconsistent with the Constitution is invalid. This includes laws that breach international treaties once they are incorporated into its own internal domestic law.

**Our Stand:** We are bringing this notice of claim to ensure that all individuals understand their true relationship with this corporate entity and to emphasize that any laws violating our fundamental rights and freedoms are not valid. We aim to protect and uphold the rights granted to us by international human rights treaties.

Together, we can hold this corporation accountable and ensure our rights are respected. It's time to recognize the truth and act accordingly to safeguard our freedoms and well-being.

With love and respect,

Claudio : Silvaggi  
individual with unalienable rights  
Non assumpsit - without prejudice

## Question:

"Do you agree that, based on the following text, **CANADA is a corporation** and cannot create laws that violate international treaties and covenants?"

## Notice of Claim:

### 1. Canada's Status as a Juristic Entity:

- **Supreme Court Recognition:** The Supreme Court of Canada recognizes CANADA as a juristic federal unit, meaning it operates with a lawful personality as a corporation. This is evident from rulings such as the **Reference Re Authority of Parliament in relation to the Upper House** [1980] 1 SCR 54, where it was stated that CANADA is not just a geographical unit but a "juristic federal unit."
- **Interpretations Act:** Under the Interpretations Act, the term "person" includes corporations. Section 35(1) defines "person" to include a corporation. Per black's law dictionary "include is singular". Therefore, by lawful definition, CANADA, as a juristic person, functions as a corporation.

### 2. International Covenants:

- **Signatory Status:** CANADA is a signatory to significant international human rights covenants, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Canada has ratified these covenants, thereby agreeing to uphold the principles and obligations outlined in them.
- **Binding Obligations:** These covenants impose binding obligations on CANADA to uphold and protect human rights. This is reinforced by CANADA's periodic reporting to the United Nations Human Rights Committee on its compliance with these covenants.

### 3. Lawful Implications:

- **Supremacy of the Constitution:** The Constitution Act, 1982, establishes the supremacy of the Constitution. Section 52(1) states that any law inconsistent with the Constitution is of no force or effect. This means that any law enacted by CANADA that violates international covenants is invalid. CANADA by La has incorporated the international covenants into its own internal domestic law.
- **Invalidity of Conflicting Laws:** According to Section 52(1) of the Constitution Act, 1982, laws inconsistent with the Constitution are invalid from the moment of their enactment. This principle was upheld in the case **Canada (Attorney General) v. Sam Lévy et Associés Inc.**, 2005 FC 171, which confirmed that laws breaching the Constitution are void ab initio.



#### 4. Key Lawful References:

- **Slaight Communications Inc. v. Davidson:** This case confirms that the Charter of Rights and Freedoms binds all legislative bodies and statutory authorities within the Corporation of CANADA. The Supreme Court stated that any action taken under statutory authority must comply with the Charter. The ruling emphasized that neither Parliament nor any other legislative body can authorize actions that breach the Charter and hence their international lawful obligations.
  - **Proof:** "The reference in s. 32 to the 'Parliament' and a 'legislature' make clear that the Charter operates as a limitation on the powers of those legislative bodies. Any statute enacted by either Parliament or a Legislature which is inconsistent with the Charter will be outside the power of (ultra vires) the enacting body and will be invalid." [1989] 1 SCR 1038.
- **Canada (Attorney General) v. Sam Lévy et Associés Inc.:** This case reinforces that laws inconsistent with the Constitution are invalid from the moment they are enacted. The court highlighted that the invalidity of a legislative provision arises from the moment of its enactment if it conflicts with the Constitution.
  - **Proof:** "The Constitution is, under s. 52(1) of the Constitution Act, 1982, 'the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.'" 2005 FC 171.
- **Zingre v. The Queen:** This case establishes that a state cannot use its domestic law to justify non-compliance with its international obligations. The Supreme Court of Canada ruled that international customary law prevents a state from invoking its internal law as a justification for failing to perform its international duties.
  - **Proof:** "It is a recognized principle of international customary law that a state may not invoke the provisions of its internal law as justification for its failure to perform its international obligations." [1981] 2 SCR 392.
- **Thomson Newspapers Ltd. v. Canada:** This case asserts that constitutional protections and rights are primarily for natural persons (humans) and not for corporations or other artificial entities. The court noted that constitutional rights are designed to protect human beings.
  - **Proof:** "Everyone has the right to life, liberty, and security of the person," underlining the human element involved; only human beings can enjoy these rights. "Everyone" must be read in light of the rest of the section and defined to exclude corporations and other artificial entities incapable of enjoying life, liberty, or security of the person. [1990] 1 SCR 425.

#### 5. Conclusion:

- As a juristic corporation, Canada is lawfully bound to comply with international human rights covenants. Any laws or actions that breach these agreements are invalid and of no force or effect.

**From:** Paul Kriz  
**Sent:** May 29, 2024 10:36 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** 3930 6th Concession Planned Development  
**Importance:** High

**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.

Please accept and record this message.

I oppose this proposed development and understand that allowing townhouses in a residential neighbourhood is not permitted in the Official Plan of North Roseland.

I do not support the developer's request to have the property in question removed from the Official Plan.

With Respect

Daniela R. Kriz, Owner and Taxpayer



**From:** DARK GRANITE  
**Sent:** Thursday, May 30, 2024 12:48 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Z 008-24 and OPA-7185 (OPPOSE)

**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.

## OPPOSE THE DEVELOPMENT OF 3930 6TH CONCESSION

24 separate dwellings, 3 stories tall is unacceptably in this community.

My first question is, why only 1/10th of a mile was notified? Who made this decision? Did the notification stop on the 900 block and downward of Ducharme, Morand, Scofield, Wallace etc.? Seems a bit sketchy to me that entire community was not notified. Not fair to the homeowner that moved in recently and had no clue this was happening before they purposed and the homeowners that have been there 30+ years. I guess it doesn't matter that we as taxpayers want as our voice doesn't matter.

Townhouses are not permitted in the OFFICIAL PLAN of NORTH ROSELAND. Single dwelling homes, 1 story that accommodate a family I'm more than willing accept. The developer is requesting the property be rezoned permitting townhouses 3 stories tall with parking space of 40 will forever change the unique character of our neighborhood with negative impact not only with traffic but also the visual of the surrounding homes that have been established there for many years.

Now let's talk about the traffic. Even though the pork chops have been put in, the number of cars that make a left turn from south to north on all streets police can make their quota. The 3 way stop on Morand and 6th concession, you have to pay attention because cars don't stop, or they'll stop just past the sign realizing there's a stop. The car from Morand can't make the left turn because the car on 6th concession is has now blocked the right of way.

No sidewalks, or bike paths. This is unsafe as it is. If those townhouses are built there will be more traffic and a danger to pedestrian. Roundabouts will not solve the safety issue or traffic issues. Also, there is no transit within the vicinity. It's quite the walk to the bus stop

The arguments raised in this 2024 proposal will not improve the integrity of the neighborhood and safety concerns. I strongly suggest you reconsider this proposal and respect the community request.

Thank you

**From:** Farzana Akhter  
**Sent:** Thursday, May 30, 2024 1:00 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Concerns Regarding Proposed Townhouse Development File Number Z 008-24(ZNG-7184) & OPA 185(OPA-7185)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Standing Committee,

I hope this letter finds you well. I am writing to express my **strong opposition** to the proposed development of 24 dwelling units in our neighborhood. While I appreciate the need for housing, I believe that this particular project would have detrimental effects on our community.

**Here are my concerns:**

**Overcrowding:** Our neighborhood is already densely populated, and adding 24 more units would exacerbate the situation. The existing infrastructure, such as schools and roads, is struggling to accommodate the current population. Introducing more residents without adequate planning could strain our resources further.

**School Capacity:** As you are aware, our local school is already crowded with students. Adding more families to the area would put additional pressure on the school system. We need to prioritize the well-being and education of our children by ensuring that class sizes remain manageable.

**Traffic Congestion:** The intersection of 6th Concession Road and Ducharme Street is notoriously busy. Granting permission to build townhouses adjacent to Ducharme Street would only worsen the traffic situation. Residents would face longer commute times, increased noise, and safety risks.

**Community Well-Being:** Our neighborhood has a strong sense of community, and we value the peace and tranquility it provides. Introducing more housing units without proper consideration would disrupt this harmony. We must prioritize the well-being of our residents over any development plans.

In light of these concerns, I urge the City Council to reconsider the proposed development. Perhaps alternative locations could be explored to minimize the impact on our community.

Thank you for your attention to this matter. I trust that you will carefully weigh the pros and cons before making a decision that affects us all.

Sincerely,

Farzana Akhter

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Terri Fletcher

**Sent:** Thursday, May 30, 2024 12:39 PM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

**Subject:** Oppose multi unit Development of 3930 6th Concession file numbers Z008-24 and OPA -7185

**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 City clerk

I am writing to oppose multi unit Development of 3930 6th Concession file numbers Z008-24 and OPA - 7185

This would not benefit the long term residents of our neighborhood. We already suffer from extremely dangerous traffic conditions of people using our streets as cut throughs and shortcuts at speeding rates trying to get to Costco, Rona stores and other developments. Parking is an issue as well. Please do not rezone this area for multi unit dwellings.

Kind regards,

Terri Fletcher

Sent from [Mail](#) for Windows

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

-----Original Message-----

From: Paul williams

Sent: Thursday, May 30, 2024 12:20 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Proposal to develop 3930 6th Concession at north-east corner of Ducharme street .

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I oppose this planned development on 6th concession-File numbers Z 008-24 and OPA-7185

My name is. Paul Williams

**Development & Heritage  
Standing Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

-----Original Message-----

From: Sharon Ducharme  
Sent: Thursday, May 30, 2024 1:57 PM  
To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
Cc: [kmckenzie@windsor.ca](mailto:kmckenzie@windsor.ca)  
Subject: Townhouse development

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 , at 820 Ducharme Street , strongly oppose the planned development of  
3930 6th. Concession  
File numbers Z 008-24 and OPA - 7185  
Such structures definitely do not fit in to the many existing single family homes surrounding that piece of  
property .

Respectfully  
Ken and Sharon Ducharme

-----Original Message-----

From: Guri dhaliwal

Sent: Tuesday, May 28, 2024 12:24 PM

To: clerks <[clerks@citywindsor.ca](mailto: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.

Hello,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.



**From:** Gurleen Grewal

**Sent:** Tuesday, May 28, 2024 11:40 AM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@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.

Hello,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600 (3930 & 3950 6th concession road ) (7.5) FILE NUMBER Z 008-24 & OPA -7185 This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood. Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents. The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains. Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure. As a resident of WARD 9, I strongly oppose the proposed city plan.

**From:** Harleen Gill  
**Sent:** Tuesday, May 28, 2024 11:16 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto: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.

Hello, AGAINST AN AMENDMENT TO ZONING BY-LAW 8600 (3930 & 3950 6th concession road ) (7.5) FILE NUMBER Z 008-24 & OPA -7185 This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood. Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents. The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains. Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure. As a resident of WARD 9, I strongly oppose the proposed city plan.

Item 7.5 - Written Submission

**From:** Harman Dhaliwal

**Sent:** Tuesday, May 28, 2024 1:51 PM

**To:** Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>; clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

**Subject:** AGAINST ZONING CHANGE (3930 & 3950 6th concession road)

**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 sir/madam,

As a resident of Ward 9, I'm against the proposal of Rezoning of ward 9, as it will negatively impact our neighbourhood.

It will create traffic nuisance, will put more stress on our already inefficient sewer drainage and will make the entire area overly populated and unsafe for its current residents.

Moreover the local school, Talbot trail public school is already overcrowded and kids and families are suffering. Please stop this action and let the community live in peace.

Thanks

Regards,  
Harman Dhaliwal

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Khan Gill  
**Sent:** Thursday, May 30, 2024 2:47 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto: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.

Subject: Concerns Regarding Proposed Townhouse Development File Number Z 008-24(ZNG-7184) & OPA 185(OPA-7185) Dear standing committee, I hope this letter finds you well. I am writing to express my strong opposition to the proposed development of 24 townhouse units in our neighborhood. While I appreciate the need for housing, I believe that this particular project would have detrimental effects on our community. Here are my concerns: Overcrowding: Our neighborhood is already densely populated, and adding 24 more units would exacerbate the situation. The existing infrastructure, such as schools and roads, is struggling to accommodate the current population. Introducing more residents without adequate planning could strain our resources further. School Capacity: As you are aware, our local school is already crowded with students. Adding more families to the area would put additional pressure on the school system. We need to prioritize the well-being and education of our children by ensuring that class sizes remain manageable. Traffic Congestion: The intersection of 6th Concession Road and Ducharme Street is notoriously busy. Granting permission to build townhouses adjacent to Ducharme Street would only worsen the traffic situation. Residents would face longer commute times, increased noise, and safety risks. Community Well-Being: Our neighborhood has a strong sense of community, and we value the peace and tranquility it provides. Introducing more housing units without proper consideration would disrupt this harmony. We must prioritize the well-being of our residents over any development plans. In light of these concerns, I urge the City Council to reconsider the proposed development. Perhaps alternative locations could be explored to minimize the impact on our community. Thank you for your attention to this matter. I trust that you will carefully weigh the pros and cons before making a decision that affects us all. Sincerely,  
Zaheer Ahmad

**From:** Ivan Arlotta  
**Sent:** Thursday, May 30, 2024 2:35 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Z 008-24 and OPA-7185 (oppose)

**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.

## OPPOSE THE DEVELOPMENT OF 3930 6TH CONCESSION

24 separate dwellings, 3 stories tall is unacceptable in this community.

My first question is, why only 1/10th of a mile was notified? Who made this decision? Did the notification stop on the 900 block and downward of Ducharme, Morand, Scofield, Wallace etc.? Seems a bit sketchy to me that the entire community was not notified. Not fair to the homeowner that moved in recently and had no clue this was happening before they proposed and the homeowners that have been there 30+ years. I guess it doesn't matter that we as taxpayers want as our voice doesn't matter.

Townhouses are not permitted in the OFFICIAL PLAN of NORTH ROSELAND. Single dwelling homes, 1 story that accommodate a family I'm more than willing to accept. The developer is requesting the property be rezoned, permitting townhouses 3 stories tall with parking space of 40 will forever change the unique character of our neighborhood with negative impact not only with traffic but also the visual of the surrounding homes that have been established there for many years.

Now let's talk about the traffic. Even though the pork chops have been put in, the number of cars that make a left turn from south to north on all streets police can make their quota. The 3 way stop on Morand and 6th concession, you have to pay attention because cars don't stop, or they'll stop just past the sign realizing there's a stop. The car from Morand can't make the left turn because the car on 6th concession has now blocked the right of way.

No sidewalks, or bike paths. This is unsafe as it is. If those townhouses are built there will be more traffic and a danger to pedestrians. Roundabouts will not solve the safety issue or traffic issues. Also, there is no transit within the vicinity. It's quite the walk to the bus stop

The arguments raised in this 2024 proposal will not improve the integrity of the neighborhood and safety concerns. I strongly suggest you reconsider this proposal and respect the community request.

Thank you

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:**  
**Sent:** May 30, 2024 5:10 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** 3930 6th Concession, 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.

Dear Sir/Madam:

Please accept this email as representing our opposition to the proposal for townhouse buildings at 3930 6<sup>th</sup> Concession, which is coming up before the Development and Heritage Standing Committee on June 3, 2024.

Ducharme Street and 6<sup>th</sup> Concession already have a significant amount of through traffic, much of it at high speeds, and we fear that this development would only serve to exacerbate that situation.

In addition, we feel that the proposed buildings and density are not in accordance with the current residence's in the area.

We also would ask to be informed of any further meetings or hearings with respect to this development.

Yours truly,

Renata and Anthony Soda



**From:** Pardeep Sidhu  
**Sent:** May 30, 2024 6:01 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Cc:** Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>; mayoro <[mayoro@citywindsor.ca](mailto:mayoro@citywindsor.ca)>  
**Subject:** Subject: Opposition to Rezoning of 3930 & 3950 6th Concession Road

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council Members,

I am writing to express my strong opposition to the proposed rezoning of properties located at 3930 and 3950 6th Concession Road in Ward 9. As a resident of Ward 9, I am concerned that this rezoning, specifically for townhomes, will have a negative impact on our already congested neighborhood.

The proposed change could lead to several issues, including:

- **Increased Traffic:** The addition of townhomes will lead to a significant increase in traffic on our already congested roads, particularly at the very busy intersection of 6th Concession and Ducharme. This would create safety hazards, likely accidents, longer commute times, and disrupt the peaceful character of our neighborhood.
- **Strained Infrastructure:** Our current sewer drainage system is already struggling to meet demand. Denser development could overwhelm the system, leading to overflows and potential health hazards.
- **Overcrowding of Schools and Parks:** Captain John Wilson Park is already at capacity, and is found overcrowded at most times leading to a non-relaxing environment. Notably, the Talbot Trail School is facing overcrowding issues. The influx of new residents from the proposed development could further strain these vital community resources.

### Call to Action

I urge you to carefully consider the potential negative consequences of this rezoning proposal. It is important to prioritize the well-being of existing residents and the character of our neighborhood by rejecting this proposal.

Thank you for your time and consideration.

Sincerely,

Dr. Pardeep Sidhu

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

-----Original Message-----

From: Denise Ivanic

Sent: May 30, 2024 6:20 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Rezoning

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am against the rezoning & building of townhouses on 6th con. Denise Ivanic

**From:** Husam Ibrahim  
**Sent:** May 30, 2024 6:35 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Concerns Regarding Proposed Townhouse Development File Number Z 008-24(ZNG-7184) & OPA 185(OPA-7185)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Standing Committee,

I hope this letter finds you well. I am writing to express my **strong opposition** to the proposed development of 24 dwelling units in our neighborhood. While I appreciate the need for housing, I believe that this particular project would have detrimental effects on our community.

**Here are my concerns:**

**Overcrowding:** Our neighborhood is already densely populated, and adding 24 more units would exacerbate the situation. The existing infrastructure, such as schools and roads, is struggling to accommodate the current population. Introducing more residents without adequate planning could strain our resources further.

**School Capacity:** As you are aware, our local school is already crowded with students. Adding more families to the area would put additional pressure on the school system. We need to prioritize the well-being and education of our children by ensuring that class sizes remain manageable.

**Traffic Congestion:** The intersection of 6th Concession Road and Ducharme Street is notoriously busy. Granting permission to build townhouses adjacent to Ducharme Street would only worsen the traffic situation. Residents would face longer commute times, increased noise, and safety risks.

**Community Well-Being:** Our neighborhood has a strong sense of community, and we value the peace and tranquility it provides. Introducing more housing units without proper consideration would disrupt this harmony. We must prioritize the well-being of our residents over any development plans.

In light of these concerns, I urge the City Council to reconsider the proposed development. Perhaps alternative locations could be explored to minimize the impact on our community.

Thank you for your attention to this matter. I trust that you will carefully weigh the pros and cons before making a decision that affects us all.

On an unrelated note, The community is expecting to pave sidewalks on 6th concession road, that road is not safe for children and people who use it to go division road.

Sincerely,

Husam Ibrahim

-----Original Message-----

From: S V  
Sent: May 30, 2024 7:01 PM  
To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
Subject: FILE NUMBER Z 008-24 & OPA -7185

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,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.  
Sent from my iPhone

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** A S  
**Sent:** May 30, 2024 7:10 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Concerns Regarding Proposed Townhouse Development File Number Z 008-24(ZNG-7184) & OPA 185(OPA-7185)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Windsor City Council,

I am writing to express concerns over the proposed development of 24 dwelling units in our neighborhood, as it would negatively impact our community.

Concerns include:

1. Overcrowding: Adding 24 units would strain our already overburdened infrastructure, such as drainage and roads.
2. School Capacity: Our local school is overcrowded, and more families would worsen this issue.
3. Traffic Congestion: Building on Ducharme Street would increase traffic, leading to longer commutes, more noise, and safety risks on a single lane road.

I urge the City Council to reconsider the development and explore alternative locations to minimize the impact on our community. Thank you for your attention.

Sincerely,  
Alankrit Shah

**From:** Moh'd Hamtini  
**Sent:** May 30, 2024 7:12 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Fwd: Concerns Regarding Proposed Townhouse Development File Number Z 008-24(ZNG-7184)  
& OPA 185(OPA-7185)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Standing Committee,

I am writing to express my strong opposition to the proposed development of 24 dwelling units in our neighborhood.

While I understand the need for housing, I believe that this particular project would have detrimental effects on our community for the following reasons:

\* **Overcrowding:** Our neighborhood is already densely populated, and adding 24 more units would exacerbate the situation. The existing infrastructure, such as schools and roads, is struggling to accommodate the current population. Introducing more residents without adequate planning could strain our resources further.

\* **School Capacity:** Our local school is already crowded with students. Adding more families to the area would put additional pressure on the school system. We need to prioritize the well-being and education of our children by ensuring that class sizes remain manageable.

\* **Traffic Congestion:** The intersection of 6th Concession Road and Ducharme Street is notoriously busy. Granting permission to build townhouses adjacent to Ducharme Street would only worsen the traffic situation. Residents would face longer commute times, increased noise, and safety risks.

\* **Community Well-Being:** Our neighborhood has a strong sense of community, and we value the peace and tranquility it provides. Introducing more housing units without proper consideration would disrupt this harmony. We must prioritize the well-being of our residents over any development plans.

In light of these concerns, I urge the City Council to reconsider the proposed development. Perhaps alternative locations could be explored to minimize the impact on our community.

Thank you for your attention to this matter. I trust that you will carefully weigh the pros and cons before making a decision that affects us all.

Sincerely,

Mohd Hamtini



**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** mais eljabal  
**Sent:** May 30, 2024 7:40 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Cc:** Abdullah Al Mamun <[abdullahalmamun.ca@gmail.com](mailto:abdullahalmamun.ca@gmail.com)>  
**Subject:** Concerns Regarding Proposed Townhouse Development File Number Z 008-24(ZNG-7184) & OPA 185(OPA-7185)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Standing Committee,

I hope this letter finds you well. I am writing to express my **strong opposition** to the proposed development of 24 dwelling units in our neighborhood. While I appreciate the need for housing, I believe that this particular project would have detrimental effects on our community.

**Here are my concerns:**

**Overcrowding:** Our neighborhood is already densely populated, and adding 24 more units would exacerbate the situation. The existing infrastructure, such as schools and roads, is struggling to accommodate the current population. Introducing more residents without adequate planning could strain our resources further.

**School Capacity:** As you are aware, our local school is already crowded with students. Adding more families to the area would put additional pressure on the school system. We need to prioritize the well-being and education of our children by ensuring that class sizes remain manageable.

**Traffic Congestion:** The intersection of 6th Concession Road and Ducharme Street is notoriously busy. Granting permission to build townhouses adjacent to Ducharme Street would only worsen the traffic situation. Residents would face longer commute times, increased noise, and safety risks.

**Community Well-Being:** Our neighborhood has a strong sense of community, and we value the peace and tranquility it provides. Introducing more housing units without proper consideration would disrupt this harmony. We must prioritize the well-being of our residents over any development plans.

In light of these concerns, I urge the City Council to reconsider the proposed development. Perhaps alternative locations could be explored to minimize the impact on our community. Thank you for your attention to this matter. I trust that you will carefully weigh the pros and cons before making a decision that affects us all.

Sincerely,

Bilal hamadani

**From:** Silky Khullar  
**Sent:** May 30, 2024 8:15 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** FILE NUMBER Z 008-24 & OPA -7185

**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,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

Sincerely,

Silky khullar

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** DINO PANICCIA

**Sent:** May 30, 2024 8:40 PM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

**Subject:** AMENDMENT TO ZONING BY-LAW 8600 and AN AMENDMENT TO THE OFFICIAL PLAN

**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.

My husband Dino Paniccia and I, Mary Elizabeth Paniccia residing at 931 Morand Street since 1963 are strongly opposed to the changing of the above mentioned changes. We do not want our area to be changed in any way especially to allow contractors to come in and build whatever they want in order to make money off of our properties....example..being able to demolish beautiful homes in order to put up multiplex structures in our neighbourhoods that are meant to be kept as single family dwellings.....PLEASE LEAVE US ALONE!!!!!!

Mary Elizabeth Paniccia

**From:** A C  
**Sent:** May 30, 2024 9:13 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto: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.

Hello,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Keith Ashman  
**Sent:** May 30, 2024 9:42 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** 3930 6th Concession - File numbers Z 008-24 and OPA - 7185

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have recently become aware of the plan at the corner of Ducharme St. and 6th Concession to build four, three story townhouses with a potential to house 72 people.

My husband and I are vehemently apposed to this new proposal as this is a family neighborhood with single family homes. We have lived here for almost 30 yrs. now and premitting townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

Please rethink where these townhomes will be build, old Roseland is NOT the place.

Sincerely,

Renee Lacasse and Keith Ashman

**From:** Angele Parent  
**Sent:** May 30, 2024 9:58 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** 3930 6th Concession - File numbers Z 008-24 and OPA - 7185

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

I am writing to speak on the recently renewed proposal to develop 3930 6<sup>th</sup> Concession, located at the end of Ducharme St. As a long-time admirer of this neighbourhood and someone who patiently waited for an opportunity to call this area home, let it be known that I am 100% opposed to the proposal to build townhouse buildings at the end of my street. This neighborhood offers large, private lots with modest homes and well-established trees. We'd like to keep it that way. The significant impact this proposal will bring to the area includes increased traffic in an already busy area with pre-existing concerns about traffic volume and speed. We have speed bumps, two all-way stops, and left turn restrictions, that many don't abide by, and there have been numerous accidents due to the excess traffic. Building townhouses will only add to the chaos as it will further increase traffic. Is the safety of our residents not a consideration? It should be. I'd like to add that there aren't sidewalks on this side of 6<sup>th</sup> Concession. Again, it seems the safety of the residents isn't a factor. How about drainage and sewer concerns, will those be a factor? They should be. We've been having drainage issues since we purchased our home in May of 2023. We've had sewage back-up into our home 3 times. The city claims that there is nothing to be done on their end, that the issues remain with our lines, and that we are responsible for the repair. That we should then pay to have the road dug up, the t-connection repaired, and a new road installed. Last time I checked, I don't own the road. It should not be my responsibility to repair the sewer lines. The city continues to neglect the preexisting drainage issues in this area. What will happen when there are 72+ residents added to that mix? Our drainage and sewer systems aren't equipped to handle that increased traffic either. I speak for everyone in our neighborhood when I say we do not want sewage in our homes. We do not want to put added pressure on a system that is failing. To be clear, I am opposed to the removal of the current property. I am opposed to the rezoning of this and all other properties in this neighbourhood to allow for townhouses or the like to be built. I am opposed to increased traffic, both vehicular and drainage/sewer. I am opposed to putting the safety of residents at risk. I am opposed.

*Angele Parent*

*Sandwich West Public School*

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**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Jag Bal  
**Sent:** May 30, 2024 10:41 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against rezoning of ward 9

**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

My name is jag bal , I live at 3960 6th concession rd .

I am standing against an amendment to zoning by law 8600 ( 3930 & 3950 6th concession road) ward 9  
File number Z 008-24 & OPA- 7185

This will have significant impact on the traffic of entire neighborhood which include all streets , as there is already increase of accidents on the 6th concession rd

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

Please take it your consideration  
Thank you

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Sandra Muller  
**Sent:** May 30, 2024 11:38 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against rezoning of sixth concession road ward9

**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

Very disturbed to know about the upcoming project on sixth concession road and what the city is trying to do with ward 9. Extend the city. There's plenty of space.  
Stop benefiting the builders. Represent the people, residents.

Strongly against the proposed plan on agenda 7.5.

**From:** Grace Cavallo  
**Sent:** May 30, 2024 11:50 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against sixth concession road

**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

This is regarding construction on sixth concession road and rezoning of ward 9.

The structure of the neighbourhood is not compatible with the proposed plan of the builders.

It's sad to know that something like this as even proposed let alone be a part of discussion and arguments.

There are school bus stops within 50 metre radius if that lot. Can't believe that anybody would put kids and neighbours safety at risk to benefit a few.

AS A RESIDENT OF WARD 9 , I STRONGLY OPPOSE THE PROPOSED PLAN.

**From:** Alexander Mauqe  
**Sent:** May 31, 2024 12:02 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against rezoning of ward 9 sixth concession road

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

I'm against the rezoning of ward 9 and against the construction of multi places for end number of reasons

But I would like to list a few here.

Sixth concession road is a main trajectory. It's an easy access to Costco and other stores for its current residents. Multiplexes will create a traffic havoc which the city would not be able to control later.

I know a number of people of this area who have dignified jobs, these multi story buildings will only prove to be a an eye sore.

Drainage system is so bad already and additional bathrooms and kitchen will put more pressure on the sewer . Safety of current residents is the promise responsibility of any city.

I, STAND AGAINST THE REZONING OF WARD 9.

**From:** Samsul Alam Sarker

**Sent:** May 31, 2024 12:31 AM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Radulescu, Diana (She/Her) <[dradulescu@citywindsor.ca](mailto:dradulescu@citywindsor.ca)>; Szymczak, Adam <[aszymczak@citywindsor.ca](mailto:aszymczak@citywindsor.ca)>

**Subject:** Subject: Concerns Regarding Proposed Townhouse Development File Number Z 008-24(ZNG-7184) & OPA 185(OPA-7185)

**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 Anna Ciacelli / Standing Committee,

Good morning. I am writing to you regarding June 3, 2024 Development & Heritage Standing Committee Agenda on "An Amendment to Zoning By-Law 8600 and An Amendment to the Office Plan" where I have a serious concerns on Proposed Townhouse Development File Number Z 008-24(ZNG-7184) & OPA 185(OPA-7185)

I am writing to express my **strong opposition** to the proposed development of 24 dwelling units in our neighborhood. While I appreciate the need for housing, I believe that this particular project would have detrimental effects on our community.

**Please Review Our Concerns as Follow:**

**Overcrowding:** Our neighborhood is already densely populated, and adding 24 more units would exacerbate the situation. The existing infrastructure, such as schools and roads, is struggling to accommodate the current population. Introducing more residents without adequate planning could strain our resources further. Currently, thousand of people living this neighborhood including residents and tenants.

**School Capacity:** As you are aware, our local Talbot Trail school is already crowded with students. School hasn't enough rooms to accommodate students, and school authority build extra shed for children's. Adding more families to the area would put additional pressure on the school system. We need to prioritize the well-being and education of our children by ensuring that class sizes remain manageable.

**Traffic Congestion:** The intersection of 6th Concession Road and Ducharme Street is notoriously busy. Granting permission to build townhouses adjacent to Ducharme Street would only worsen the traffic situation. Residents would face longer commute times, increased noise, and safety risks. In current situation, we have to wait at least a minute to turn on Six Concession. If the city will approve this project then it would be death trap, recently two accident already happed in this intersection

**Community Well-Being:** Our neighborhood has a strong sense of community, and we value the peace and tranquility it provides. Introducing more housing units without proper consideration would disrupt this harmony. We must prioritize the well-being of our residents over any development plans.

**Park:** The area is so, crowded that, it hard to difficult to get a sitting or playing space in the park. Not sure, I believe the park not been designed for that much population.

I urge the City Council to reconsider the proposed development. Perhaps alternative locations could be explored to minimize the impact on our community and neighborhood.

Moreover, in similar way, city of Windsor has determined the car parking on Zanzibar Crescent Only on One Side of the Road in 2016/2017, without Being Considering Majority of Neighboring opinions and now a days a lots of commercial vehicle have parked week after week on the roadside. Most of citizen, not parking their cars on garage, rather prefer to put car on the designed road side and use their garage for other purposes. City never looked at these issues, though they authority told the community the city will investigate it in future, almost 8 years have passed.

Thank you for your attention and considering our opinions regards to above subject matter. I trust that you will carefully weigh the pros and cons before making a decision that affects us all.

Sincerely,

Md. Samsul Alam Sarker  
&  
Ferdoush Jahan Dilroba



**From:** Suzanne DeFroy  
**Sent:** May 31, 2024 1:46 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Letter of Opposition to ZNG-7184 AND OPA-7185

**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.

Greetings

I have been asked to forward the attached letter from Thomasine and Melvin Lewis on their behalf to be circulated to the Development and Heritage Standing Committee Members.

Thomasine is one of the original property owners who purchased the property from the original Morand family.

They are both senior citizens and are not computer literate. They also tried to reach you by phone today and gave up in frustration so turned to me to help them out.

A signed copy will be delivered on June 3rd at the Public Meeting of which they cannot attend.

Kindly acknowledge receipt so I can let them know. If there are any questions or concerns they have asked that you call them directly.

*Thank you  
Suzanne C. De Froy*

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** DAN BUSSEY  
**Sent:** May 31, 2024 7:07 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Opposition to 3930 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.

I am e-mailing you to voice my opposition to the proposed development at 3930 6th Concession.

I believe it will change the landscape of this established neighbourhood and create more traffic.

I do not want to see this change.

Dan Bussey

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Kiranpreet Mangat  
**Sent:** Tuesday, May 28, 2024 11:36 AM  
**To:** Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>  
**Cc:** clerks <[clerks@citywindsor.ca](mailto: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.

Good morning,

AGAINST AN AMENDMENT TO ZONING BY-LAW (3930 & 3950 6th concession road) 8600 (7.5) FILE NUMBER Z 008-24 & OPA -7185 This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood. Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents. The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains. Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure. As a resident of WARD 9 m, I strongly oppose the proposed city plan.

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

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**From:** Lucy De Luca <>  
**Sent:** Thursday, May 30, 2024 8:33 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Rezoning 3930 & 3950 6th Concession Rd.

**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.

Good morning,

I am submitting a letter for the opposition of the rezoning of 3930 & 3950 6th Concession Road.

I would also like to attend the meeting online. Do I need a password or code to sign in for the meeting on Monday, June 3, 2024 @ 4:30pm?

Thank you for your assistance,  
Lucy De Luca

Item 7.5 - Written Submission

Concerns for proposed zoning change to 3930 & 3950 6th Concession Road

1. The City of Windsor has done nothing to improve 6th Concession. There are very big ditches along one side of the street. I have seen cars and garbage trucks fall into these ditches. Just this past month, there was a car accident and a car fell into the ditch at the exact location for the rezoning. These ditches all ALONG 6th concession makes it very difficult for anyone driving to stop for an emergency, for example police cars, flat tires, etc. With more people living at the corner of 6th Concession and Ducharme, how does the city propose to fix all the problems along 6th Concession?
2. This neighbourhood is multi-generational. There are 2 to 3 families living within one house. This is not a neighbourhood where only 4-6 people live in one house. I am sure with the number of people per house, it puts a lot of strain on sewer systems, amount of water, electricity, gas required per household. How will 24 new dwellings that can have a possibility of many people/household affect all these services?
3. There are 3 new condo buildings at the end of Ducharme and Walker Road. The entrance/exit for all these condos is along Ducharme. This has already added to traffic concerns along Ducharme. Since the entrance/exit from these proposed 24 dwelling units, will also be along Ducharme Street, this will add additional strain to the street. Ducharme also has a lot of speeding issues. Many drivers do not adhere to the speed limit. This is quite a concern since there is an elementary school and a large park along Ducharme.
4. 6th Concession has a mature look to it. Rezoning to build 24 dwellings will take away the aesthetics of the street. It is also very unfortunate that the mature trees that help clean up the car pollution will be chopped down from this lot.
5. 24 dwellings and 40 parking spaces seems like a lot of cars and people. I was told that this was NOT the only property in this neighbourhood that is being considered for rezoning. Again, Concession 6 traffic is horrendous and the City of Windsor needs to fix these traffic issues before multiple housing units are considered. Concession 6 and Ducharme are only two lane streets. How can the City of Windsor even think to propose more dwellings along this neighbourhood?

I am opposed to any rezoning being considered in my neighbourhood.  
Lucy Deluca, 3950 Cosenza St.





# 3930 & 3950 SIXTH CONCESSION ROAD

## PROJECT SUMMARY

www.siv-ik.ca/3930sc | **Developer:** Masotti Construction Inc.

## Concept At-A-Glance

### USE

24

**DWELLING UNITS**

16 TOWNHOMES + 8 ADU'S

### PARKING



**VEHICLE SPACES**

(2.0/UNIT FOR TOWNHOME  
DWELLINGS AND 1.0/UNIT FOR  
ADU'S)

### HEIGHT

3

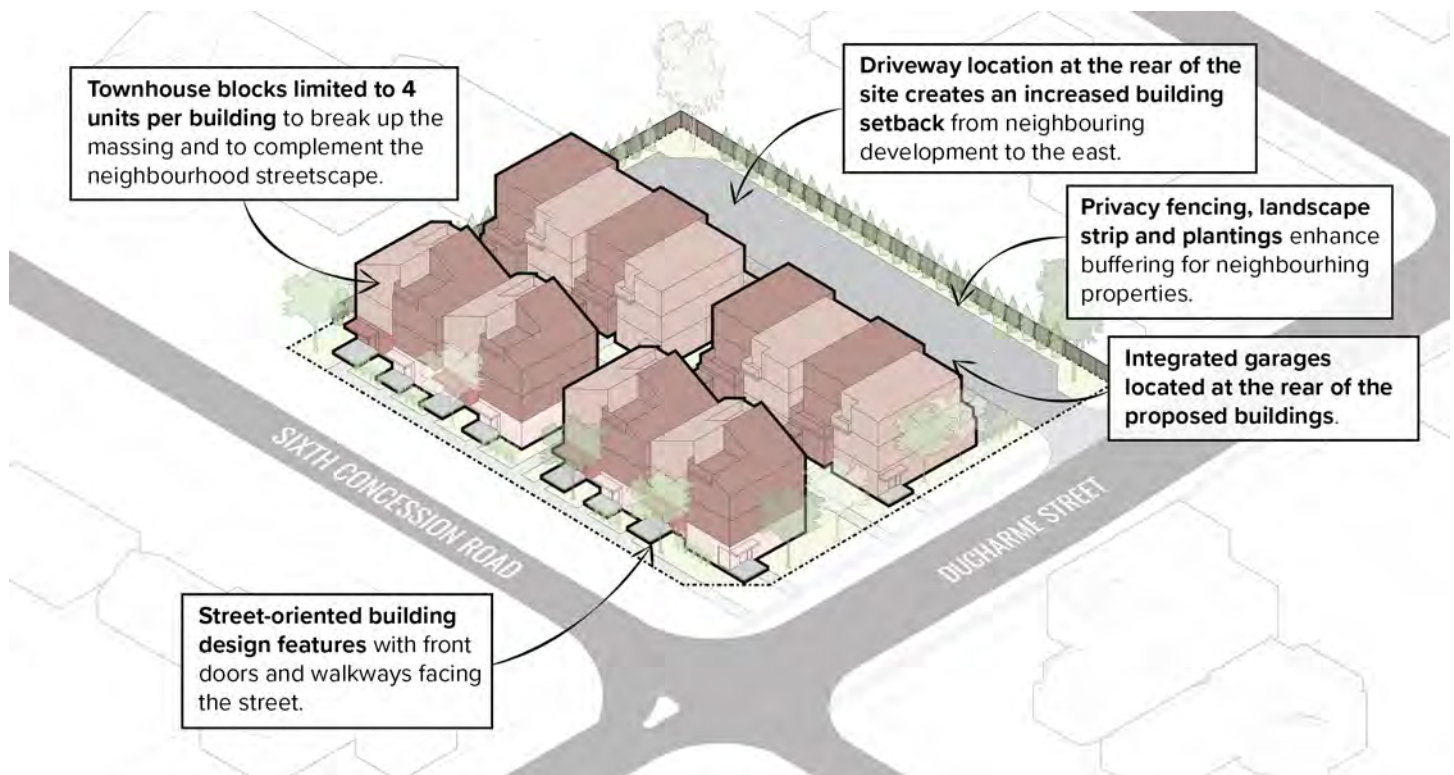
**STOREYS**

(11.0M)

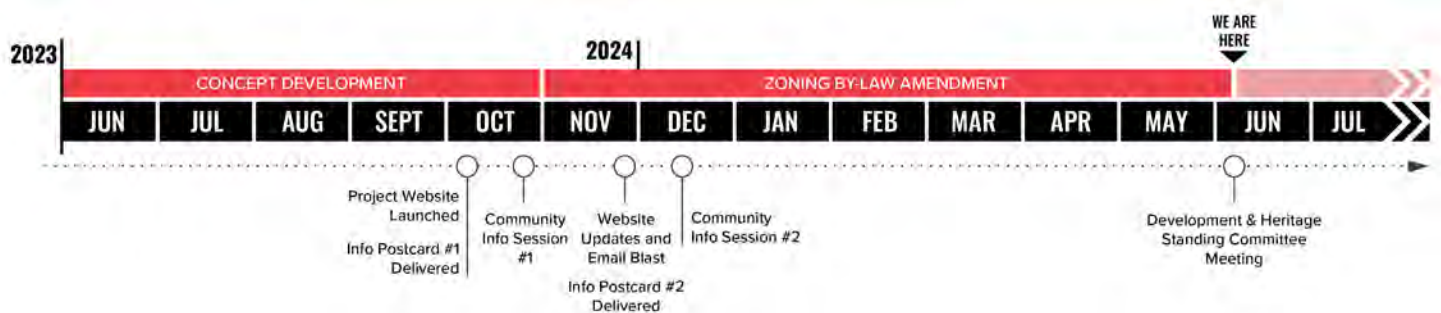
### LANDSCAPED AREA

42%

## Key Features



# Timeline



## Community Engagement by the Numbers



\*Includes feedback received from the Siv-ik project website feedback form, Virtual Community Information Meeting #1 and #2, and emails to info@siv-ik.ca. The count does not include any feedback sent directly to the City.

## Key Themes Heard and Our Response

### Neighbourhood Fit

- The proposed concept plan includes 16 townhouses (up to 8 of the proposed townhouses may contain a secondary dwelling unit on the main floor).
- The corner location of the site provides for a logical location for a step-up in height.
- The proposed development provides a built form that is 3-storeys in accordance with the City's intensification guidelines.
- The proposed height at many points aligns with the existing RD 1.2 & 1.4 zones that apply to the site and surrounding properties.
- The townhouse blocks have been limited to 4 units per building to break up the massing and to complement the neighbourhood streetscape.

### Site Layout

- Vehicle parking is provided in the rear yard of the site, entered off of Ducharme Street.
- The majority of unit windows face towards public streets, the internal spaces of the site or towards the rear of the site to reduce overlook onto neighbouring residential properties.
- Increased building setbacks and vegetation buffers have been contemplated at the rear of the site to reduce overlook.

### Traffic

- The Traffic Impact Brief submitted as part of this application concluded that the existing intersection of Ducharme Street and Sixth Concession Road is expected to operate well even with the additional traffic generated by the proposed development.

### Contact Us

www.siv-ik.ca | info@siv-ik.ca

City Council Meeting Agenda - Monday, September 23, 2024  
Page 706 of 778



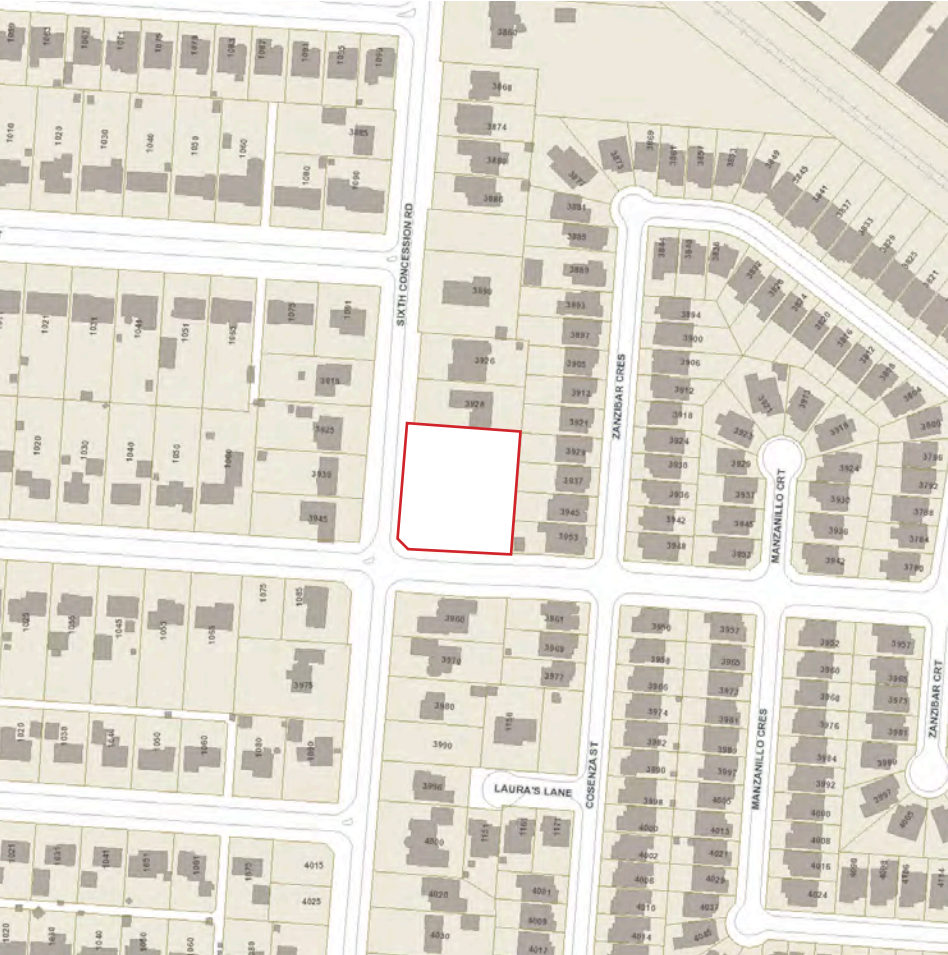
SIXTH CONCESSION ROAD

DUCHARME STREET



CONCEPT PLAN

PROJECT SITE  
3930 Sixth Concession Road

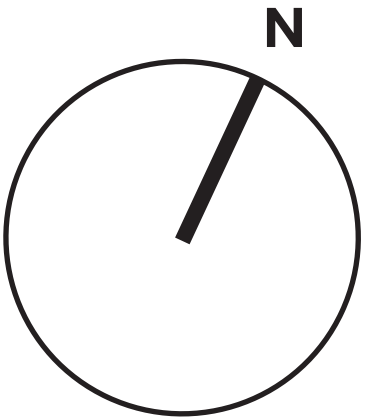


SITE DATA

Regulations	Required	Proposed
Permitted Uses:	Section 11.5.2	Townhome Dwellings Additional Dwelling Units
Lot Area:	3,040m² (190m² per unit)	3,335.5m²
Lot Width	20.0m (min) 6.0m (min.)	60.8m
Front Yard:	7.0m (max.)	4.65m* 2.65m (North) 3.0m (South)
Side Yard:	2.5m (min.)	
Rear Yard:	7.5m (min)	16.5m
Lot Coverage:	50% (max.)	32%
Height:	14.0m (max.)	3-Storeys
	Townhouse with attached garage: 1/unit	
	Townhouse without attached garage: 1.25/unit	
Parking:	Additional Dwelling Unit: 1/unit	
	Visitor: 15% of stalls provided	
	Total required: 24	40 provided

\* Requires Special Provision

Client:	Masotti Construction Inc.
Date:	[11.22.23]
Drawn By:	D. Murphy
Plan Scale:	nts
File No:	3930SC
Version	1.0



[siv-ik] PLANNING / DESIGN

Contact Us  
www.siv-ik.ca  
info@siv-ik.ca  
905.921.9029

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**From:** pete machina  
**Sent:** Tuesday, May 14, 2024 6:45 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Comment regarding zoning by-law amendment application

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Application to amend zoning by-law 8600  
Reference file Number Z 008-24 [ZNG-7184] & OPA 185 [OPA- 7185]

With regard to the application to amend the zoning by-law referenced above, I would like to submit the following for consideration by Council and the Development and Heritage Committee.

I recognize both the City's and Province's desire to increase residential density through the implementation of more mixed housing options, and as such do not object to the proposed development.

I would like however, to draw attention to the increased risk this proposal brings to residents in the adjacent neighbourhood, namely those residing on Ducharme Steet, west from the 6<sup>th</sup> Concession to Howard Avenue, ie those in the 500 to 1000 blocks of Ducharme St.

The original plan for the Walker Gate community called for Ducharme street to be offset southward at the 6<sup>th</sup> concession, rather than the straight through run that was employed. The thought was to divert traffic from the Walker Gate community along the 6<sup>th</sup> Concession to either the Dougal Parkway on ramp or to Provincial road. As a result of the actual layout of the road, Ducharme Street has seen a huge increase in vehicle traffic both east bound and west bound into and out of the Walker Gate community. Despite the use of a No Entry sign and Porkchops designed to limit traffic flow, many people driving west bound on Ducharme Street blatantly ignore the signage and cross the 6<sup>th</sup> Concession to drive around the porkchop and continue westward on the original section of Ducharme St. Law enforcement to deter this infraction has been nonexistent.

Additionally, the portion of Ducharme street east of the 6<sup>th</sup> Concession is wider than the western portion and has both sidewalks and bicycle lanes where the western portion does not. There is negligible parking on the eastern portion because there are no homes that face onto Ducharme Street. The western section is lined with homes that face onto the street and there are frequently many cars on both sides of the street. That, combined with the lack of sidewalks, creates a narrow corridor for pedestrians and bicyclists. The section of Ducharme west of the 6<sup>th</sup> Concession is frequented by locals, ranging from seniors to parents with young children whether walking or in strollers.

The addition of the proposed multi dwelling housing development at the north East corner of Ducharme Street and the 6<sup>th</sup> concession will only exacerbate an already dangerous set of conditions.

I request that as a part of the final plan, that steps are taken to remediate this condition and to eliminate the added risk by permanently blocking off the western end of the 1000 block of Ducharme by installing a guard rail or permanent earth berm, thereby creating a cul-de-sac at that location. The recent proposal to create a roundabout at that intersection will do nothing to alleviate that risk and only heighten it. Previous objections by the city to create a cul-de-sac at this location are without merit as there are already several cul-de-sacs in the region including those on Lynn, Bedford as well as several running off Holburn St. and Ducharme St, within the Walker Gate community.

Thank You for your consideration.

Peter Machina

**From:** raman bal  
**Sent:** Friday, May 31, 2024 11:01 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** AGAINST ZONING CHANGE 3930& 3950 6th concession road

**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,

As a resident of Ward 9, I'm against the proposal of Rezoning of ward 9, as it will negatively impact our neighbourhood.

It will create traffic nuisance, will put more stress on our already inefficient sewer drainage and will make the entire area overly populated and unsafe for its current residents.

Thanks

Get [Outlook for iOS](#)

-----Original Message-----

From: Amandeep Sekhon  
Sent: Friday, May 31, 2024 11:42 AM  
To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
Subject: Against zoning

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

Subject : AGAINST ZONING CHANGE (3930 & 3950 6th concession road) As a resident of Ward 9, I'm against the proposal of Rezoning of ward 9, as it will negatively impact our neighbourhood. It will create traffic nuisance, will put more stress on our already inefficient sewer drainage and will make the entire area overly populated and unsafe for its current residents.

Thanks

Amandeep Kaur Ghangas



**From:** Kelly-ann Way  
**Sent:** Friday, May 31, 2024 11:45 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Re: Proposal to develop 3930 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.

I am writing to voice my strong opposition to the proposed development of 3930 6th Concession. The Official Plan of North Roseland does not permit the type of dwellings the developer wishes to build. Presently, there is a single home on the lot surrounded by other single homes. The building of 4 townhouses, each 3 stories high with the potential house 72 people in 24 units, will have a significant negative impact on the homes beside this development and on the surrounding streets. The present proposal only has 40 parking spaces which will not be enough to accommodate the residents. Even if each unit has 2 people living in it, that would still require 48 parking spots which will mean, the surrounding streets will now become the permanent parking lot for a poorly thought out development. The significant increase in the amount of traffic that these townhouses will bring to residential streets will have a lasting negative impact. We know about this when the "Planning Committee", who completely ignored the residents in this area, and closed off Kathleen and Harcourt Streets to prevent left hand turns ( but then proceeded to build a new road and several plazas that require left hand turns) we, the residents on Morand Street, were completely left out of the conversation but we have had to deal with the negative impact of poorly thought out decision with a large amount of speeding traffic.

This type of housing has a place. If you go through areas outside of Toronto and Hamilton, there is a lot of it. None of it is around single dwellings and there is a reason for that. There is a reason for zoning and part of it is to preserve the integrity of neighbourhoods. If this is allowed, it will set a negative precedent for all areas of this city. We paid to live in a neighbourhood with only single dwellings and we pay a lot of taxes to do so.

This development is based only on greed with absolute disregard for the surrounding people and tax payers that live in this area. Please reject the rezoning request.

Sincerely,

Kelly-Ann Way

**From:** Kelly-ann Way  
**Sent:** Friday, May 31, 2024 11:45 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Re: Proposal to develop 3930 6th Concession

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This development is based only on greed with absolute disregard for the surrounding people and tax payers that live in this area. Please reject the rezoning request.

Sincerely,

Kelly-Ann Way



**From:** Ranju Dhaliwal  
**Sent:** Tuesday, May 28, 2024 11:33 AM  
**To:** Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>; clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against Zoning Amendment 3930 & 3950 6th concession rd

**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

AGAINST AN AMENDMENT TO ZONING BY-LAW (3930 & 3950 6th concession road)  
8600  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conductive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9 m, I strongly oppose the proposed city plan.

[Sent from Yahoo Mail for iPhone](#)

**From:** Salman Ali

**Sent:** Tuesday, May 28, 2024 11:42 AM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@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.

Hello,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600 (3930 & 3950 6th concession road ) (7.5) FILE NUMBER Z 008-24 & OPA -7185 This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood. Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents. The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains. Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure. As a resident of WARD 9, I strongly oppose the proposed city plan.

**From:** satvinder kaur  
**Sent:** Tuesday, May 28, 2024 2:19 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** REGARDING AMENDMENT TO ZONING BY-LAW8600

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Hello,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

Satvinder Kaur

**Subject:** Re: Delegation Confirmation - Item 7.5 – OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9

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**From:** Satvir Jagraj Sandhu < >

**Sent:** Tuesday, May 28, 2024 10:58 AM

**To:** Clerks <clerks@citywindsor.ca>

**Subject:** Re: FW: RE: Delegation Confirmation - Item 7.5 – OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9

Hello

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a **lasting negative impact on traffic congestion and infrastructure.**

**As a resident of WARD 9 m, I strongly oppose the proposed city plan.**



May 28, 2024

Attention: Development & Heritage Standing Committee

RE: 3930 and 3950 Sixth Concession Road.

File Number Z 008-24 [ZNG-7184] & OPA 185 [OPA-7185]

This letter is in opposition to the consideration for amendment to the zoning by-law 8600 and amendment to the official plan. We are located directly across the street from this property and feel the proposed Townhouse Development will drastically impact the privacy and character of street.

We feel changing the zoning history to allow such a high concentration of 24 dwelling units on this property, along with a height up to 12 metres with 3 floors plus roof balconies is excessive for the existing neighbourhood. This together with the change of minimum building set back will over bare our existing houses.

Another problem is the amount of parking on the property. It's simply not enough to support all the tenants and their guests. There is no street parking on Ducharme Street east of Sixth Concession because of dual bike lanes. This will force parking onto the west side of Ducharme Street and with impact the privacy and traffic on our side of the street.

Please do not revise the current zoning by-laws and official site plan on the above property, because they are in place to protect the neighbours and integrity of the surrounding area.

Best Regards,

Scott Fauteux

**From:** Sundar  
**Sent:** Tuesday, May 28, 2024 1:41 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; [kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)  
**Subject:** AGAINST ZONING CHANGE (3930 & 3950 6th concession road)

**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,

Subject : AGAINST ZONING CHANGE (3930 & 3950 6th concession road)

As a resident of Ward 9, I'm against the proposal of Rezoning of ward 9, as it will negatively impact our neighbourhood.

It will create traffic nuisance, crowded school, will put more stress on our already inefficient sewer drainage and will make the entire area overly populated and unsafe for its current residents.

Thanks,  
Sundar Rajan

910 Ducharme, Windsor, ON, N9G 1K9

May 30, 2024

City Clerk's Office

Development & Heritage Standing Committee Members

Re: Public Meeting to Consider Amendments  
Zoning By-law 8600 [ZNG-7184] and Official Plan [OPA-7185]  
3930 & 3950 6<sup>th</sup> Concession Rd.

Thank you for considering my concerns and opposition to the above-mentioned proposal. Consultation has always been transparent since the farmland was being developed in the 1990's. I have lived at 910 Ducharme for more than 25 years and was involved in the lengthy consultations that took place in 2004. Other 'open houses' were noted in the April 2016 Environmental Study prepared by Dillon Consulting for the City of Windsor. To illustrate a different perspective about 'lived experience' that reflects existing problems that will need to be addressed before taking the above-mentioned project to the next stage I continue to rely on the expertise cited in **Dillon's 2016 report**:

- As a result of the lengthy public consultations conducted in 2004, due to traffic and safety concerns intersections at Wallace, Scofield, Ducharme, Morand, and Socrates at Sixth Concession resulted in pork chop installations. In addition, a speed bump on Scofield and two all-way stops were located at Morand and Wallace. These all remain contentious.
- Drainage issues/rural cross sections need upgrade to urban cross sections on 6<sup>th</sup> Concession
- There is a lack of active transportation facilities (discontinuous sidewalks, cycling, and transit accommodations)
- Traffic control issues at Ducharme and 6<sup>th</sup> Concession continue to be problematic
- Speed, traffic volume and safety concerns identified
  - Non-compliance to 'stop controls'
  - Non-compliance to 'left turn restrictions'
- **Concerns** that any additional changes will encourage cut-through traffic into Old Roseland neighborhood west of 6<sup>th</sup> Concession

**Report Recommendations:**

- Enclosing drainage systems must be addressed.
- Traffic control issues for pedestrian and cyclist **SAFETY** and **reduced infiltration through the local road system** were also raised to find solutions. Suggested roundabouts at ALL

intersections located at the 6<sup>th</sup> Concession, which was referenced in the amendment proposal [pg. 538 of agenda] to mediate this concern for the proposed project.

It should be noted that many sound recommendations in Dillon's report have yet to be implemented mostly due to budget constraints - as per information provided at the November 30<sup>th</sup> Ward 9 Public Meeting. A **major fear** is that someone, some day will be maimed or killed.

**CONCERNS noted by experts in 2004 and 2016 HAVE ONLY BEEN MAGNIFIED by this proposal!**

After the speed bump on-line survey for Ducharme in **2023** (*that was difficult to access*) I wrote letters to employees at City Hall including my councillor and I was told that another environmental impact study was going to be done of which I have not seen.

It is disappointing that four days ago I found out about the major changes being proposed by happen-chance. I have spent the past several days trying to understand this proposal which has been in the process of being developed for over a year. Request to consider amendments that are going beyond a simple request for a minor variance must be subjected to the standard 'tests' under section 45(1) of the Ontario Planning Act.

1. Is the proposal a **desirable and appropriate use of the subject property** – not only from the applicant's perspective [pg 502 – client is Masotti Construction who commissioned Siv-ik Planning and Design] but, also whether **is it desirable from a planning and public interest point of view?** From the notes made above that were captured by 'experts' there are existing problems that need to be addressed **before** additional pressures are placed on the affected neighbourhoods.

More recent public comments were generated in 20 responses to 83 'postcards' inviting ONLY those living within 400 feet of the location to 'virtual input sessions'- computer access previously noted as problematic. Cited in the Siv-ik's report that underpins these proposals, questions were raised, many left unanswered, or derogatory comments were submitted [Agenda pg. 535-541]. From my conversations with over 30 neighbours this past week since I became aware of this public meeting, frustration and disbelief were expressed and not one comment was made for support of this proposal.

2. Would the general intent and purpose of the **official plan** be maintained? This is a **MAJOR** request to change a **viable residential property** to be **removed** and replaced with 24 residences embedded in four separate units of **six plexes** that are 12 metres [40 feet] in height - therefore no longer considered as low profile or compatible in structure or land use similar to other

neighborhood properties. Parking for visitors and tree replacement will also be problematic based on the illustration. Other issues that contravene **the Official Plan** are highlighted in the reference below [sections 3.7.3.2; 3.7.3.3; 3.7.7.4].



[picture listed on the internet]



[Drawing, pg. 501-502 City's Agenda]

3. Will the general intent and purpose of the **zoning bylaw** be maintained? Rezoning property for multiple dwellings and 'associated designs' of **four** separate buildings will **each provide six residences** with a possibility of housing 72 or more people. It is my opinion that this is **new plan** being introduced, that although site specific, will be **precedent setting** and future developers can use to their advantage.

Finally, I referred to the **Ontario Superior Court Of Justice Divisional Court** judgement in a key case decision, which raised the question of '**special privilege**' being given that I would suggest are also applicable to making these major amendments for **zoning** and **official plan** changes to a 'site specific provision' on a single property. The judgement cited the need to determine justification that is a genuine '**need or hardship**' by the property's owner before granting approval. In this case before you and the public, the intended 'need or hardship' by the applicant has not been established.

Referencing the federal government's demand on fourplex development as a 'right', Mayor Dilkens defended council's decision on Dec. 13, 2023, not to comply with one of the conditions to access the Housing Accelerator Fund [HAF] at a **national** media briefing on January 19, 2024. According to Dilkens, the city's housing plan that limits **four-plexes** to certain areas along transit routes will meet or exceed HAF benchmarks, while still respecting homeowners.

Any changes will be precedent setting and caution is urged in these deliberations. It is vital to ensure that decisions made by municipal bodies are fair and just, reflecting the careful and thoughtful consideration we owe one another.

Respectfully submitted,

Suzanne C. De Froy, EdD

Supported by my husband, Robert J. Bergoine

## References and Notes

CBC News. (2024, Jan. 19). Windsor city council to discuss federal Housing Accelerator Fund again. <https://www.cbc.ca/news/canada/windsor/windsor-mayor-drew-dilkens-federal-funding-housing-1.7089399>

Development & Heritage Standing Committee Meeting Agenda. (2024, Jun 3). [https://www.citywindsor.ca/documents/city-hall/city-council-meetings/06-03-2024%20-%20Agenda%20Item%20&%20Page\\_Reduced.pdf](https://www.citywindsor.ca/documents/city-hall/city-council-meetings/06-03-2024%20-%20Agenda%20Item%20&%20Page_Reduced.pdf)

Existing official plan: 3. North Roseland Planning Area- Phase 2 **November 2012**

“This secondary plan was prepared in accordance with the former City of Windsor Official Plan. The surrounding area in the vicinity of this study area is **primarily developed for low profile residential use.**”

3.7.3.2 - TOWNHOUSE OR APARTMENT LOCATION Townhouses or apartments proposed in the Mixed-Use area shall be located on **sites regular in shape and fronting** on Class I or Class II Collector Roads.

3.7.3.3 - SITE PLAN CONTROL The layout and design of any site for Mixed Use development **shall not create an abrupt change in scale** and form and shall not jeopardize the potential for Low Profile Residential development on adjacent lands. Such areas shall be subject to site plan control.

3.7.7.4 - 6 TH CONCESSION ROAD Sixth Concession Road is designated as a Class I Collector Road (24 metre wide right-of-way). Sixth Concession Road links North Talbot Road and Provincial Road. **Only limited access to adjoining properties shall be permitted.** The location of Low Profile Residential **lot frontage shall be avoided** along 6th Concession Road.

[https://www.citywindsor.ca/Documents/residents/planning/plans-and-community-information/windsor-official-plan/NOV2012\\_3.%20North%20Roseland%20Planning%20Area.pdf](https://www.citywindsor.ca/Documents/residents/planning/plans-and-community-information/windsor-official-plan/NOV2012_3.%20North%20Roseland%20Planning%20Area.pdf)

Ontario Superior Court Of Justice Divisional Court. Vincent v DeGasparis [2005] O. J. No 2890. <https://arris.ca/~arris2/ARCHIVE/DeGasparis%20-%20Vincent%20decision.pdf>

**From:** Paul Kersey

**Sent:** May 28, 2024 8:13 PM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>

**Subject:** AGAINST AN AMENDMENT TO ZONING BY-LAW 8600 (3930 & 3950 6th concession road ) (7.5)  
FILE NUMBER Z 008-24 & OPA -7185

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in excess of 2 storeys in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

As a resident of WARD 9, I strongly oppose the proposed city plan.

Paul Kersey



**From:** Daljinder Cheema  
**Sent:** May 28, 2024 8:49 PM  
**To:** Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>; clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against Zoning Change 6th Concession Road (3930 & 3950)

**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,

As a resident of Ward 9, I am against the proposal of rezoning as this will negatively impact our neighbourhood.

This will create a traffic nuisance, put more stress on our already inefficient sewer drainage, overly crowded Talbot Trail school and make the entire area overly populated making it unsafe for current residents.

Hope you will consider my request and take the necessary action to cancelling this zoning change proposal.

Thanks & Regards  
Daljinder Singh Cheema

**From:** sehaj cheema  
**Sent:** May 28, 2024 8:51 PM  
**To:** Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>; clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against Zoning Change (3930& 3950 6th Concession Road)

**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,

As a resident of Ward 9, I am against the proposal of rezoning as this will negatively impact our neighbourhood.

This will create a traffic nuisance, put more stress on our already inefficient sewer drainage, overly crowded Talbot Trail school and make the entire area overly populated making it unsafe for current residents.

Hope you will consider my request and take the necessary action to cancelling this zoning change proposal .

Thanks & Regards  
Raminder Cheema

June 3, 2024

Item 7.5 - Written Submission

**From:** Amy Cooper

**Sent:** May 28, 2024 9:32 PM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>

**Subject:** Against rezoning of Ward 9

**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,

As a resident of Ward 9, I'm against the rezoning of 3930 & 3950 on sixth concession road.

It puts the safety of our entire neighbourhood at stake. We are already dealing with drainage and issue of flooded basements.

Talbot trail public school is running at full capacity, traffic situation is pretty bad as it is.

We don't want any multiplexes right at the corner to add more to our problems

Thanks

Amy

**From:** Miranda Harper

**Sent:** May 28, 2024 9:35 PM

**To:** Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>; clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

**Subject:** Against rezoning of ward 9 ( sixth concession road )

**Item 7.5 - Written Submission**

**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

Hello,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 &3950 6th concession road )

RThis will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood. Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

Miranda Harper

**From:** Helen Lively

**Sent:** May 28, 2024 10:59 PM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>

**Subject:** Against sixth concession rd multiplexes 3930 & 3950

**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

Permitting townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a **lasting negative impact on traffic congestion and infrastructure and safety of its current residents.**

It will also set a precedent that future developers will use to their advantage.

Strongly oppose this plan and proposal.

**From:** Kamilia Habib

**Sent:** May 28, 2024 11:20 PM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>

**Subject:** Opposing 6th concession rd multiplexes 3930 & 3950

**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,

**Permitting multiplexes/townhouses in a residential neighbourhood will only lead to more accidents on Ducharme and sixth concession rd. It's not safe for our kids and quiet neighbourhood.**

**Money minded builders should take this project out of the city and extend the city. Don't just do anything in the name of shortage of housing. We don't want to live on top of each other. Let's be more civilized and professional.**

**As a resident of WARD 9 , I strongly oppose the proposed city plan.**

Kamilia Habib



**From:** Richard Nekus  
**Sent:** May 29, 2024 5:36 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** OPPOSITION to develop 3030 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.

Hello,  
I am an owner and resident of 525 Morand Street in Windsor.  
Building several townhouses with a total of 24 dwellings will have a negative impact on traffic congestion and infrastructure, especially on Marand, Ducharme, and Scofield Streets.

Therefore I would like to formally OPPOSE this development project.

Respectfully.

Rick

**From:** Jan Lenova  
**Sent:** May 29, 2024 5:42 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** OPPOSITION to develop 3930 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.

Dear Sirs/Madam:

I am a resident at 525 Morand Street.

Building several townhouses with a total of 24 dwellings at 6th Concession will have a negative impact on traffic congestion and infrastructure, especially on Morand, Ducharme, and Scofield Streets.

Therefore I would like to formally OPPOSE this development project.

Sincerely,

Janet Laven.

**From:** Domenic Zuccato  
**Sent:** May 29, 2024 6:59 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** 3930 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 1075 Morand St., we oppose the proposal development of 3930 6th. Concession into four (3 story) townhouses. The neighbourhood has been designed as residential area of single homes and the changes will forever alter the long standing character of the area. We kindly ask Council to reject the proposed changes to the 6th Concession site. Sincerely, Lidia and Domenic Zuccato

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Brian Taylor  
**Sent:** May 29, 2024 2:36 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Z008-24 and opa 7185

**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.

Brian and Lynda Taylor residents of 940 Ducharme ST oppose this deveopment  
[Yahoo Mail: Search, organise, conquer](#)

**From:** Marilyn Lee  
**Sent:** Thursday, May 30, 2024 6:15 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Property at 3930 6th Concession OPPOSED TO THIS DEVELOPMENT

**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;

I have read about a proposed property development on this 6th Concession property with a 3 Story 24 Units or Dwellings that could potentially hold some 48 to 72 people or more.

I oppose this development for a few reasons:

- 1-This is a single dwelling residential area.
- 2-6th Concession is not developed enough to accommodate the additional traffic this will cause.
- 3-24 units probably be rental units which in most cases will cause lower income dwellers
- 4-The 40 parking spaces will be alot and use up green space for cement!
- 5-This area is a nice residential area that has been bombarded with the growth on the East side of 6th concession already and certainly does not need this congestion or type of development at all.

We are totally against this development.

Get buildings completed closer to Walker Road that have already been started and continue in that area. Walker Road can handle the traffic better.

Sincerely,

Marilyn Lee

**From:** Rana Samra  
**Sent:** Thursday, May 30, 2024 1:48 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Cc:** McKenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>  
**Subject:** Against 6th concession rd amendment

**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,

It is with great disappointment we're writing to you that we do not agree with the proposed plan of amendment on 3930 & 3950.

We expect better from our representatives and city council should pay attention to the anger of residents of ward 9. Instead of fixing old problems , you are dumping and adding more to it. Let our neighbourhood be.

We are against REZONING OF WARD 9 & multiplexes. Don't put peoples life in danger by making it more crowded.



**From:** Emily Dilkin

**Sent:** Thursday, May 30, 2024 1:40 AM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>

**Subject:** AGAINST REZONING OF SIXTH CONCESSION ROAD

**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

We strongly stand against the rezoning of sixth concession road ward 9.

Extend the city if builders care so much about housing shortage!  
Infuriating and very irrational proposal.

WE DONT WANT MULTIPLXES ON SIXTH CONCESSION ROAD WARD9

**From:** Barjinder Baryah  
**Sent:** Wednesday, May 29, 2024 8:33 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** AGAINST AN AMENDMENT TO ZONING BY-LAW 8600

**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,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

[Sent from Yahoo Mail for iPhone](#)

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

From:  
Sent: Wednesday, May 29, 2024 8:02 PM  
To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
Subject: Sixth and Ducharme

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,

3930 6th Concession - File # Z 008-24 and OPA - 7185

We are emailing this email to express our disappointment about a planned development on Sixth Concession and Ducharme St.

Adding condo units & tearing down trees will change the dynamic of this established neighbourhood, more people, more cars leading to more pollution.

Sixth concession is a concession, not designed for this large volume of traffic, regardless there needs to be a bike path for cyclists and sidewalks for pedestrians.

This will cause this area so much more traffic that we already can't handle. Not to mention the strain on sewers and infrastructure .

The fact that a beautiful home is being demolished for this development to move forward is also sad.

People move to this part of South Windsor, because it is an established, matured residential, quiet area with large treed lots . We didn't move next to areas slated for townhouse development . Bi Laws are made for a reason to safeguard tax payers and communities from this sort of action.

There are many of areas not far from here with plenty of land with more room to build condos and subdivisions, instead of cramming this condo unit and parking lot in this area. We also, don't want this to set a precedent for future developers and take advantage of matured neighbourhoods.

If this is allowed to happen our vote for next council and Mayor will be effected.

Thank you for your time

Paula, Emanuel, Julia & Matthew Oliveira

Sent from my iPad

-----Original Message-----

From: Landon Eldridge

Sent: Wednesday, May 29, 2024 7:41 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Planned development of 3930 6th Concession File Number Z 008-24

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

Planned development of 3930 6th Concession File numbers Z 008-24 and OPA - 7185

We are a resident that lives at 965 Ducharme Street and we do not consent to the construction of four townhouse building on the corner of Sixth Concession and Ducharme.

1. If the Official Plan of North Roseland townhouse were not permitted, does that mean NOT PERMITTED!
2. You have provided 40 parking spaces which mean the potential for 104 cars to be parked on the road, because each place will have two cars, not including spaces for visitors and other residents needing three parking spaces to these buildings. This will impeded traffic flow and is a danger to pedestrians.
3. Children during the school year walk every morning and traffic is already heavy during shift changes. This will mean more traffic down these streets all day. Most drivers do not adhere to the traffic rules of the road and blow through the stop signs at speed and continue speeding down the road.
4. Water pressure and volume is already not high enough.
5. As of next year, garbage pick up will be every other week which means smells, animals and rats.
6. Let us be honest, these townhouses will not help the housing shortages because the cost will be to high for the average person to afford. That means the only people who are compensated are the builders and the city for they will receive more tax dollars. They do not care because they do not live in this area.

There are a lot of empty buildings that could retrofitted for housing that are not being used in this city. WHY RUIN A TRADITIONAL ESTABLISHED NEIGHBOURHOOD FOR MONEY. That is why people bought homes in this area.

We do not consent to this change.

Sincerely

Landon and Patricia Eldridge  
Sent from my iPad

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

From: Kirsty Aversa  
Sent: Wednesday, May 29, 2024 7:34 PM  
To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
Subject: Opposition to planned development of 3930 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.

Development and Heritage Standing Committee

To Whom It May Concern;

We are sending this email to voice our opposition to the development proposal of building four (3 story) townhouses at 3930 6th Concession. It is very concerning that the developer is requesting the removal of this property from the Official Plan of North Roseland. Requesting the rezoning of the property to allow townhouses is also a serious consideration. Permitting townhouses in this residential neighbourhood will negatively impact the infrastructure of this community.

We have lived in this neighbourhood on Morand Street for the last thirty years. We raised our family here and have always felt that the residential streets in this neighbourhood were quiet, which allowed our children to walk to their friends and our relatives' homes without a worry about high traffic volume and safety, when walking on the sides of the roads. We do not have sidewalks on the parallel streets of Lynn, Morand, Ducharme, Scofield, etc. and a higher traffic volume and faster traffic travelling up and down these streets from Howard to 6th Concession is a recipe for disaster (both automobile and pedestrian accidents).

We love the neighbourhood that we live in and now have four small grandchildren. We enjoy walking in the neighbourhood and frequenting the local parks. As a nana who takes our grandchildren for daily walks along these streets, I am concerned and worried about their and my own physical safety.

We are disheartened that the character of our neighbourhood will be changed and negatively impacted and would like this email to be recognized as opposition to the development proposal.

Regards,

Kirsty and Domenic Aversa

Sent from my iPad

**From:** Sandeep Kaur  
**Sent:** Wednesday, May 29, 2024 7:32 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto: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.

Hello,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

[Sent from Yahoo Mail for iPhone](#)



**From:** Himmat

**Sent:** Wednesday, May 29, 2024 6:45 PM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>

**Subject:** no rezoning of ward 9

**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

It's disheartening to see that our representatives and city would even allow this kind of proposal to even float in the first place. This will forever put its current residents' safety at risk.

We are strongly against this proposal of amendment of 3930 & 3950 on Sixth Concession Road.

Don't jeopardize with the life of residents of Ward 9 to benefit a few.

We are against multiplexes on 6th Concession Road

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Craig Bondy  
**Sent:** Thursday, May 30, 2024 8:12 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Cc:** Beth Bondy <[bethbondy77@gmail.com](mailto:bethbondy77@gmail.com)>  
**Subject:** Proposed housing development in our neighborhood

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.

My wife and I live at 821, Morand, Windsor On N9G1J3. There is a proposed housing development off of 6th concession as stated in the attached. We object to changing our neighborhood in this manner. This does nothing but line the pockets of already wealthy people who have no interest in keeping our community peaceful. We pay a premium in taxes for our area for a reason. This would create congestion on an already terribly uncontrolled street which is loaded with children and young families and will be a blight on our surroundings. Please do not let this go through. There are plenty of other opportunities around the city for this person to develop on.

Craig and Beth Bondy

**From:** John Pare  
**Sent:** Wednesday, May 29, 2024 6:43 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Z 008-24 and OPA 7185

**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.

Opposed to the development of the four townhouses.

I received a notice in my mailbox from a concerned neighbor of what the city proposes. Why only 1/10 of a mile. More than 1/10th will be affected. This is unfair to everyone down every street around here.

6th concession is not designed to handle the amount of traffic even with roundabouts. The pork chops mean nothing. People still make a left turn coming from Dougal way. Our neighborhood will not be the same as this is a unique neighborhood.

This will set the president to future builders in a quiet neighborhood.

Townhouses are not permitted on the official plan of the north roseland. Which is being requested by the property developer.

Ducharme east of 6th concession the construction has increased the volume of traffic substantially. It can take over 5 minutes to make a left hand turn on the 6th concession. In my opinion you can't even walk there as it is unsafe during school hours and work hours.

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

-----Original Message-----

From: Rick & Julie

Sent: Wednesday, May 29, 2024 6:34 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: File Number Z008-24 & OPA-7185 Rezoning and Building of lots 3930 and 3950 Sixth Concession Road, Windsor, Ontario

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom it May Concern

We have lived in this neighbourhood for 38 years and we are veritably opposed to the rezoning and construction of 4 townhouse building and 40 parking spaces on the lots of 3930 and 3950 Sixth Concession Road, Windsor, Ontario.

Not only will it change the character of the neighbourhood but will also increase traffic which is already negatively affecting the area.

Please forward this to the proper individuals.

Regards,

Richard & Juliette Ivanic

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

From: Sandeep Grewal  
Sent: Wednesday, May 29, 2024 6:16 PM  
To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
Subject: No amendment of ward 9

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

Sixth concession road is the heart of the neighbourhood. Multiplexes/townhouses will negatively impact the entire area. It's a huge safety concern for its residents and the city will see its consequences if you let this proposal pass.

IM AGAINST THE REZONING OF WARD 9  
3930/3950 SIXTH CONCESSION ROAD

-----Original Message-----

From: Brian Messet

Sent: Wednesday, May 29, 2024 6:03 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Against 6th concession rd proposal amendment

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

Hello,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600

(3930 & 3950 6th concession road )

(7.5)

FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

-----Original Message-----

From: Ameena Haidari

Sent: Wednesday, May 29, 2024 5:21 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Against rezoning of ward 9 sixth concession road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

I oppose the amendment of zoning by law. Please consider the residents who are already living here.  
The city should represent its people not the builders.  
We're losing it as a community. Only motivated by greed



**From:** Abdullah Al Mamun  
**Sent:** Thursday, May 30, 2024 8:14 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Concerns Regarding Proposed Townhouse Development File Number Z 008-24(ZNG-7184) & OPA 185(OPA-7185)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Standing Committee,

I hope this letter finds you well. I am writing to express my **strong opposition** to the proposed development of 24 dwelling units in our neighborhood. While I appreciate the need for housing, I believe that this particular project would have detrimental effects on our community.

**Here are my concerns:**

**Overcrowding:** Our neighborhood is already densely populated, and adding 24 more units would exacerbate the situation. The existing infrastructure, such as schools and roads, is struggling to accommodate the current population. Introducing more residents without adequate planning could strain our resources further.

**School Capacity:** As you are aware, our local school is already crowded with students. Adding more families to the area would put additional pressure on the school system. We need to prioritize the well-being and education of our children by ensuring that class sizes remain manageable.

**Traffic Congestion:** The intersection of 6th Concession Road and Ducharme Street is notoriously busy. Granting permission to build townhouses adjacent to Ducharme Street would only worsen the traffic situation. Residents would face longer commute times, increased noise, and safety risks.

**Community Well-Being:** Our neighborhood has a strong sense of community, and we value the peace and tranquility it provides. Introducing more housing units without proper consideration would disrupt this harmony. We must prioritize the well-being of our residents over any development plans.

In light of these concerns, I urge the City Council to reconsider the proposed development. Perhaps alternative locations could be explored to minimize the impact on our community. Thank you for your attention to this matter. I trust that you will carefully weigh the pros and cons before making a decision that affects us all.

Sincerely,

Abdullah Al Mamun

**From:** Hamid Hakim  
**Sent:** Thursday, May 30, 2024 10:09 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against rezoning of ward 9 sixth concession road

**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,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

**From:** Inderpal  
**Sent:** Thursday, May 30, 2024 10:21 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>  
**Subject:** Amendment to Zoning By-Law 8600 Fike Number Z 008-24 [ZNG-7184] & OPA 185 [OPA-7185] - Against Zoning Change

**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.

Dera Sir/Madam,

Location : 3930 and 3950 6<sup>th</sup> Concession Road

This is to inform you that as a resident of Ward 9, I am against the proposal of Re-zoning as submitted by the applicant Andi Shallvari. The proposal will negatively impact our neighbourhood. It will also create traffic nuisance and will put more strain on our already inefficient sewer, drainage system and increase traffic on sixth concession road. It will also make the entire area overly populated and create unsafe conditions for its current residents.

I vote against the proposal.

With best regards.

Inderpal Singh Bagga  
and Parvinder Bagga

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

May 24, 2024

City of Windsor  
Attn: Mayor Dilken and Members of City Council  
350 City Hall Square West  
P.O. Box 1607  
Windsor, ON N9A 6S1

Dear Mayor Dilken and Members of City Council,

**Subject: Official Plan Amendment and Zoning Bylaw Amendment at 3930 and 3950 Sixth  
Concession Road**

I am writing to express my strong opposition to the applicant's request for an Official Plan Amendment and request for a Zoning Bylaw Amendment in order to rezone the above referenced properties from RD1.4 and RD1.2 to RD2.5, with a site-specific provision to allow for a multiple dwelling and associated design.

In my opinion, the applicant's requests should not be supported. The proposed development at 3930 and 3950 Sixth Concession Road introduces high-density housing into an established neighborhood, which will impact its integrity and character.

City Council has emphasized the importance of careful and strategic densification in Windsor. The City's recent Housing Accelerator Fund (HAF) application promoted densification where it made sense for Windsor. It focused on key nodes along major thoroughfares and transit corridors. These areas are better suited for high-density developments and have the necessary infrastructure and bus routes to support them. In its submission, the City identified almost 1,000 acres and nearly 50 kilometers of arterial roads where multi-unit and several-story builds, including fourplexes, would be appropriate. This proposal does not align with City Council's densification strategy. It is not on a transit route nor is it located in an area that the City identified for such densification.

When Mayor Dilken was asked why he was so concerned about fourplexes if triplexes hadn't led to a boom in construction, he was quoted in a CBC article as saying, "the more density you add, the more economical it becomes for developers to start making money." While economic benefits are important to a developer, they should not come at the expense of existing residents' quality of life and safety.

While I understand the need for new housing, this proposal for 24 dwelling units (16 dwelling units and 8 additional dwelling units in four townhome dwellings) raises several serious concerns.

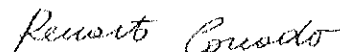
In my opinion, the proposed development includes far too many units for the size of the combined two properties. The planned parking arrangement is insufficient and will lead to overflow parking on nearby streets, exacerbating local congestion and negatively impacting residents on nearby streets. Additionally, traffic is likely to queue on Sixth Concession Road (in both directions) at various times daily as vehicles wait for traffic to clear on Ducharme Street in order to access the development. This increased traffic congestion on Ducharme Street and surrounding streets poses significant safety risks to pedestrians, particularly schoolchildren.

Furthermore, while the consultant's Sanitary Sewer Study found that the capacity of the existing sanitary sewer is deemed to be hydraulically adequate to service the proposed development, I am nonetheless concerned that adding 24 additional dwellings to the area undoubtedly raises the likelihood of sewer backups and basement flooding for the neighbourhood. The study estimates that the proposed development will house 58 people and calculates the corresponding sanitary flow. However, the analysis should consider potential fluctuations in population density and occupancy rates over time, which could affect the accuracy of these estimations. In addition, the study does not explicitly address the potential for increased risk of basement flooding in existing homes. Even if the sewer can technically handle the additional flow, the practical impacts on the surrounding properties, particularly during heavy rainfall or other high-flow events, needs thorough examination.

I strongly urge City Council to reject the applicant's request for an Official Plan Amendment and the applicant's request for a Zoning Bylaw Amendment to rezone the properties from RD1.4 and RD1.2 to RD2.5, with a site-specific provision to allow for a multiple dwelling and associated design. It is imperative that any new development at this location harmonize with the existing neighborhood and align with the strategic densification plan outlined by City Council.

Thank you for considering my concerns.

Sincerely,

  
Renato Corrado

Package B was initially provided to members of the Development & Heritage Standing Committee at their meeting held June 3, 2024 regarding Item 7.5 - OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9 (**S 66/2024**) as part of the Final Consolidated Agenda.

**From:** Heather Purdy  
**Sent:** Friday, May 31, 2024 12:00 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** AGAINST AN AMENDMENT TO ZONING BY-LAW 8600 (3930 & 3950 6th concession road ) (7.5)  
FILE NUMBER Z 008-24 & OPA -7185

**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,

AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conducive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a life-time resident of WARD 9, I strongly oppose the proposed city plan.

Thank you and please do not hesitate to contact me if you have any questions.

Thank you,

Heather Purdy and Family



**From:** AToldo  
**Sent:** Friday, May 31, 2024 12:09 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** File # Z 008-24(ZNG-7184) & OPA 185 (OPA-7185)

**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.

May 31, 2024

City's Clerk Office  
Development & Heritage Standing Committee Members

Re: Public Meeting to Consider Amendment to Zoning By-law 8600 and an Amendment to the Official Plan  
File Number Z 008-24(ZNG-7184) and OPA 185 (OPA-7185)  
3930 & 3950 6th Concession Road

Letter of Opposition

Dear Committee Members,

This is about much more than townhouses. This is about Windsor's by-laws and official plans. Why does Windsor have zoning by-laws and official plans if they're vulnerable to developers who step forward with the necessary finances and grandiose plans? As a Windsorite I expect our zoning by-laws and official plans be respected and adhered to. They were developed for a reason, for the betterment of Windsor.

I can understand if a zoning by-law or official plan was amended for something as significant as a hospital or perhaps a police or fire station. But not for something as trivial as townhouses as proposed by this application. The Masotti's have several options that do not require amending our zoning by-laws or removing the property from the North Roseland Secondary Plan area. They can sell the house and property. They can remove the house and build two large houses that would enhance the neighbourhood. All of these are possible without trampling on our zoning by-laws and the North Roseland Secondary Plan.

If Council or Planning & Building Services or Development & Heritage Standing Committee don't respect our zoning by-laws and official plans then what message does that send to the people of Windsor?

Who is responsible to protect our zoning by-laws and official plans if not the Mayor, Councillors, Building & Planning Services and Heritage & Development Standing Committee? Is that not why we elect you and employ you?

North Roseland is a residential neighbourhood of large treed lots that dates back to the 1950's. Personally I have lived in the 900 block of Morand Street (2 blocks from 6th Concession) since 1964. I've seen the neighbourhood grow and change over the years. But what has remained a constant is low profile, single family dwellings protected by our zoning by-laws and the North Roseland Secondary Plan.

I strongly urge the Development and Heritage Standing Committee to protect North Roseland from developers who are motivated by greed with no regard to the people who call it home.

I strongly urge the Development and Heritage Standing Committee to protect North Roseland from developers who consider our by-laws and official plans to be weak and easily manipulated.

I strongly urge the Development and Heritage Standing Committee DENY all applications put forward by Generation Development Contractors related to 3930/3950 6th Concession.

Thank you,  
Annemarie Toldo

**From:** H C

**Sent:** Friday, May 31, 2024 1:01 PM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

**Subject:** Sixth concession amendment opposition

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the City of Windsor Council and Planning Department,

I am writing on behalf of the residents of Roseland Estates regarding a proposed amendment by Andi Shillvari. The proposal seeks to replace an existing single-family home with 24 dwelling units and 40 parking spaces. This project has faced unanimous opposition from our community, and I strongly urge you to consider the severe implications this development will have on our neighborhood.

Roseland Estates is a residential area specifically developed for single-family homes. The introduction of such a large-scale development is inconsistent with the character and infrastructure of our neighborhood. The construction will significantly impact our daily lives by restricting mobility, increasing traffic congestion, and generating excessive debris and dust, which will degrade our environment and quality of life. Our community takes pride in maintaining the residential integrity of our neighborhood. We pay taxes with the expectation that the area will remain dedicated to single-family homes, allowing us to live peacefully in the environment we have invested in and nurtured. The proposed development not only contradicts the established zoning regulations but also disregards the collective wishes of the residents who have built and sustained this community.

It is evident that Mr. Shillvari's motivation is primarily financial gain. His lack of interest in being a member of our community further exacerbates our concerns. The infrastructure in Roseland Estates is simply not designed to support such a high-density project. The overwhelming majority of residents, if not all, boldly opposed this development. I urge the City of Windsor to prioritize the concerns and well-being of the Roseland Estates residents over the interests of an individual developer.

The decision to reject this proposal was made for valid reasons, and those reasons remain pertinent. Please take into consideration the profound impact this development will have on our community and uphold the initial refusal of the amendment. Thank you for your attention to this matter. We trust that you will make a decision that reflects the best interests of our community.  
Sincerely, 3975 Sixth concession Road

**From:** Doris Bennett  
**Sent:** Friday, May 31, 2024 1:17 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** 3930 6th Concession Z 008-24 and OPA-7185 (OPPOSED)

**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.

STRONGLY OPPOSE

Why was only 1/10th of a mile notified?

I was notified by a friend that lives on the 900 block of Ducharme. I'm 700 block. She found out by talking to someone who actually received the notification.

Seems shady that the majority of the community wasn't notified. But we know who developer is and who owns that house. A name means more than respecting the neighborhood.

This is unacceptable as it will affect everyone from Howard, Cabana, Provincial and all the streets inbetween.

Townhouses are not permitted in the OFFICAL PLAN OF THE NORTH ROSELAND.  
The CITY should not permit the developer to request rezoning.

24 seperate dwellings 3 story tall, 4 townhouse buildings is not going to benefit the community and surrounding areas.

In a residential neighborhood and a resident of over 30 yrs and some even longer, will forever change the unique character of our neighborhood and not to mention the lasting negative impact on traffic congestion and infrastructure.

The pork chop didn't help stop southbound traffic turning left into the pork chop. Only thing stoping them is if a car is waiting for their turn to proceed.

The 3 way stop that is on Morand. Do you know how many run through, or stop in the middle cause they realized there's a stop.

There's no sidewalks, bike path. That is a safety issue. What about the transit system. There's no bus stop close by.

You can't cycle on 6th Concession, it's gravel and narrow. At the rail tracks it's even worse.  
What about the drainage system? How will that affect us?

It wouldn't bother me if the plans were for single dwelling homes, or side by side homes. But not 3 stories. That becomes an eye sore, not part of the urban elements.

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

-----Original Message-----

From: Mickee 66

Sent: Friday, May 31, 2024 1:27 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Townhouses 3930 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.

I live at 570 Morand St., Windsor. I am very opposed to building townhouses on Conc 6. There is already too much traffic and congestion in our area due to the new subdivision east of conc 6 and new townhomes north of Morand near the end. You already have no left turns on conc 6 going north. The traffic is forever flowing and busy. Adding 72 more people can add up-to 144 or more cars in that small area and only 40 parking spots means people parking on roadsides on other roads in that area, congesting traffic in that area even more. Also our area is north Roseland and the official plan does not allow condo or apartment buildings. That would forever change our landscape. I moved here years ago because of the landscape and quiet area.

It's already too busy here.

Jacqueline LaSall

Sent from my iPad

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

**From:** Ranjit Swatch  
**Sent:** Friday, May 31, 2024 1:43 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto: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.

Hello

Subject : AGAINST ZONING CHANGE (3930 & 3950 6th concession road)

As a resident of Ward 9, I'm against the proposal of Rezoning of ward 9, as it will negatively impact our neighbourhood.

It will create traffic nuisance, will put more stress on our already inefficient sewer drainage and will make the entire area overly populated and unsafe for its current residents.

Thanks

**From:** Johnathan Kopp  
**Sent:** Friday, May 31, 2024 2:42 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** File Number Z 008-24 (ZNG-7184) & OPA 185 (OPA-7185)

**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.

My Name is Johnathan Kopp and my address is 3998 Cosenza street.

I want to make sure that hear my comments about the amendment to zoning 3930 and 3950 6th Concession Road requested by Andi Shallvari.

As resident of this zone and daily user of the exit in Ducharme to 6th concession, I am in total disagreement of changing the zone from single family to multiple family. I understand the need that Canada has of new houses but taking this zone from 2 single family to 24 families is not the solution, since the roads and rest of the infrastructure is not prepared for such increase.

This request looks more based on the profit of Andi and his company than how convenient could be for the rest of the residents of this zone. I also understand that this construction will generate jobs and income for the city, but at the same time I can say is short sight, because the amount of the investment that city will need to expense in order to expand 6th concession will be astronomical. Under the current circumstances is already a problem and the quantity of accidents in that corner has been increasing in the last two years.

Again, I am in total disagreement on changing the zone, this should be kept as it is, or something like 4 or 6 townhouses, but not more than this. Again, this request from the builder is total based on profit and not on the community benefit, and I dare to say that the actual request of 24 dwellings also won't contribute to resolve the housing crisis in the region, since typically these type of construction will be very expensive for the average Canadian.

Once again, the housing crisis can not be resolved damaging the current communities, private and public profit can not more important that community benefit, this is no the way to go.

Sincerely  
Regards  
Johnathan Kopp



**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

-----Original Message-----

From: SEAN SMITH

Sent: Friday, May 31, 2024 3:52 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Townhouse Opposition

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm writing to express my opposition to the proposed Townhouse development being considered at 3930 6th Concession. This will have a negative impact around the surrounding area by increasing traffic from both a construction and residential standpoint in an otherwise quiet residential area. Thus, causing the safety of residents living in this area who currently reside here to be considered. While we do appreciate the concern for new housing, we do feel as though this project would be better suited for a less established & more accommodating part of the city.

Thank you,  
Duilio Collodel

**From:** Marilyn Lee  
**Sent:** Friday, May 31, 2024 3:56 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Cc:**  
**Subject:** Proposal on 3930 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.

Hi;

I, Greg Zakoor at 791 Morand St., wish to object to the proposed development at 3930 6th Concession. There is way too much traffic in that area and this area will change dramatically with all this new growth.

There is enough single dwelling homes in this area and a townhouse like this is not needed here and will create even further traffic problems.

Thank You,

Greg Zakoor

**Development & Heritage Standing  
Committee Meeting  
June 3, 2024  
Item 7.5 - Written Submission**

-----Original Message-----

From: MANAN PATEL

Sent: Sunday, June 2, 2024 10:22 PM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: File Number Z 008-24(ZNG-7184)&OPA 185(OPA-7185)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sir or Madam,

This is Manan Patel her, I reside at 3973 Zanzibar Court Windsor ON N9G 0A4. I am unable to participate in person for a public meeting held by Development & Heritage Standing Committee on Monday June 3,2024! I received the notice for public meeting to consider an amendment to zoning by-law 8600 and I do not support the proposed amendment as attached in schedule A in the notice! Our zone is already experiencing heavy traffic and despite the public school located on the Ducharme Street the ongoing traffic is not well controlled by speed limit and requires other traffic control measures in place! Sometimes it becomes very unsafe for students and parents who reside in the area and prefer to walk to school! The community park is already getting very crowded especially from April to late fall when weather gets nicer! Looking to the proposed amendment , it would more burden related to safety concerns and quite living to the existing residents in the neighborhood ! I would highly recommend that the city should consider the Generation development contractor should look into the larger land somewhere else to execute their development projects for townhomes instead of using a small piece of land(Proposed subject land) to build number of townhome units by proposing an amendment to zoning , which would not only spoil the image of a nicer and attractive community look but also reduce its value from real estate point of view!

Thank you!

Sincerely,

Manan Patel

Sent from my iPhone

**From:** Brian KUKHTA  
**Sent:** Saturday, June 1, 2024 12:09 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** 3930 6th Concession planned development

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am submitting this as I am strongly opposed to developing 3930 6th Concession as a crammed in townhouse lot. North Roseland development plan doesn't allow this type of dwelling units proposed in this area. This area only has single homes in and around 3930 6th Concession. Building all of the 3 story townhouses will not fit the neighbourhood and 72 people in 24 units will be cramped for space. It will have a huge negative impact on the surrounding area and the homes anywhere near this with the increased traffic and the limited parking spaces on site will cause increased parking on the street surrounding 3930 6th Concession.

Build townhouse complexes like this in areas that have similar dwellings. There is a reason to zone this area and please preserve the integrity of this neighbourhood. This can not be allowed as precedent for all areas of this city would be set and the entire city would suffer negative impact. I pay high taxes for the neighbourhood I am in and want it preserved as it is.

Less than 1% of the people want this and the only ones that do, are ruining our neighbourhood for their greed. The council we elected should fight for the people in the area and not the greedy contractors. If they vote for this, the councillors are profiting through campaign donations. Reject the rezoning request.

Sincerely,

Brian KUKHTA

**From:** Hadi Siddiqui  
**Sent:** Friday, May 31, 2024 8:13 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Against amendment of zoning bylaw 8600 - 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.

Hello sir/madam,

I AM AGAINST AN AMENDMENT TO ZONING BY-LAW 8600  
(3930 & 3950 6th concession road )  
(7.5)  
FILE NUMBER Z 008-24 & OPA -7185

This will have a significant impact on the traffic on 6th Concession, Morand St., Ducharme St., Scofield St. and the surrounding neighbourhood.

Allowing townhouses/multiplexes in a residential neighbourhood will not only create non-conductive environment for the kids living in the neighbourhood but will also impact the safety of its current residents.

The area is already dealing with the problem of heavy traffic, accidents on Ducharme and sixth concession, flooded basements during the rains.

Permitting multiplexes/townhouses in a residential neighbourhood will forever change the unique character of our neighbourhood and have a lasting negative impact on traffic congestion and infrastructure.

As a resident of WARD 9, I strongly oppose the proposed city plan.

Regards,

Hadi Siddiqui

**From:** Afifa Rahman

**Sent:** Monday, June 3, 2024 9:39 AM

**To:** Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>; clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

**Subject:** City Council Meeting today at 4.30 pm

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

I am a resident at 4085 Cosenza St, Windsor, N9G 0B5. I could not attend today's meeting due to personal schedule conflicts such as my kid's school timings.

I want to document my objections to building the condominium complex behind our property. We bought this 1.1 million upper end property because of its current quiet location and the builder stated those plots behind were slated for even bigger sized upper end independent houses.

Undoubtedly, we were shocked to hear the proposition for a condominium complex behind our house. This will significantly reduce the value of our property. We moved from one street over at Rockport St to this location last year just for its quieter location. We would never have bought this property at peak prices had the builder disclosed such plans. That is not fair business practice and we will suffer from significant loss in our property values.

The overall area will also take a significant hit due to being congested and with increased noise pollution and traffic. This will take a toll on the environment also.

We find this proposition unacceptable on many levels. So please consider the petition that we have filed to not move forward with this proposition.

Thank you  
Afifa Rahman

May 31, 2024

City Clerk's Office  
Development & Heritage Standing Committee Members

Re: Public Meeting to Consider Amendments Zoning By-law 8600 [ZNG-7184] and Official Plan [OPA-7185] 3930 & 3950 6<sup>th</sup> Concession Rd.

I am writing to voice my concerns about the proposal to rezone our neighbourhood to accommodate low rise apartment housing at 3930 & 3950 6th Concession Rd. Our family has recently moved into 865 Ducharme St. from downtown Kitchener where mixed density housing has been taking place for years. Let me tell you...it changes the neighbourhood drastically.

Here are the concerns that would hinder our support of this development:

- **Traffic and Safety**—a development of this type will only increase the already busy vehicle traffic on our residential street as well as create more congestion on 6th concession. There is constant speeding on Ducharme coming from 6th concession as well as non-compliance with the “no entry” from the newer side of Ducharme off 6th concession. Stop signs are not observed on our street or 6th concession putting the many children and pedestrians that walk on the street at risk. **My daughter is in a wheelchair with a service dog and would be at greater risk because of the lack of sidewalks on our street and the increased traffic anticipated with such a development.**
- **Lack of access to public transit**—while I recognize the need for more affordable and higher density housing in the city, there is no public transit near the proposed corner. Again—we have large numbers of people already walking by our property to get to the bus stops on Howard—often leaving garbage on our front lawn and with no sidewalks, they are in danger of being injured during the evening hours.
- **Sanitation and Flooding Risk**—6th concession is a 2 lane street with ditches at the sides. There is no additional infrastructure planned for sewage and rain water drainage as far as we know. What impact will that have on the risk for flooding or impact on our sewers?
- **Changing nature of the neighbourhood.** We moved to this area because of its quiet streets and large lots. Adding apartment buildings to the area will change the feel of the neighbourhood entirely...and not necessarily in a good way. There will be more pressure on traffic, schools, Cabana Road, Walker Road and Provincial Road. Cabana and Walker are already in need of repair.

In closing, there was little to no public consultation about the changes to our neighbourhood and I would hope that rezoning will not be considered without further thought and consultation. Surely there are other areas of the city that could accommodate such a development.

With regards,

Kathy Moreland, RN, MScN



## BY-LAW NUMBER 149-2024

### A BY-LAW TO ESTABLISH THE POSITION OF THE CHIEF ADMINISTRATIVE OFFICER FOR THE CORPORATION OF THE CITY OF WINDSOR

Passed the 23<sup>rd</sup> day of September, 2024

**WHEREAS** section 229 of the Municipal Act, 2001, S.O. 2001, c.25 ("Municipal Act") as amended, authorizes municipalities to appoint, by by-law, a chief administrative officer who shall be responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality and performing such other duties as are assigned by the municipality;

**AND WHEREAS** the powers of the municipality under section 229 of the Municipal Act with respect to the chief administrative officer have been assigned to the head of council pursuant to the provisions of section 284.5 of the Municipal Act;

**AND WHEREAS** despite the provisions of section 284.5 of the Municipal Act, the Council of The Corporation of the City of Windsor considers it desirable and expedient to create the office of the Chief Administrative Officer and to define and determine the duties and responsibilities thereof;

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

#### PART I

##### 1. POSITION OF CHIEF ADMINISTRATIVE OFFICER

The most senior administrative position within The Corporation of the City of Windsor ("the City") shall be known as the Chief Administrative Officer.

#### PART II

2. Where the head of council **does not exercise** the special powers and duties set out in section 284.5 of the Municipal Act, sections 3, 4, 5, and 6 of this by-law shall apply to the Chief Administrative Officer.

##### 3. APPOINTMENT BY BY-LAW

Council shall appoint the Chief Administrative Officer by by-law.

##### 4. RESPONSIBLE TO COUNCIL

The Chief Administrative Officer shall implement council's decisions and establish administrative practices and procedures to carry out council's decisions and shall carry out the duties and responsibilities set out in this by-law. The Chief Administrative Officer shall assist the Council to discharge its

responsibilities, and in a non-partisan manner provide guidance to Council members to carry out their duties.

## **5. DUTIES**

The Chief Administrative Officer shall have responsibility for initiating, directing, coordinating, and providing to Council the following:

### **1) Specific Duties**

- a) Undertake research and provide advice to Council on the policies and programs of the municipality,
- b) Strategic guidance and advice for the effective delivery of programs and services in a manner which is consistent with the well being of all of the City's residents,
- c) Regular updates on Corporate and Community Strategic Planning initiatives,
- d) Regular organizational and operational reviews, ensuring effective and efficient utilization of existing resources,
- e) Regular reports on the overall efficiency of operations,
- f) The financial control of the City with general assistance from the Treasurer, ensuring regular reporting to Council on the financial status of the municipality,
- g) The annual estimates (current and capital budgets) and subsequent implementation and monitoring of such budgets as deemed to be adopted by the municipality, through the office of the Treasurer,
- h) The City's Annual Performance Measures as required by Provincial regulations,
- i) Information and reports in a timely manner for deliberation, as requested by Council, and
- j) Administrative and or policy/operational issues and advice as may be requested or required by Council, including attending all Council meetings, and being entitled to speak at the meetings with the consent of the head of council, and

### **2) General Duties**

- a) For the management of the human, fiscal and physical resources of the City,
- b) To lead, direct, coordinate and supervise the implementation of Council decisions and establish administrative practices and procedures to carry out Council's decisions,
- c) To provide leadership and direction to all departments, ensuring the corporate coordination of the activities of all departments and the efficient and consistent implementation of policies and decisions of Council,
- d) Hold regularly scheduled meetings with the Senior Management of the City for the purpose of providing direction and discussing management issues, corporate policy and general coordination of matters of significance to the operations of the City.
- e) To encourage continuous improvement throughout the City's administration in the delivery of City Services to the public and the management of the City's affairs,
- f) To foster a positive working relationship with all members of Council, and build a positive and collegial atmosphere with all City employees and bargaining units,
- g) To foster a climate of positive community relations,
- h) To carry out such additional administrative responsibilities and duties as may be delegated by Council through resolution or by-law from time to time,

- i) To manage the interests of the City on intergovernmental issues at the administrative level through active participation in professional associations and through lobbying efforts with applicable Provincial and Federal ministries, agencies and Crown corporations, as well as foreign governments, and
- j) To develop and maintain communication linkages with officials, groups, agencies, other jurisdictions and stakeholders as is necessary to carry out the responsibilities of the office of the Chief Administrative Officer and promote the interests of the City.

### 3) Human Resources Duties

#### a) Corporate Leadership Team:

The Chief Administrative Officer shall recommend to Council the appointment and dismissal of the Corporate Leadership Team (i.e. Commissioners) and statutory officers of the City. The Chief Administrative Officer shall be responsible to provide leadership, direction, supervision and annual performance appraisals with respect to all Corporate Leadership Team Members as well as any other positions reporting directly to the Chief Administrative Officer, in the performance of their duties and responsibilities including those individuals who are statutory officials appointed under any statute. The Chief Administrative Officer shall have the authority to approve leaves of absence with pay, partial pay and without pay, for periods of time that are consistent with existing policies of the City and shall keep Council apprised of those decisions.

#### b) Non –Union Personnel:

The Chief Administrative Officer shall have overall responsibility for non-union personnel including the appointment, employment, suspension, discipline or dismissal of such employees in accordance with all applicable employment agreements, or terms and conditions of employment.

#### c) Union Personnel:

The Chief Administrative Officer shall have overall responsibility for the appointment and employment of all other employees of the City in accordance with the collective bargaining agreements and to suspend or dismiss such employees for cause subject to the grievance procedures established in the respective collective agreement.

#### d) Collective Bargaining:

The Chief Administrative Officer shall provide direction for Collective Bargaining activities for all City Employees in accordance with instructions from Council.

#### e) Access to Personnel Records:

The Chief Administrative Officer shall have full free and unrestricted access to all personnel records of the City.

## 6. PERFORMANCE

The Chief Administrative Officer shall hold office at the pleasure of Council. Any matters related to the performance of the Chief Administrative Officer (including establishing corporate and personal objectives) shall be conducted by Council, or a Committee of Council, if so delegated. Meetings shall be scheduled at regular

intervals for the purpose of reviewing the Chief Administrative Officer's performance. Council may in their sole discretion, suspend or dismiss the Chief Administrative Officer subject to compliance with any contractual agreement.

### **PART III**

7. Where the head of council **exercises** the special powers and duties set out in Part VI.I of the Municipal Act, sections 4, 5(1), 5(2), 8 and 9 of this by-law shall apply to the Chief Administrative Officer.

### **8. DUTIES**

The Chief Administrative Officer shall have the following authority with respect to human resources:

- 1) All Corporate Leadership Team members, or as the head of council may decide from time to time:

The Chief Administrative Officer shall be responsible to provide leadership, direction, supervision and annual performance appraisals with respect to all Corporate Leadership Team Members, as well as any other positions reporting directly to the Chief Administrative Officer, in the performance of their duties and responsibilities. The Chief Administrative Officer shall have the authority to approve leaves of absence with pay, partial pay and without pay, for periods of time that are consistent with existing policies of the City and shall keep Council apprised of those decisions.

- 2) Statutory Officers identified in s. 284.6(3) Municipal Act ("statutory officers"):

The Chief Administrative Officer shall recommend to Council the appointment and dismissal of the statutory officers of the City, and have overall responsibility for all statutory officers in accordance with all applicable employment agreements, or terms and conditions of employment.

- 3) Non-Union Personnel at the level of Manager and above, or as the head of council may decide from time to time:

The Chief Administrative Officer shall have overall responsibility for all non-union personnel at the level of Manager and above, or as the head of council may decide from time to time, and the statutory officers of the City, and shall be responsible to provide leadership, direction, and supervision in the performance of their duties and responsibilities.

- 4) Non – Union Personnel below the level of Manager, or as the head of council may decide from time to time:

The Chief Administrative Officer shall have overall responsibility for all non-union personnel below the level of Manager, or as the head of council may decide from time to time, including the appointment, employment, suspension, discipline, or dismissal of such employees in accordance with all applicable employment agreements, or terms and conditions of employment.

5) Union Personnel:

The Chief Administrative Officer shall have overall responsibility for the appointment and employment of all union employees of the City in accordance with the collective bargaining agreements and to suspend, discipline, or dismiss such employees subject to the grievance procedures established in the respective collective agreements.

**9. PERFORMANCE**

The Chief Administrative Officer shall hold office at the pleasure of the head of council. The head of council may, in their sole discretion, suspend or dismiss the Chief Administrative Officer subject to compliance with any contractual agreement.

**PART IV**

**10. DELEGATION OF AUTHORITY/RESPONSIBILITY**

- 1) The Chief Administrative Officer is authorized to delegate such authority as is assigned to the position, for the purpose of establishing an efficient and effective administrative structure, and administrative processes.
- 2) The Chief Administrative Officer is authorized to appoint a member of the Corporate Leadership Team to act in the absence of the Chief Administrative Officer on a temporary basis. Such appointment shall be made in writing and be communicated to Council and all members of the Corporate Leadership Team and shall specify the period of time for the temporary appointment.
- 3) The head of council has the authority to make a temporary appointment of a Chief Administrative Officer during an extended period of absence by the Chief Administrative Officer, and to confirm such appointment by way of by-law.

**11. SALARY AND BENEFITS**

The salary, benefits, and conditions for service of the Chief Administrative Officer shall be determined in accordance with the established Non-Union – Corporate Leadership Team Salary Schedule as may be amended from time to time.

**12. LIMITATIONS/CONFLICTING PROVISIONS**

Despite any provisions contained in this by-law, there is no implied authority empowering the Chief Administrative Officer to do or direct any matter or thing, which would to any extent whatsoever, encroach upon the legislative powers of Council, its Committees or upon the statutory or professional duties of its officers.

**13. REPEAL OF BY-LAW 218-2002**

By-law 218-2002 passed on August 12, 2002 and any amendments thereto are hereby repealed upon the enactment of this by-law.

14. 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 - September 23, 2024  
Second Reading - September 23, 2024  
Third Reading - September 23, 2024

BY-LAW NUMBER 150-2024

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 23<sup>RD</sup> DAY OF SEPTEMBER, 2024

Passed the 23<sup>rd</sup> day of September, 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 - September 23, 2024  
Second Reading - September 23, 2024  
Third Reading - September 23, 2024