

ACON 2025

April 25, 2025

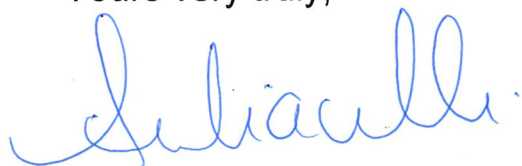
TO THE MAYOR AND MEMBERS OF COUNCIL:

The **regular meeting** of Council will be held on **Monday, April 28, 2025 at 10:00 o'clock a.m., in the Council Chambers, 350 City Hall Square.**

A special meeting of Council will be held on **Monday, April 28, 2025, immediately following the regular meeting of Council, in Room 139, 350 City Hall Square.** Council will at the special meeting adopt a resolution to authorize Council to meet in closed session, and the resolution shall contain the general nature of the matters to be considered in the closed session. The resolution must be adopted by a majority of Council present during the open special meeting before the meeting may be closed. An agenda for this meeting is enclosed under separate cover.

BY ORDER OF THE MAYOR.

Yours very truly,



Anna Ciacelli

Deputy Clerk

/bm

c.c. Chief Administrative Officer

Consolidated City Council Meeting Agenda

Date: Monday, April 28, 2025

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

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

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

MEMBERS:

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 - Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

Item #	Item Description
1.	ORDER OF BUSINESS

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

READING OF LAND ACKNOWLEDGEMENT

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

3.	DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
----	--

4.	ADOPTION OF THE MINUTES (<i>attached</i>)
----	--

4.1	Adoption of the Windsor City Council minutes of its meeting held April 14, 2025 (SCM 124/2025)
-----	---

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

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

7.	COMMUNICATIONS INFORMATION PACKAGE (This includes both Correspondence and Communication Reports) (<i>previously distributed</i>)
----	---

7.1.	Correspondence 7.1.1 through 7.1.4 (CMC 6/2025)
------	--

7.2.	Response to CQ 33-2023 – Regarding Municipal Planning Tools (C 53/2025)
------	--

7.3.	2024 Annual Investment Compliance Report - City Wide (C 49/2025)
------	---

8. CONSENT AGENDA (*previously distributed*)

CONSENT COMMITTEE REPORTS

- 8.1. Minutes of the Windsor Licensing Commission of its meeting held December 5, 2024 **(SCM 88/2025) (SCM 28/2025)**
- 8.2. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held January 7, 2025 **(SCM 89/2025) (SCM 69/2025)**
- 8.3. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held February 4, 2025 **(SCM 90/2025) (SCM 71/2025)**
- 8.4. Proactive By-law Enforcement Strategies in Paved Alleys in Response to CQ 22-2023 - City Wide **(SCM 91/2025) (S 23/2025)**
- 8.5. Pedestrian Generator Sidewalk on Garden Court Drive (East Side) from Sumach Crescent (North) to Edgar Street - Ward 6 **(SCM 92/2025) (S 24/2025)**
- 8.6. Response to CQ 35-2024 – Removal of Underused Street Parking Meters **(SCM 93/2025) (S 29/2025)**
- 8.8. Transition of Transit Windsor Tunnel Bus Service - City Wide **(SCM 95/2025) (S 28/2025)**
- 8.9. Transition of Transit Windsor Tunnel Bus Service - City Wide - Additional Motion **(SCM 96/2025) (S 28/2025)**
- 8.10. Investing in Canada Infrastructure Program (ICIP) - Transit Windsor Support Projects Update - City Wide **(SCM 75/2025) (S 30/2025)**
- 8.11. 420 Rosedale Avenue (Sandwich HCD) – Request for Heritage Permit for New Erection (Ward 2) **(SCM 101/2025) (S 39/2025)**
- 8.12. 925 Cousineau Road, Holy Redeemer College – Request for Heritage Permit for New Addition (Ward 1) **(SCM 102/2025) (S 40/2025)**
- 8.13. 3975 Riverside Dr E, Frank H. Joyce House – Request for Heritage Permit for Demolition and Alteration (Ward 5) **(SCM 103/2025) (S 41/2025)**
- 8.14. Rezoning – Home Discovery Group - 3161 Jefferson Blvd - Z-041/24 ZNG/7260 – Ward 8 **(SCM 104/2025) (S 19/2025)**
- 8.16. Official Plan & Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling - Z 030-24 [ZNG-7234] & OPA 189 [OPA-7235] Lakefront Heights Inc. 0 Wyandotte St. E - Ward 7 **(SCM 106/2025) (S 34/2025)**
- 8.17. Zoning By-law Amendments- City of Windsor – File Z-06/25 ZNG/7288- City Wide **(SCM 107/2025) (S 38/2025)**

- 8.18. Rezoning - City of Windsor - Housekeeping Amendment 2025-1 - Z-015/24 ZNG/7205 - City Wide **(SCM 108/2025) (S 38/2025)**
- 8.19. Sandwich CIP, 420 Rosedale Avenue; Owner: Wei Li; Ward 2 **(SCM 109/2025) (S 35/2025)**
Clerk's Note: Clara Deck, area resident is submitting the **attached** email dated April 22, 2025, as a written submission.
- 8.20. Downtown Community Improvement Plan Grant Application made by 2835039 Ontario Inc. for 557 Pelissier Street, Ward 3 **(SCM 110/2025) (S 42/2025)**
- 8.21. Amendment to CR141/2023 for Closure of E. C. Row Avenue East right-of-way, west of Banwell Road, Ward 9, SAS-6835 **(SCM 111/2025) (S 31/2025)**
- 8.22. Closure of north/south alley located between Algonquin Street and Totten Street, Ward 10, SAA-7092 **(SCM 112/2025) (S 32/2025)**
- 8.23. Main Street CIP Application for 415 Devonshire Road, Owner: AALTEN GROUP INC. (C/O: Chris Stronks), Ward 4 **(SCM 113/2025) (S 36/2025)**
- 8.24. Response to CQ26/2023 Models of Pre-Approved Building Plans Utilized by Different Municipalities in North America – City Wide **(SCM 114/2025) (S 22/2025)**

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

10. PRESENTATIONS (10 minutes)

- 10.1 Response to Mayoral Directive MD 13-2025 Stormwater Financing Program Review - City Wide **(C 62/2025) (attached)**
a) Tony Ardochini, Deputy Treasurer Financial Planning and Marc DiDomenico, Project Administrator, Engineering (in person) (PowerPoint)
b) Joseph Mikhail, Owner, Mikhail Holdings Ltd. (via Zoom) (video)
c) Josette Eugeni, Area Resident (in person)

DELEGATIONS (5 minutes)

- 8.7. Windsor Deep Energy Efficiency Retrofit Program - City Wide **(SCM 94/2025) (S 100/2024) (previously distributed)**
Clerk's Note: Derek Coronado, Executive Director, Citizens Environment Alliance of Southwestern Ontario is providing the **attached** letter dated March 26, 2025, as a written submission.
a) Frank Butler, Area Resident (in person)

- 8.15. Official Plan Amendment and Zoning By-law Amendment Applications for 0 Wellington Avenue & 673 Wellington Avenue, Z-005/25 [ZNG-7284] & OPA 195 [OPA-7285], Ward 3 **(SCM 105/2025) (S 33/2025) (previously distributed)**
Clerk's Note: Administration is providing the **previously distributed** additional information memo. **(AI 9/2025)**; Appendix J available at www.citywindsor.ca due to size; John Leslie, Dickinson Wright LLP is providing the **attached** letter dated April 25, 2025, as a written submission; Anthony Debly, Council for neighbouring property, is submitting the **attached** letter dated April 28, 2025, as a written submission.
a) Robert Brown, Agent for Applicant, Oakview Land Use Planning, available for questions (via Zoom)
b) Anthony Debly, Council for neighbouring property (in person)
c) John Leslie, Dickinson Wright LLP (via Zoom)
- 11.1. Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9 **(SCM 211/2024) (S 71/2024) (previously distributed)**
Clerk's Note: Administration is providing the **previously distributed** additional information memo. **(AI 6/2025)**; The **attached** Appendix 3 was inadvertently omitted from the report; Osama Ragheb, area resident, is providing the **attached** presentation as a written submission; Daniela Fraley, area resident, is providing the **attached** letter as a written submission.
a) David French, Agent for Applicant, Storey Samways Planning Ltd. (in person)
b) Abdul Naboulsi, Area Resident (in person)
c) Suzanne De Froy, Area Resident (in person) (PowerPoint)
d) Osama Ragheb, Area Resident (video submission)
e) Daniela Fraley, Area Resident (in person)
- 11.5 Residential Rental Licensing Pilot Study Preliminary Results - Wards 1 & 2 **(C 36/2025) (attached)**
Clerk's Note: P&C Memo provided to Mayor and members of Council only; Kathleen Towne, area resident, is providing the **attached** letter dated April 24, 2025, as a written submission; Mike Cardinal, area resident, is submitting the **attached** letter as a written submission; Philippa von Ziegenweidt, area resident, is providing the **attached** email dated April 24, 2025, as a written submission; Nicholas Lamoureux, Architect and area resident and Ben Goodchild, area resident are submitting the **attached** letter dated April 28, 2025, as a written submission.
a) Al Teshuba, Owner, Performance Property Management & Licensed Realtor (via Zoom)
b) Caroline Taylor, Area Resident (in person)
c) Janeen Auld, Area Resident (in person)
d) Josh Sankarlal, Area Resident (in person)

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

- 11.2. Declaration of a Vacant Alley at the Eastern Boundary of Superior Park (1700 Totten Street) Previously Closed for Parks Purposes Surplus and Authority to Offer for Sale – Ward 10 **(C 55/2025) (previously distributed)**
- 11.3. Reimagined Adie Knox Herman Recreation Complex Project Tender Update - Ward 2 **(C 57/2025) (previously distributed)**
- 11.4. 2024 Year-End Operating Budget Variance Report - City Wide **(C 52/2025) (previously distributed)**
- 11.6. Excess Soils Reuse Site Update - Ward 9 **(C 59/2025) (attached)**
Clerk's Note: P&C Memo provided to Mayor and members of Council only.

12. CONSIDERATION OF COMMITTEE REPORTS (attached)

- 12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)
- 12.2. Report of the Striking Committee of its meeting held February 24, 2025 **(SCM 122/2025)**
- 12.3. Report of the Special Meeting of Council – In-Camera of its meeting held April 14, 2025 **(SCM 123/2025)**
- 12.4. Report of the In-Camera Striking Committee of its meeting held April 14, 2025 **(SCM 125/2025)**
- 12.5. Report of the Striking Committee of its meeting held April 14, 2025 **(SCM 126/2025)**

13. BY-LAWS (First and Second Reading) (previously distributed)

- 13.1. **By-law 76-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.36 METRE EAST/WEST ALLEY SOUTH OF WYANDOTTE STREET EAST, EAST OF BELLEPERCHE PLACE AND WEST OF FAIRVIEW BOULEVARD, CITY OF WINDSOR, authorized by CR401/2024, dated September 23, 2024.
- 13.2. **By-law 77-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.36 METRE EAST/WEST ALLEY SOUTH OF WYANDOTTE STREET EAST, EAST OF BELLEPERCHE PLACE AND WEST OF FAIRVIEW BOULEVARD, CITY OF WINDSOR, authorized by CR401/2024, dated September 23, 2024.

- 13.3. **By-law 78-2025** - A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN PLANS 12M676 and 12M719 IN THE CITY OF WINDSOR, authorized by By-law 139-2013, dated August 26, 2013.
- 13.4. **By-law 79-2025** - A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS LAUZON PARKWAY, IN THE CITY OF WINDSOR, authorized by CR76/2011, dated September 28, 2011.
- 13.5. **By-law 80-2025** - A BY-LAW TO AMEND BY-LAW NUMBER 15-2010 BEING A BY-LAW TO APPOINT CHIEF BUILDING OFFICIAL, DEPUTY CHIEF BUILDING OFFICIALS AND INSPECTORS TO ENFORCE THE BUILDING CODE ACT AND REGULATIONS IN WINDSOR, authorized by By-law 98-2011, Section 27.1 (l)(i), dated June 7, 2011.
- 13.6. **By-law 81-2025** - 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 CR329/2023, dated August 8, 2023.
- 13.7. **By-law 82-2025** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 28TH DAY OF APRIL, 2025.

14. MOVE BACK INTO FORMAL SESSION

15. NOTICES OF MOTION (*previously distributed*)

- 15.1. Moved by: Councillor Kieran McKenzie
Seconded by: _____

WHEREAS the Province of Ontario, through O. Reg. 530/22 under the Municipal Act, 2001, designated the City of Windsor as a “Strong Mayor” community, granting enhanced powers to the Mayor effective July 1, 2023; and,

WHEREAS the Strong Mayor powers significantly alter the balance of governance at the municipal level, undermining the role of Council in decision-making and weakening the fundamental democratic principle of majority rule; and,

WHEREAS the City of Windsor has a long history of collaborative, transparent, and accountable local governance built upon a foundation of Council-debate and shared decision-making; and,

WHEREAS several members of Windsor City Council, as well as municipally elected officials across the province and members of the public have expressed significant concern regarding the imposition of these powers; and,

WHEREAS the City of Windsor did not formally request or express a desire to be designated under the Strong Mayor framework; and,

WHEREAS a growing number of municipalities and elected officials across Ontario are questioning the appropriateness of the Strong Mayor system and are calling for its reconsideration or repeal; and therefore,

BE IT RESOLVED that Windsor City Council **FORMALLY REQUEST** that the Premier of Ontario and the Minister of Municipal Affairs and Housing immediately **REMOVE** the City of Windsor from the list of municipalities designated under the Strong Mayor legislation; and,

BE IT FURTHER RESOLVED that a copy of this resolution **BE SENT** to the Premier of Ontario, the Minister of Municipal Affairs and Housing, all regional Members of Provincial Parliament, all Ontario municipalities, and the Association of Municipalities of Ontario (AMO) for their awareness and support.

CONDITIONAL DELEGATIONS:

- a) Janeen Auld, Area Resident (in person)
- b) Marion Overholt, Area Resident (in person)
- c) Caroline Taylor, Area Resident (in person)
- d) Josh Sankarlal, Area Resident (in person)
- e) Margaret Reimer, Area Resident (in person)

WRITTEN SUBMISSIONS:

Clerk's Note: Marion Overholt, Area Resident is providing the **attached** letter dated April 11, 2025, as a written submission; Chris McAskin, CEO & President, Chris McAskin Enterprises Inc. & McAskin Millennium Corp. is providing the **attached** letter dated April 11, 2025, as a written submission.

16. THIRD AND FINAL READING OF THE BY-LAWS

Third & Final Reading: By-law 76-2025 through 82-2025 inclusive

17. PETITIONS

18. QUESTION PERIOD

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

Environment, Transportation, and Public Safety Standing Committee
Wednesday, April 30, 2025
4:30 p.m., Council Chambers

Environment, Transportation, and Public Safety Standing Committee
Sitting as the Transit Windsor Board of Directors
Wednesday, April 30, 2025
Immediately following the Environment, Transportation & Public Safety Standing
Committee meeting, Room 139, 350 City Hall Square West

Development & Heritage Standing Committee
Monday, May 5, 2025
4:30 p.m., Council Chambers

Community Services Standing Committee
Wednesday, May 7, 2025
9:00 a.m., Council Chambers

Community Public Art Working Group - **CANCELLED**
Wednesday, May 7, 2025
5:00 p.m., Room 140, 350 City Hall Square West

City Council Meeting
Monday, May 12, 2025
10:00 a.m., Council Chambers

21. ADJOURNMENT



Committee Matters: SCM 124/2025

Subject: Adoption of the Windsor City Council minutes of its meeting held April 14, 2025

City Council Meeting

Date: Monday, April 14, 2025

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

Members Present:

Mayor Drew Dilkens

Councillors

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

Minutes

City Council

Monday, April 14, 2025

Page 2 of 52

1. ORDER OF BUSINESS

2. CALL TO ORDER - Playing of the National Anthem INDIGENOUS LAND ACKNOWLEDGEMENT STATEMENT

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

Councillor Fred Francis discloses an interest and abstains from voting on Item 8.10 being "Signing of Agreements for the Windsor Regional Employment Network," as this matter relates to his employer.

Councillor Fred Francis discloses an interest and abstains from voting on Item 11.6 being "2024 Year-End Operating Budget Variance Report - City Wide," specifically pertaining to the Windsor Regional Employment Network and Employment Training Services as it relates to his employer.

Councillor Fred Francis discloses an interest and abstains from voting on Item 8.12 being "2025 Municipally Significant Event Status, Wards 2, 3, 4, 9," as this matter relates to his employer.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council minutes of its meeting held February 24, 2025

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

That the minutes of the Meeting of Council held February 24, 2025 **BE ADOPTED** as presented. Carried.

Report Number: SCM 82/2025

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Kieran McKenzie

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

- (a) communication items;
- (b) consent agenda;

- (c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
 - (d) hearing presentations and delegations;
 - (e) consideration of business items;
 - (f) consideration of Committee reports;
 - (g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and
 - (h) consideration of by-laws 49-2025 through 75-2025
- Carried.

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

7.1. Correspondence for Monday, April 14, 2025

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

Decision Number: CR112/2025

That the following Communication Items 7.1.2 through 7.1.8 and 7.1.10 through 7.1.14 as set forth in the Council Agenda **BE REFERRED** as noted; and that 7.1.9 along with 7.5 will be dealt with under regular business items; and that Item 7.1.1 be dealt with as follows:

7.1.1 Policy Update letter regarding US tariffs affecting communities, dated March 4, 2025.

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Mark McKenzie

Decision Number: CR113/2025

That the correspondence dated March 4, 2025, from the Association of Municipalities of Ontario (AMO) regarding U.S. tariffs affecting municipalities, **BE RECEIVED**; and further,

That Administration **BE DIRECTED** to prepare formal correspondence outlining the City of Windsor's concerns regarding the adverse impacts of the current and future tariffs on the local economy and that the correspondence **BE FORWARDED** to both the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) for advocacy on behalf of the City of Windsor.

Carried.

Clerk's File: GF2025

Minutes
City Council
Monday, April 14, 2025

Page 4 of 52

No.	Sender	Subject
7.1.1	Association of Municipalities of Ontario (AMO)	Policy Update letter regarding US tariffs affecting communities, dated March 4, 2025. City Solicitor Commissioner, Economic Development Commissioner, Finance & City Treasurer GF2025 Note & File
7.1.2	Town of Tecumseh	Notice of Public Meeting on March 11, 2025, to consider proposed amendments to the Town's Official Plan and Zoning By-laws to update Official Plan policies and zoning regulations related to Additional Residential Units (ARU) to align with the <i>Planning Act</i> . City Planner Z2025 Note & File
7.1.3	Town of Tecumseh	Notice of Public Meeting on March 11, 2025, to consider proposed amendments to the Town's Official Plan and Zoning By-laws in order to redesignate and rezone lands in the Manning/Tecumseh District. City Planner Z2025 Note & File
7.1.4	Town of Tecumseh	Notice of Public Meeting on March 11, 2025, to consider a proposed amendment to Zoning By-law, which would pre-zone lands currently designated Main Street Mixed-Use to permit missing middle housing. City Planner Z2025 Note & File
7.1.5	Town of Tecumseh	Notice of Public Meeting on March 11, 2025, to consider proposed amendments to the Town's Zoning By-laws, in order to introduce revised parking standards in accordance with Initiative No. 4 of the Housing Accelerator Fund. City Planner Z2025 Note & File
7.1.6	Town of Tecumseh	Notice of Adoption of Amendment to the Tecumseh Road Main Street Community Improvement Plan (CIP) City Planner

Minutes
City Council
Monday, April 14, 2025

Page 5 of 52

No.	Sender	Subject
		Z2025 Note & File
7.1.7	Town of LaSalle	Notice of the Adoption of Official Plan Amendment No. 2 for the Howard Bouffard Secondary Plan to establish a land use planning, urban design, transportation, and municipal service infrastructure policy framework to guide new development. City Planner Z2025 Note & File
7.1.8	ENWIN Utilities Ltd.	Annual Drinking Water Systems Regulation O. Reg. 170/03 Report – Calendar Year 2024 Executive Director, Public Works Operations Commissioner, Infrastructure Services & City Engineer Manager, Environmental Quality EI/10108 Note & File
7.1.9	Windsor Police Service	2024 Windsor Police Service Annual Report SP2025 Note & File
7.1.10	City of Windsor, Employment and Social Services and Windsor-Essex County Health Unit	Memo Regarding the end of the Substance Supports in Neighbourhoods Accessed through Police Partnerships (SSNAPP) initiative, and letter to the Ministry of the Solicitor General of Ontario requesting continued support for the SSNAPP initiative. Commissioner, Human & Health Services Commissioner, Community & Corporate Services Police Chief MH2025 Note & File
7.1.11	City Planner/ Executive Director	Application for Zoning By-Law Amendment and Official Plan Amendment, 1000621124 Ontario Inc. (Mike Abu and Mohammad Howidi), 673 Wellington Avenue, to convert the existing vacant industrial building to a retail store and paved outdoor storage yard. Z/14930 & Z/14931 Note & File
7.1.12	Committee of Adjustment	Applications heard by the Committee of Adjustment/ Consent Authority, Thursday, March 13, 2025. Z2025

Minutes

City Council

Monday, April 14, 2025

Page 6 of 52

No.	Sender	Subject
		Note & File
7.1.13	Committee of Adjustment	Applications heard by the Committee of Adjustment/ Consent Authority, Thursday, March 27, 2025. Z2025 Note & File
7.1.14	Committee of Adjustment	Applications to be heard by the Committee of Adjustment / Consent Authority, Thursday, April 10, 2025. Z2025 Note & File

Carried.

Report Number: CMC 5/2025

7.2. Engineering/Architectural Consultants Engaged via Roster July 1 2024 to December 31 2024 "City Wide"

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

Decision Number: CR115/2025

That the report from the Acting Purchasing Manager dated February 7, 2025 entitled "Engineering/Architectural Consultants Engaged via Roster July 1 2024 to December 31 2024 City Wide" **BE RECEIVED** by Council for information in compliance with section 163 of Bylaw 93-2012 (the "Purchasing Bylaw").

Carried.

Report Number: CM 1/2025
Clerk's File: SW/13041

7.3. Mayor, Councillors and Appointees Statement of Remuneration and Expenses for 2024

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

Decision Number: CR116/2025

That the report of the City Treasurer dated March 26, 2025, entitled "Mayor, Councillors and Appointees Statement of Remuneration and Expenses for 2024" **BE RECEIVED** for information.

Carried.

Report Number: C 47/2025
Clerk's File: ACO/7090

7.4. Update of Round 1 of the Arts, Culture and Heritage Fund 2025 – City Wide

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

Decision Number: CR117/2025

That the report from the Supervisor, Community Programming – Cultural Affairs dated March 21, 2025, entitled “Update of Round 1 of the Arts, Culture and Heritage Fund 2025 – City Wide (ACHF)” **BE RECEIVED.**

Carried.

Report Number: C 42/2025
Clerk’s File: AF/14854

8. CONSENT AGENDA

8.2. Zoning By-Law Amendment – Z003-25 (ZNG/7275) - Ahmad Zrabah– 1550-1576 Randolph Ave, Ward 10

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

Decision Number: CR119/2025 DHSC 702

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 544 AND 545 on PLAN 973 and Part 21, Plan 12R23215, situated on the east side of Randolph Ave, north of Algonquin Street, known municipally as 1550 Randolph Avenue (1576 Randolph Avenue), by adding a site-specific exception to Section 20(1) as follows:

525. EAST SIDE OF RANDOLPH AVENUE, NORTH OF ALGONQUIN STREET

For the lands comprising of LOTS 544 AND 545 on PLAN 973 and Part 21, Plan 12R23215, one *Semi-Detached Dwelling* shall be an additional permitted *main use* and the following additional provision shall apply to an additional permitted main use:

- a. Gross Floor Area – maximum 471.0 m²
(ZDM 4; ZNG/7275)

Carried.

Report Number: S 8/2025
Clerk’s File: Z/14923

8.3. Rezoning – Dr. Bhan Garg - 7100 Cantelon Drive - Z-039/24 ZNG/7252 - Ward 8

Minutes

City Council

Monday, April 14, 2025

Page 8 of 52

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

Decision Number: CR120/2025 DHSC 703

That Zoning By-law 8600 **BE AMENDED** for Part of Blocks E, F and W, Registered Plan 1644, further described as Part 2, Plan 12R-28853 (PIN 01379-0465), situated on the north side of Cantelon Drive, west of Lauzon Parkway and known municipally as 7100 Cantelon Drive (Roll No. 070-660-03406) by changing the zoning from Manufacturing District 1.2 (MD1.2) to Commercial District 3.3 (CD3.3) and by removing S.20(1)97 from the subject land.

Carried.

Report Number: S 10/2025
Clerk's File: Z/14897

8.4. Rezoning – 2652184 Ontario Ltd - 1110 Tecumseh Road East - Z-040/24 ZNG/7258 - Ward 4

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

Decision Number: CR121/2025 DHSC 704

1. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Lots 10 & 11, Registered Plan 423, Part Lot 466 and Lots 470 & 471, Part of Closed Alley, Registered Plan 920 (PIN 01159-0291), situated at the northeast corner of Tecumseh Road East & Benjamin Avenue, (1110 Tecumseh Road East; Roll No. 030-430-11800) from Commercial District 2.1 (CD2.1) and Commercial District 4.1 (CD4.1) to CD2.1 and by adding a site specific exception to Section 20(1) as follows:

526. NORTHEAST CORNER OF TECUMSEH ROAD EAST & BENJAMIN AVENUE

For the land described as Part Lots 10 & 11, Registered Plan 423, Part Lot 466 and Lots 470 & 471, Part of Closed Alley, Registered Plan 920 (PIN 01159-0291), a *Multiple Dwelling* shall be an additional permitted *main use*, and that, notwithstanding Section 25.5.20.6, the minimum separation shall be 2.0 m. (ZDM 7; ZNG/7258)

2. That Part Lots 10 & 11, Registered Plan 423, Part Lot 466 and Lots 470 & 471, Part of Closed Alley, Registered Plan 920, (PIN 01159-0291), situated at the northeast corner of Tecumseh Road East & Benjamin Avenue, (1110 Tecumseh Road East; Roll No. 030-430-11800), **BE CLASSIFIED** as a Class 4 area pursuant to the "Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning (NPC-300)".

Carried.

Report Number: S 16/2025
Clerk's File: Z/14916

Minutes

City Council

Monday, April 14, 2025

Page 9 of 52

8.5. Ford City CIP Application for 980 Maisonville Avenue, Owner: Salinder Singh & Mohnish Harshendu Dave (C/O: Sital Singh Garha), Ward 5

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR122/2025 DHSC 708

- I. That the request for incentives under the Ford City CIP Financial Incentive Programs made by Salinder Singh & Mohnish Harshendu Dave (C/O: Sital Singh Garha), the owners of the property located at 980 Maisonville Avenue **BE APPROVED**, for the following incentive programs:
 - i. *New Residential Development Grant* in the maximum amount of \$7,500 for three (3) new residential units;
 - ii. *Municipal Development Fees Grant Program* in the maximum amount of \$15,000;
 - iii. *Building/Property Improvement Tax Increment Grant Program* for 100% of the municipal portion of the tax increment for up to 10 years in the amount of +/- \$7,254 per year.
- II. That the CAO and City Clerk **BE AUTHORIZED** to prepare the agreement between the City and Salinder Singh & Mohnish Harshendu Dave (C/O: Sital Singh Garha) 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 \$7,500 under the *New Residential Development Grant Program*, and funds under the *Municipal Development Fees Grant Program* in the amount of \$15,000 **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Ford City CIP Project Fund (#7181046);
- V. That grants **BE PAID** to Salinder Singh and Mohnish Harshendu Dave (c/o Sital Singh Garha), upon completion of the three (3) new residential units on the property located at 980 Maisonville Avenue, through the Ford City CIP Fund (Project #7181046) to the satisfaction of the City Planner and Chief Building Official; and,
- VI. That grants approved **SHALL LAPSE** and **BE UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 11/2025

8.6. Main Street CIP/Ford City CIP Application, 1044 Drouillard Road, Owner: 1988859 Ontario Inc. (c/o: Dawne Martens)

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

Decision Number: CR123/2025 DHSC 709

- I. That the request for incentives under the *Ford City CIP* Financial Incentive Programs made by 1988859 Ontario Inc. (c/o: Dawne Martens), owner of the property located at 1044 Drouillard Road **BE APPROVED**, for the following incentive programs:
 - i. *Retail Investment Grant* totalling a maximum amount of \$15,000 for one (1) ground floor retail unit;
 - ii. *Building/Property Improvement Tax Increment Grant Program* for the lesser of 100% of the municipal tax increment for up to 10 years or the eligible costs. The estimated annual amount of the grant is +/- \$4,708.70;
 - iii. *Municipal Development Fees Grant Program* to a maximum amount of \$20,000; and
 - iv. *New Residential Development Grant Program* for two (2) vacant and two (2) new residential units (\$2500 each) to the maximum amount of \$5,000.
- II. That subject to completion and review satisfactory to the City Planner, the request made by 1988859 Ontario Inc. (c/o: Dawne Martens), owner of the property located at 1044 Drouillard Road **BE APPROVED** for the Main Streets CIP -*Building Facade Improvement Program* for grants totalling a maximum amount of \$22,500 in principle;
- III. That Administration **BE AUTHORIZED** to prepare the agreement between the City and 1988859 Ontario Inc. (c/o: Dawne Martens) 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 CFO/City Treasurer as to financial implications;
- 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;
- V. That funds in the maximum amount of \$15,000 under the *Retail Investment Grant Program*, funds in the maximum amount of \$20,000 under the *Municipal Development Fees Grant Program*, and funds in the amount of \$5,000 under the *New Residential Development Grant*

Program **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Project (Project #7181046) once the work is completed;

- VI. That funds in the maximum amount of \$22,500 under the Main Streets CIP **BE TRANSFERRED** from the CIP Reserve Fund to the Main Streets CIP project (Project #7219018) once the work is completed ;
- VII. That grants **BE PAID** to 1988859 Ontario Inc. (c/o: Dawne Martens) upon completion of improvements to the interior/exterior of the property located at 1044 Drouillard Road, through the Ford City CIP (Project #7181046) and facade improvements through the Main Streets CIP (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and
- VIII. That grants approved **SHALL LAPSE** and **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 20/2025
Clerk's File: Z2025

8.7. Report No. 57 of the International Relations Committee

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

Decision Number: CR124/2025 DHSC 710

That Report No. 57 of the International Relations Committee indicating:

That the Mayor's Office **BE REQUESTED** to send letters inviting a delegation of two to four people from Mannheim, Germany and Gunsan, South Korea to the City of Windsor in the summer of 2025 to commemorate the anniversaries of our twinning; and,

That a letter **BE SENT** to Mannheim, Germany asking for a delegation from Windsor led by Mayor Dilkins to visit Mannheim to commemorate the milestone anniversary and further, that this visit to Mannheim be scheduled in conjunction with the visit to Lublin, Poland in June 2025.

BE APPROVED.

Carried.

Report Number: SCM 52/2025
Clerk's File: APR2025

Minutes

City Council

Monday, April 14, 2025

Page 12 of 52

8.8. Minutes of the International Relations Committee of its meeting held January 30, 2025

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR125/2025 DHSC 711

That the minutes of the International Relations Committee meeting held January 30, 2025, **BE RECEIVED.**

Carried.

Report Number: SCM 53/2025

Clerk's File: ACO2025

8.9. Minutes of the Property Standards Committee of its meeting held February 4, 2025

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR126/2025 DHSC 712

That the minutes of the Property Standard Committee meeting held February 4, 2025, **BE RECEIVED.**

Carried.

Report Number: SCM 60/2025

Clerk's File: ACO2025

8.10. Signing of Agreements for the Windsor Regional Employment Network

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR127/2025

That the report of the Executive Director, Employment and Social Services January 21, 2025, entitled "Signing of Agreements for the Windsor Regional Employment Network" **BE APPROVED**; and further,

That the Commissioner of Human and Health Services, or their designate **BE AUTHORIZED** to sign agreements with technical content satisfactory in form to the Executive Director, Employment and Social Services, legal content satisfactory in form to City Solicitor and financial content satisfactory in form to the City Treasurer, with training providers to a maximum limit per agreement of \$10,000 funded 100% by the Ministry of Labour, Immigration, Training and Skills Development (MLITSD) to provide training as required by the respective Ministries and program guidelines for the Service System Manager and Service Provider roles; and further,

That the Commissioner of Human and Health Services, or their designate **BE AUTHORIZED** to sign agreements with event facilities, where utilizing City of Windsor event facilities is not feasible nor available to a maximum limit per agreement of \$10,000 funded 100% by the Ministry of Labour, Immigration, Training and Skills Development (MLITSD) to provide training and other events as required by the respective Ministries and program guidelines for the Service System Manager and/or Service Provider roles; and further,

That the Commissioner of Human and Health Services, or their designate **BE AUTHORIZED** to sign sponsorship agreements with relevant organizations and events, to a maximum limit per agreement of \$10,000 funded 100% by the Ministry of Labour, Immigration, Training and Skills Development (MLITSD) to forward the work of the Service System Manager within each of the respective divisions.
Carried.

Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Report Number: C 17/2025
Clerk's File: SS2025

8.11. Confirm and Ratify Report regarding Invest Windsor Essex Budget - City Wide

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

Decision Number: CR128/2025

That the results of the email poll authorized by Mayor Drew Dilken on Friday March 14, 2025, approving the following **BE CONFIRMED AND RATIFIED**:

Whereas on February 21, 2025, the 2025 Budget was deemed approved via Mayoral Decision MD08-2025 and subsequently as a result of the request outlined in this report, City Council **SUPPORTS** the provision of additional funding for Invest Windsor Essex (IWE) in the amount of \$205,000; be it therefore further resolved:

THAT the City Treasurer **BE AUTHORIZED** to transfer \$205,000 from the Budget Stabilization Reserve (BSR) (Fund 139)

Carried.

Report Number: C 41/2025
Clerk's File: AF/14854

8.12. 2025 Municipally Significant Event Status, Wards 2, 3, 4, 9

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

Decision Number: CR129/2025

Minutes

City Council

Monday, April 14, 2025

Page 14 of 52

That the request from; Northern Heat Rib Series; Windsor Essex Leamington Jerk Fest; Rotary Club of Windsor (1918); Poutine Feast Ontario Inc.; SOTC Productions; Zuleeats; Sasha Dhillon; Diva's Delight Caribbean and Canadian Cuisine Inc.; Windsor-Essex Pride Fest; Zalent Creatives; Ontario Legacy Creations Inc.; and Walkerville BIA for approval of designation as 'municipally significant' for the purpose of applying for their Special Occasions Permit – Public Event **BE APPROVED** by City Council subject to the terms and conditions of the Special Event Agreement with the City; and further,

That City Council **APPROVE** the following proposed significant event dates for 2025:

Thursday, May 22, 2025, through Sunday, May 25, 2025

- Windsor Rib Fest (Riverfront Festival Plaza and Riverfront Civic Terrace) hosted by Northern Heat Rib Series

Friday, May 30, 2025, through Saturday, May 31, 2025

- Windsor Essex Leamington Jerk Fest (Charles Clark Square) hosted by Windsor Essex Leamington Jerk Fest

Friday, June 6, 2025, through Sunday, June 8, 2025

- Art in the Park (Willistead Park) hosted by Rotary Club of Windsor (1918)

Thursday, June 5, 2025, through Sunday, June 8, 2025

- Poutine Feast (Riverfront Festival Plaza and Riverfront Civic Terrace) hosted by Poutine Feast Ontario Inc.

Saturday, June 7, 2025

- The Pier (Assumption Park- Pier) hosted by SOTC Productions

Saturday, June 13, 2025, through Sunday, June 15, 2025

- Carrousel of Nations
 - African Village (189 Tecumseh Road West) hosted by Zalent Creatives

Saturday, June 20, 2025, through Sunday, June 22, 2025

- Carrousel of Nations
 - Indian Village (The City Market Windsor, 1030 Walker Road) hosted by Sasha Dhillon
 - African Village (189 Tecumseh Road West) Hosted by Zalent Creatives
 - Ghanaian Village (Road closure behind Zuleeats, 2760 Howard Ave) hosted by Zuleeats

Friday, July 4, 2025, through Saturday, July 5, 2025

- Windsor Jerk Fest (Charles Clark Square) hosted by Diva's Delight Caribbean and Canadian Cuisine Inc.

Friday, July 18, 2025, through Sunday, July 20, 2025

- SOTC Festival (Festival Plaza) hosted by SOTC Productions

Minutes

City Council

Monday, April 14, 2025

Page 15 of 52

Saturday, August 23, 2025

- The Hangar (Canadian Aviation Museum) hosted by SOTC Productions
- This event takes place on private property that does not hold a liquor license

Friday, August 8, 2025, through Sunday, August 10, 2025

- Pride Fest (Lanspeary Park and Outdoor Rink) hosted by Windsor-Essex Pride Fest

Friday, August 15, 2025, through Sunday, August 17, 2025

- Windsor International Diaspora African Festival (Lanspeary Park) hosted by Zalent Creatives

Friday, August 22, 2025, through Sunday, August 24, 2025

- Windsor Asian Night Market (Festival Plaza) hosted by Ontario Legacy Creations Inc.

Saturday, September 6, 2025

- Taste of Walkerville (Road Closure, Wyandotte St E between Gladstone Ave and Devonshire Rd, Lincoln Rd to remain open to traffic)

Friday, September 19, 2025, through Sunday, September 21, 2025

- SOTC Lanspeary (Lanspeary Park and Outdoor Rink) hosted by SOTC Productions

Carried.

Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Report Number: C 39/2025

Clerk's File: SR2025

8.13. Exemption to Noise By-law 6716 for Nighttime Construction Work – EC Row Expressway Ramps at Dougall Ave, Jefferson Ave, and Lauzon Parkway – Wards: 7, 8 and 10

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR130/2025

That the following exemption requests to the provisions of the Noise By-law 6716 (as amended),

BE GRANTED:

a. ***Specific exemption request:***

The Public Works Department of the City of Windsor is requesting a noise by-law exemption for the time periods for the operation of construction equipment as dictated by the City of Windsor By-Law No. 6716 to allow construction work during nighttime hours.

b. ***Scope of Exemption:***

The project limits are in the City of Windsor at EC Row Expressway involving the interchanges at Dougall Avenue, Jefferson Boulevard, and Lauzon Parkway.

c. ***Duration of Exemption:***

This Noise By-Law Exemption is requested for the dates commencing on May 5, 2025, and continuous through August 1, 2025.

Carried.

Report Number: C 38/2025

Clerk's File: SW/14934

8.14. 2024 Annual Report - Building Permit Fee Reserve Fund - City Wide

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR131/2025

That the 2024 Annual Report on Building Permit Fees Reserve **BE ACCEPTED**.

Carried.

Report Number: C 50/2025

Clerk's File: SB2025

8.15. Capital Variance Report - September 30, 2024 - City Wide

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR132/2025

That City Council **RECEIVE** for information the 2024 Life-to-Date Capital Variance Report as at September 30, 2024; and,

Whereas on February 21, 2025, the 2025 10-year Capital Budget was deemed approved via Mayoral Decision MD08-2025 and subsequently as a result of the requests outlined in this report that will allow projects to proceed in an efficient and effective manner, be it further resolved:

That City Council **DIRECT** the City Treasurer to effect the transfers to and from existing capital projects/reserves as identified within Appendix A – Summary of Capital Project Variances; and,

That City Council **AUTHORIZE** the return of \$1,345,000 in City Social Housing Reserve (Fund 216) and \$312,163 in Pay-As-You-Go Reserve (Fund 169) funds previously applied to Capital project (7232006) to their original funding source, and,

That City Council **AUTHORIZE** the transfer of all expenses charged to Capital project (7232006) to the Housing Solutions project (7241017), after which Capital project (7232006) will be closed.

Carried.

Report Number: C 51/2025

Clerk's File: SB2025

11.2. Gouin Drain Provisional By-Law for Repair and Improvement - Ward 9

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

Decision Number: CR135/2025

- I. That City Council **ADOPT** the Drainage Report completed by Dillon Consulting Ltd. dated March 7, 2025 (attached), for the Road Bridge Replacement over the Gouin Drain (Banwell Road Culvert) by giving first and second readings to Provisional By-law 73-2025 in accordance with Section 45 of the *Drainage Act*.
- II. That Council **DIRECT** the Clerk to set a date for the first sitting of the Court of Revision and distribute the Provisional By-law and the Notice of the Court of Revision, in accordance with Sections 46(2) and 46(3) of the *Drainage Act*, R.S.O. 1990.

Carried.

Report Number: C 45/2025
Clerk's File: SW2025

11.3. Lachance Drain Provisional By-Law for Repair and Improvement - Ward 9

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

Decision Number: CR136/2025

- I. That City Council **ADOPT** the Drainage Report completed by Dillon Consulting Ltd. dated March 24, 2025 (attached), for the Road Bridge Replacement & Farm Access Culvert Over the Lachance Drain (Banwell Road Improvements) by giving first and second readings to Provisional By-law 74-2025 in accordance with Section 45 of the *Drainage Act*.
- II. That Council **DIRECT** the Clerk to set a date for the first sitting of the Court of Revision and distribute the Provisional By-law and the Notice of the Court of Revision, in accordance with Sections 46(2) and 46(3) of the *Drainage Act*, R.S.O. 1990.

Carried.

Report Number: C 46/2025
Clerk's File: SW2025

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

7.5. 2024 Annual Investment Compliance Report - City Wide

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Fred Francis

Minutes

City Council

Monday, April 14, 2025

Page 18 of 52

Decision Number: CR118/2025

That the report of the Deputy Treasurer, Taxation, Treasury and Financial Projects dated March 26, 2025, entitled "2024 Annual Investment Compliance Report - City Wide" **BE DEFERRED** to the April 28, 2025 City Council meeting to allow for discussions as a regular business item.

Carried.

Councillor Jo-Anne Gignac was absent from the meeting when the vote was taken on this matter.

Report Number: C 49/2025

Clerk's File: AF2025

11.6. 2024 Year-End Operating Budget Variance Report - City Wide

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: CR139/2025

That the report of the Manager, Strategic Operating Budget Development & Control dated March 28, 2025, entitled "2024 Year-End Operating Budget Variance Report - City Wide" **BE DEFERRED** to the April 28, 2025, City Council meeting to allow for discussing as a regular business item by all members of Council.

Carried.

Councillor Fred Francis discloses an interest and abstains from voting on this matter specifically as it relates to the Windsor Regional Employment Network and Employment Training Services

Councillor Jo-Anne Gignac was absent from the meeting when the vote was taken on this matter.

Report Number: C 52/2025

Clerk's File: AF/14585

11.4. Request by Aecon Group for an Exemption to Noise By-Law 6716 for Purposes of Conducting Nighttime Construction Work – Ward 5

Moved by: Councillor Jo-Anne Gignac

Seconded by: Ward 7 - Councillor Angelo Marignani

Decision Number: CR137/2025

That the report of the Supervisor, Research and Policy dated March 26, 2025, entitled "Request by Aecon Group for an Exemption to Noise By-Law 6716 for Purposes of Conducting Nighttime Construction Work – Ward 5" **BE WITHDRAWN** as per the applicant's request.

Carried.

Report Number: C 48/2025

Clerk's File: SW2025

10. PRESENTATIONS AND DELEGATIONS

8.1. Automated Speed Enforcement Program Implementation – City wide

John West, Area Resident

John West, Area Resident, appears before Council regarding the administrative report dated January 17, 2025, entitled, “Automated Speed Enforcement Program Implementation – City Wide” and requests that Council consider inviting the public to consult on the use of speed cameras specific to streets that are affected by speeding, but have not been selected for inclusion in the Speed Enforcement Program and concludes by suggesting that each City Councillor hold a meeting with residents from their ward to discuss these issues.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: CR108/2025 ETPS 1043

1. That Council **APPROVE** the implementation of the Automated Speed Enforcement (ASE) and Red Light Camera (RLC) Administrative Penalty (AP) Systems and **AUTHORIZE** Administration to undertake all required steps for this as set out in the following Recommendations; and,
2. That Council **DIRECT** Administration to negotiate an ASE Violation Processing Services Agreement with the City of Brampton for the operation and cost sharing of their municipal Joint Processing Centre (JPC) for processing AP speeding violation penalties and issuing penalty orders; and further,
3. That Council **DIRECT** Administration to negotiate with JENOPTIK Smart Mobility Solutions, our current approved RLC equipment provider for the provision of ASE camera equipment; and further,
4. That Council **AUTHORIZE** Administration to enter into an Authorized Requester agreement with the Ministry of Transportation Ontario for the access to licence plate registry; and further,
5. That Council **AUTHORIZE** the addition of 2 FTE's (Transportation Technologist 1, AP Screening Officer), funded from program revenues, to oversee the operational aspects of the ASE and RLC programs; and further,
6. That Administration **PROVIDE** a report back to Council after two years of ASE implementation to summarize program effectiveness, budget, etc.; and further,
7. That Council **DIRECT** Administration to update the existing RLC Violation Processing Services Agreement with the City of Toronto for the operation and cost sharing of their municipal JPC (which currently processing violations and issuing tickets using POA

framework) to an AP system which will process violation penalties and issuing penalty orders; and further,

8. That City Council **AUTHORIZE** the City Clerk and CAO to execute any required agreements and documents as considered necessary for program implementation and maintenance, satisfactory in legal content to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer; and further,
9. That City Council **DIRECT** any resulting surplus in revenue, after all Administrative costs have been recovered, be transferred to the Traffic Calming Reserve (Fund TBD) to be used for purposes of traffic road and safety improvements; and further,
10. That Council **AUTHORIZE** Administration to prepare or amend any applicable by-laws, policies and undertake any processes or steps necessary to establish and implement an AP system for contraventions of ASE and RLC offences.

Carried.

Report Number: S 2/2025
Clerk's File: ST/13765

13.16. A BY-LAW TO AMEND DESIGNATION BY-LAW NUMBER 281-2003, BEING A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, KNOWN AS ROSELAND GOLF COURSE, 455 KENNEDY DRIVE WEST, TO BE OF ARCHITECTURAL AND/OR HISTORIC VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO *HERITAGE ACT*, R.S.O. 1990, CHAPTER O.18, AS AMENDED.

Settimo Vilardi, Principal Architect/Prime Consultant

Settimo Vilardi, Principal Architect/Prime Consultant with Archon Architects Incorporated appears before Council regarding the passing of by-law 64-2025, "A By-Law to Amend Designation By-Law Number 281-2003, Being a By-Law to Designate the Lands and Premises Situate Within The City Of Windsor, Known as Roseland Golf Course, 455 Kennedy Drive West, to Be of Architectural and/or Historic Value or Interest Under the Provisions Of The *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as Amended" and is available for questions.

Chris Kruba, Area Resident

Chris Kruba, Area Resident, appears before Council regarding By-law 64-2025, "A By-Law to Amend Designation By-Law Number 281-2003, Being a By-Law to Designate the Lands and Premises Situate Within The City Of Windsor, Known as Roseland Golf Course, 455 Kennedy Drive West, to Be of Architectural and/or Historic Value or Interest Under the Provisions Of The *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as Amended" and requests that any vote related to the by-law

amendment be deferred until it is certain that the property will not be jeopardized by removing certain protections provided by the *Ontario Heritage Act*.

For Fixed disposition of this matter see 1st, 2nd & 3rd readings of By-laws.

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.1. Enhanced Cycling Infrastructure – Wards 5, 6 & 8

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

That the report of the Active Transportation Coordinator dated March 4, 2025, entitled “Expansion of Cycling Infrastructure – Wards 5, 6 & 8” BE DEFERRED to a future City Council meeting to allow for further consultation with the Active Transportation Working Group.

The motion is **put** and is **lost**.

Aye votes: Councillors Kieran McKenzie, Gary Kaschak, Fred Francis, Angelo Marignani and Fabio Costante.

Nay Votes: Councillors Jo-Anne Gignac, Jim Morrison, Renaldo Agostino, Ed Sleiman, Mark McKenzie, and Mayor Drew Dilken.

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Angelo Marignani

Decision Number: CR134/2025

- I. That City Council **DIRECT** administration to implement an Alternate Bikeway consisting of in-boulevard multi-use pathways/trails, on-street bike lanes and local street bikeways in the East Windsor area and that it **BE FUNDED** from the Bikeways Development Project; and further,
- II. That City Council **AUTHORIZE** administration to amend the By-law 9148 (Traffic By-law SCH-N) to lower the posted speed limit to 30 km/hr as a traffic calming measure within the local streets portion of the Alternate Bikeway; and further,
- III. That City Council **DIRECT** the City Treasurer to affect the following from ECP-016-07 – The Riverside Drive Vista Improvement:
 - a. Pre-commitment of \$1,875,000 in 2026 Service Sustainability Investment (Fund 221) funding,
 - b. Pre-commitment of \$4,000,000 in 2027 Service Sustainability Investment (Fund 221) funding,
 - c. Pre-commitment of \$410,000 and \$500,000 in 2028 Pay As You Go (Fund 169) and Canada Community Building Fund (Fund 176) funding, and

d. Pre-commitment of \$500,000 in 2029 Pay As You Go (Fund 169) funding; and further,

IV. That City Council **DIRECT** the City Treasurer to affect the following from OPS-014-07 – Bikeways Development Project:

a. The pre-commitment of \$400,000 in 2026 Bikeways Development Project 7111031 funding.

Carried.

Councillor Kieran McKenzie voting nay.

Report Number: S 27/2025

Clerk's File: MB/5331

11.5. Housing, Infrastructure and Communities Canada - Canada Public Transit Fund – Baseline Funding - All Wards

Moved by: Councillor Fred Francis

Seconded by: Councillor Jim Morrison

Decision Number: CR138/2025

- I) That City Council **RECEIVE** the Housing, Infrastructure and Communities Canada – Canada Public Transit Fund – Baseline Funding Report; and further,
- II) That should City Council direct Administration to proceed with the submission of a Capital Plan (Stage 2) Application to the Housing, Infrastructure and Communities Canada (HICC) - Canada Public Transit Fund (CPTF) – Baseline Funding Stream, that the following Recommendations **BE APPROVED**:
 - a. That the Chief Administrative Office and City Clerk **BE DIRECTED** to submit a Capital Plan (Stage 2) Application to 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,
 - b. That the Chief Administrative Officer **BE AUTHORIZED** to sign any documents required to submit the Capital Plan (Stage 2) Application to the Housing, Infrastructure and Communities Canada (HICC) - Canada Public Transit Fund (CPTF) – Baseline Funding Stream, subject to all documentation being satisfactory in form to the City Solicitor, in technical content to the Commissioner, Economic Development, and in financial content to the City Treasurer, or designates; and,
 - c. That, subject receiving notification that the City's Capital Plan (Stage 2) Application to the Housing, Infrastructure and Communities Canada (HICC) - Canada Public Transit Fund (CPTF) – Baseline Funding Stream has been approved, that Administration

REPORT BACK on the status of the Application, the approved Capital Plan projects, and the required funding commitments to support the City's matching funding requirements, inclusive of any pre-commitment of funds.

That Administration **BE DIRECTED** to continue to monitor the program for any changes pertinent to Council's consideration if aligned with Council's previous direction, and, to apply to the Housing Infrastructure and Communities Canada (HICC) – Canada Public Transit Fund (CPTF) – Baseline Funding Stream based on current council-approved housing initiatives and **NOT TO MOVE FORWARD** with new minimum requirements stipulating 4-units-as-of-right surrounding post-secondary main campuses.

Carried.

Report Number: C 44/2025
Clerk's File: MT/12670

7.1.9 2024 Windsor Police Service Annual Report

Councillor Jo-Anne Gignac leaves the meeting at 12.33 o'clock p.m.

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

Decision Number: CR114/2025

That the 2024 Windsor Police Service Annual Report **BE RECEIVED**; and,

That Administration **BE DIRECTED** to send a letter to the Greater Essex County District School Board requesting that they work with Windsor Police Service to reinstate the VIP Program board-wide due to the sharp increase in youth crime; and further,

That Administration **BE DIRECTED** to forward a copy of the letter to the Minister of Education.
Carried.

Councillor Jo-Anne Gignac was absent from the meeting when the vote was taken on this matter.

Clerk's File: SP2025

Mayor Drew Dilkens leaves the meeting at 12:50 o'clock p.m. and Councillor Fabio Costante assumes the chair for the duration of the Council meeting.

12. CONSIDERATION OF COMMITTEE REPORTS

12.2. Report No. 121 of the Board of Directors Willistead Manor Inc.

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR109/2025

That Report No. 121 of the Board of Directors, Willistead Manor Inc.:

That the following person BE RE-APPOINTED to the Board of Directors of Willistead Manor Inc. for a two-year term expiring August 17, 2026:

D. Langstone
Carried.

BE APPROVED.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Report Number: SCM 43/2025
Clerk's File: MB2025

12.3. Minutes of the Committee of Management for Huron Lodge of its meeting held December 12, 2024

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR 110/2025

That the minutes of the Committee of Management for Huron Lodge of its meeting held December 12, 2024, **BE RECEIVED** as presented.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Report Number: SCM 59/2025
Clerk's File: AH2025

12.4. Report of the Special Meeting of Council – In-Camera of its meeting held February 24, 2025

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR104/2025

That the report of the Special In-Camera meeting of its meeting held February 24, 2025, **BE ADOPTED** as presented.

Carried.

Minutes

City Council

Monday, April 14, 2025

Page 25 of 52

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Report Number: SCM 115/2025
Clerk's File: ACO2025

12.5. Report of the In-Camera Striking Committee of its meeting held February 24, 2025

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR111/2025

That the report of the Striking Committee of its meeting held February 24, 2025, **BE ADOPTED** as presented.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Report Number: SCM 116/2025
Clerk's File: ACO2025

12.6. Report of the Special Meeting of Council – In-Camera of its meeting held March 20, 2025

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR106/2025

That the report of the Special In-Camera meeting of its meeting held March 20, 2025 **BE ADOPTED** as presented.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Report Number: SCM 117/2025
Clerk's File: ACO2025

12.7. Report of the Special Meeting of Council – In-Camera of its meeting held April 1, 2025

Minutes

City Council

Monday, April 14, 2025

Page 26 of 52

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR107/2025

That the report of the Special In-Camera meeting of its meeting held April 1, 2025, **BE ADOPTED** as presented.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Report Number: SCM 118/2025
Clerk's File: ACO2025

13. BY-LAWS (First and Second Reading)

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

That the following By-laws No. 49-2025 through 75-2025 (inclusive) be introduced and read a first and second time:

- 13.1. **By-law 49-2025** - A BY-LAW TO AMEND BY-LAW 240-2004, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY PART OF THE NORTH/SOUTH AND EAST/WEST ALLEYS WEST OF ALEXIS ROAD FROM GRAND MARAIS ROAD EAST NORTHERLY TO MONS AVENUE, REGISTERED PLAN 1140, IN THE CITY OF WINDSOR, authorized by CAO 24/2025, dated February 27, 2025.
- 13.2. **By-law 50-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF REGINALD STREET, EAST OF ROSSINI BOULEVARD, SOUTH OF SEMINOLE STREET AND WEST OF BERNARD ROAD, CITY OF WINDSOR authorized by CR68/2025, dated February 10, 2025.
- 13.3. **By-law 51-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF REGINALD STREET, EAST OF ROSSINI BOULEVARD, SOUTH OF SEMINOLE STREET AND WEST OF BERNARD ROAD, CITY OF WINDSOR, authorized by CR68/2025, dated February 10, 2025.
- 13.4. **By-law 52-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 208-2008 CITED AS A BY-LAW TO DELEGATE TO ADMINISTRATION THE AUTHORITY TO PROCESS, MAKE DECISIONS ON, AND TO EXECUTE AGREEMENTS FOR CERTAIN MATTERS, authorized by CR89/2025, dated February 24, 2025.
- 13.5. **By-law 53-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.57 METRE NORTH/SOUTH ALLEY NORTH OF LABELLE STREET, EAST OF

LONGFELLOW AVENUE, SOUTH OF ALEXANDRA AVENUE AND WEST OF ALEXANDRA AVENUE, CITY OF WINDSOR, authorized by CR371/2023, dated September 5, 2023.

- 13.6. **By-law 54-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE NORTH/SOUTH ALLEY NORTH OF LABELLE STREET, EAST OF LONGFELLOW AVENUE, SOUTH OF ALEXANDRA AVENUE AND WEST OF ALEXANDRA AVENUE, CITY OF WINDSOR, authorized by CR371/2023, dated September 5, 2023.
- 13.7. **By-law 55-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR62/2025, dated February 10, 2025.
- 13.8. **By-law 56-2025** - A BY-LAW TO ADOPT AMENDMENT NO. 191 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR99/2025, dated February 24, 2025.
- 13.9. **By-law 57-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR99/2025, dated February 24, 2025.
- 13.10. **By-law 58-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR63/2025, dated February 10, 2025.
- 13.11. **By-law 59-2025** - A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLANS 1014 AND 989 IN THE CITY OF WINDSOR, authorized by By-law 139-2013, dated August 26, 2013.
- 13.12. **By-law 60-2025** - A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN PLAN 12M-631 IN THE CITY OF WINDSOR, authorized by By-law 139-2013, dated August 26, 2013.
- 13.13. **By-law 61-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR16/2025, dated January 13, 2025.
- 13.14. **By-law 62-2025** - A BY-LAW TO FURTHER AMEND BY-LAW 131-2011 BEING A BY-LAW RESPECTING THE LICENSING, REGULATING AND INSPECTING OF BODY-RUB PARLOURS AND THOSE ENGAGED IN THE BUSINESS OF PROVIDING BODY-RUBS, IN BODY-RUB PARLOURS, authorized by B3/2025, dated January 13, 2025.
- 13.15. **By-law 63-2025** A BY-LAW TO FURTHER AMEND BY-LAW 395-2004 BEING A BY-LAW RESPECTING THE LICENSING AND REGULATION OF VARIOUS BUSINESSES IN THE CITY OF WINDSOR, authorized by B3/2025, dated January 13, 2025.

Minutes
City Council
Monday, April 14, 2025

Page 28 of 52

-
- 13.16. **By-law 64-2025** - A BY-LAW TO AMEND DESIGNATION BY-LAW NUMBER 281-2003, BEING A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, KNOWN AS ROSELAND GOLF COURSE, 455 KENNEDY DRIVE WEST, TO BE OF ARCHITECTURAL AND/OR HISTORIC VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, authorized by CR67/2025, dated February 10, 2025.
- 13.17. **By-law 65-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR64/2025, dated February 10, 2025.
- 13.18. **By-law 66-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR65/2025, dated February 10, 2025.
- 13.19. **By-law 67-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 20.12 METRE PORTION OF THE PALL MALL STREET RIGHT-OF-WAY NEXT EAST OF VIRGINIA PARK AVENUE, CITY OF WINDSOR, authorized by CR459/2022, dated November 9, 2022.
- 13.20. **By-law 68-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 20.12 METRE PORTION OF THE PALL MALL STREET RIGHT-OF-WAY NEXT EAST OF VIRGINIA PARK AVENUE, CITY OF WINDSOR, authorized by CR459/2022, dated November 9, 2022.
- 13.21. **By-law 69-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE ALLEY SYSTEM NORTH OF FRANKLIN STREET, EAST OF TOURANGEAU ROAD, AND WEST OF ROSSINI BOULEVARD, CITY OF WINDSOR, authorized by CR305/2021, dated July 5, 2021, and CR49/2023, dated January 30, 2023.
- 13.22. **By-law 70-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE ALLEY SYSTEM NORTH OF FRANKLIN STREET, EAST OF TOURANGEAU ROAD, AND WEST OF ROSSINI BOULEVARD, CITY OF WINDSOR, authorized by CR305/2021, dated July 5, 2021, and CR49/2023, dated January 30, 2023.
- 13.23. **By-law 71-2025** - A BY-LAW TO FURTHER AMEND BY-LAW 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES, authorized by B20/2025 and B22/2025, dated January 27, 2025.
- 13.24. **By-law 72-2025** - 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 CR393/2024, dated September 23, 2024, and CR90/2025, dated February 24, 2025.

- 13.25. **By-law 73-2025** - A PROVISIONAL BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE GOUIN DRAIN, see Item 11.2. (First and Second Reading Only)
- 13.26. **By-law 74-2025** - A PROVISIONAL BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE LACHANCE DRAIN, see Item 11.3. (First and Second Reading Only)
- 13.27. **By-law 75-2025** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 14TH DAY OF APRIL, 2025.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Fred Francis

Seconded by: Councillor Ed Sleiman

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

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

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

15. NOTICES OF MOTION

15.1. Motion from Councillor Kieran McKenzie regarding US Tariffs

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: CR140/2025

WHEREAS the City of Windsor recognizes the importance of international trade to the local economy, with thousands of jobs directly tied to industries such as automotive manufacturing, agriculture, and steel production; and,

WHEREAS Windsor is a cornerstone of Canada's automotive sector, home to major manufacturing plants, auto parts suppliers, and a highly skilled workforce whose livelihoods depend on an integrated North American supply chain; and,

WHEREAS the deeply interconnected economies of Canada and the United States have fostered a mutually beneficial relationship, with bilateral trade supporting millions of jobs, driving innovation, and ensuring the competitiveness of industries like automotive manufacturing on both sides of the border; and,

WHEREAS the imposition of tariffs by the United States on Canadian goods, including steel, aluminum, and other products, poses a significant threat to the automotive industry, jeopardizing jobs not only in Windsor but also in Detroit and other manufacturing hubs in both countries; and,

WHEREAS retaliatory tariffs and trade barriers undermine decades of economic cooperation, destabilizing businesses and creating unnecessary hardship for workers whose jobs rely on cross-border supply chains, joint ventures, and market stability; and,

WHEREAS Windsor's economy relies heavily on cross-border trade, with the Ambassador Bridge and the soon to be operational Gordie Howe International Bridge serving as critical conduits for the flow of goods, services, and commerce, including the transport of automotive parts essential to just-in-time manufacturing systems; and,

WHEREAS both Canada and the United States have invested massive amounts of capital dollars in cross border infrastructure with the express purpose of strengthening the bi-lateral trade relationship between Canada and the United States; and therefore,

BE IT RESOLVED THAT the City of Windsor formally **OPPOSES** the imposition of destructive and unwarranted tariffs by the United States on Canadian goods and calls upon the federal and provincial governments to continue advocating for free and fair trade; and,

BE IT FURTHER RESOLVED THAT the City of Windsor **URGES** both the Canadian and United States governments to engage in constructive dialogue to resolve trade disputes and strengthen bilateral trade relationships, with a particular focus on protecting the automotive sector and its workers; and,

BE IT FURTHER RESOLVED THAT the City of Windsor **ENDORSE** the federal and provincial call for a 'Buy Canadian' policy for all municipal procurement processes, prioritizing Canadian-made goods and services wherever reasonably feasible both financially and operationally to support local and domestic businesses and workers; and,

BE IT FURTHER RESOLVED THAT the City of Windsor **CALLS UPON** both the federal and provincial governments to remove any impediments to municipalities preferring Canadian companies in the context of municipal procurement; and,

BE IT FURTHER RESOLVED THAT this resolution **BE FORWARDED** to the Prime Minister of Canada, the Premier of Ontario, the County of Essex, local Members of Parliament and Members of Provincial Parliament, the United States Ambassador to Canada, and the Mayor and Council of the City of Detroit; the Governor of the State of Michigan and both United States Senators for the State of Michigan; and,

BE IT FINALLY RESOLVED THAT the City of Windsor **REAFFIRMS** its commitment to fostering economic prosperity through collaboration, trade, and cross-border partnerships.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Clerk's File: GF2025

15.2. Motion from Councillor Kieran McKenzie regarding Strong Mayor Powers

Clerk's Note: Councillor Kieran McKenzie has advised that the Notice of Motion regarding the Strong Mayor Powers will be resubmitted for the April 28, 2025 City Council meeting.

Councillor Kieran McKenzie intended to introduce a Motion regarding the High Speed Rail at the April 14, 2025 City but has advised it won't be provided at this time.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Ed Sleiman

That the By-laws No. 49-2025 through 72-2025 and 75-2025 having been read a first and second time be now read a third time and finally passed and that the Acting Chair, Councillor Fabio Costante on behalf of the Mayor, and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

17. PETITIONS

17.1. Petition from homeowners on Jarvis Avenue who are formally objecting to the proposed Jarvis work being undertaken as a local improvement.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: CR141/2025

Minutes

City Council

Monday, April 14, 2025

Page 32 of 52

That the petition presented by Councillor Angelo Marignani on behalf of the Jarvis Avenue homeowners who are formally objecting to the proposed Jarvis work being undertaken as a local improvement **BE RECEIVED** by the Clerk, and the Clerk **BE DIRECTED** to forward the petition to the Commissioner, Infrastructure Services & City Engineer for the purpose of an examination of the requested works or undertakings; and,

That the Commissioner **REPORT BACK** to Council with findings and recommendations at the May 26, 2025, City Council meeting.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO/14900

17.2. Petition from the residents of the 1900 block of Central Avenue, between Guy Street and Tecumseh Road East, requesting immediate attention to the deteriorating condition of the roadway.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: CR142/2025

That the petition presented by Councillor Ed Sleiman on behalf of the Residents of the 1900 block of Central Avenue between Guy Street and Tecumseh Road East, requesting immediate attention to the deteriorating condition of the roadway. **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Commissioner, Infrastructure Services & City Engineer for the purpose of an examination of the requested works or undertakings; and,

That the residents' request for a permanent solution to the recurring roadway and drainage issues **BE CONSIDERED** as part of this review.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO/14900

18. QUESTION PERIOD

18.3. CQ5 - 2025

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

Decision Number: CR 143/2025

Minutes

City Council

Monday, April 14, 2025

Page 33 of 52

That the following Council Question by Councillor Angelo Marignani **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 5-2025:

Assigned to: Commissioner, Community & Corporate Services

Asks that given the increasing senior population in Windsor and concerns raised regarding the cost of living for our seniors, could administration provide a report outlining current challenges faced by seniors in our area and potential strategies to mitigate them. Areas of concern are public parks, public transit, utility costs to improve the quality of life for our seniors.

Carried.

Mayor Drew Dilkens and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Report Number: SCM 98/2025
Clerk's File: ACOQ2025

18.4. CQ6 - 2025

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

Decision Number: CR133/2025

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 6-2024:

Assigned to: Commissioner, Human & Health Services

Asks that Administration explore the development of a **Good Neighbour Policy** to foster better relationships and shared responsibility between residential and business neighbours, and the support service providers operating in our downtown core.

It's clear that we are all in this together. The time for finger-pointing has passed—it hasn't solved our problems. Instead, we must work together to find collaborative, compassionate, and practical solutions to challenges such as discarded needles and pipes, garbage, public safety concerns, and tensions among residents. At the same time, we need to protect our most vulnerable citizens from those who seek to exploit them. Currently, we often rely—sometimes overburden—our police with issues that could be better managed through clear expectations, mutual communication, and community cooperation. Many other cities have implemented Good Neighbour Agreements or Policies with success, balancing the needs of communities and service providers. In addition, I would like to see the City review zoning policies that impact where support services are allowed to operate. Service providers deserve safer, more appropriate locations than busy street corners like Main

Minutes

City Council

Monday, April 14, 2025

Page 34 of 52

Street. Zoning amendments could help ensure services are integrated in ways that are both effective and respectful to all. I believe these steps would benefit everyone—residents, service providers, businesses, and most importantly, those in need of support. I hope this can be discussed as part of our ongoing efforts to build a safer, healthier, and more connected downtown Windsor.

Carried.

Mayor Drew Dilkins and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Report Number: SCM 97/2025
Clerk's File: ACOQ2025 & SS2025

21. ADJOURNMENT

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

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

Carried.

Mayor Drew Dilkins and Councillor Jo-Anne Gignac were absent from the meeting when the vote was taken on this matter.

Accordingly, the meeting is adjourned at 1:11 o'clock p.m.

Mayor

City Clerk

SPECIAL MEETING OF COUNCIL – IN CAMERA
February 24, 2025

Meeting called to order at: 12:40 p.m.

Members in Attendance:

Mayor Drew Dilkens
Councillor Renaldo Agostino
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

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services (Items 2-10)
Stacey McGuire, Acting Commissioner of Infrastructure Services/City Engineer (Items 2-10)
Janice Guthrie, Commissioner of Finance/City Treasurer (Items 2-10)
Michael Chantler, Acting Commissioner Community and Corporate Services (Items 2-10)
Jelena Payne, Commissioner Economic Development (Items 2-10)
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk (Items 2-10)
Wira Vendrasco, City Solicitor
Dana Paladino, Acting Senior Executive Director Corporate Services
Christopher Menard, Acting Mayor's Chief of Staff (Items 2-10)
Tom Serafimovski and David Amyot, Legal Counsel (Item 1)(virtually)
Jen Knights, CEO Windsor Public Library (Items 7 and 8)
Michelle Staadegaard, Manager Culture and Events ((Item 7)
James Chacko, Executive Director Parks, Recreation, Facilities (Item 9)
Kelly Goz, Acting Manager Homelessness and Housing (Item 10)

Verbal Motion is presented by Councillor Ed Sleiman, seconded by Councillor Mark McKenzie,
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	Personal/legal matter – litigation update – VERBAL report, Section 239(2)(b)(e)(f)
2	Property matter – sale of land, Section 239(2)(c)
3	Property matter – sale of land, Section 239(2)(c)
4	Property matter – lease renewal, Section 239(2)(c)
5	Property matter – potential expropriation, Section 239(2)(c)
6	Property matter – expropriation, Section 239(2)(c)
7	Personal/plan matter – project, Section 239(2)(b)(i)(k)
8	Property/plan matter – lease, Section 239(2)(c)(k)

9 **Property matter – disposition of land,
Section 239(2)(c)**

10 **Personal/plan matter – labour
relations/plan, Section 239(2)(d)(k)**

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

**Verbal Motion is presented by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,
to move back into public session.**

Motion Carried.

**Moved by Councillor Mark McKenzie, seconded by Councillor Gary Kaschak,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held February 24, 2025 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential verbal update from Legal Counsel respecting a personal/legal matter – litigation update **BE RECEIVED** and further that Legal Counsel **BE AUTHORIZED TO PROCEED** on the direction of Council.

Councillors Fabio Costante, Mark McKenzie, Fred Francis and Angelo Marignani voting nay.

2. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, City Solicitor, Acting Senior Executive Director of Corporate Services, Commissioner of Community and Corporate Services, Commissioner of Infrastructure Services, Manager Operating Budget and Control and Commissioner of Finance/City Treasurer respecting a property matter – sale of land **BE APPROVED.**

3. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, City Solicitor, Acting Senior Executive Director of Corporate Services, Commissioner of Community and Corporate Services, Manager Operating Budget and Control and Commissioner of Finance/City Treasurer respecting a property matter – sale of land **BE APPROVED.**

4. That the recommendation contained in the in-camera report from the Acting Lease Administrator, Manager of Real Estate Services, City Solicitor, Acting Senior Executive Director of Corporate Services, Commissioner of Community and Corporate Services, Executive Director Employment and Social Services, Commissioner of Human and Health Services, Manager Operating Budget and Control and Commissioner of Finance/City Treasurer respecting a property matter – lease renewal **BE APPROVED.**

5. 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, Manager Development Revenue and Financial Administration and Commissioner of Finance/City Treasurer respecting a property matter – potential expropriation **BE NOTED AND FILED.**

6. That the recommendation contained in the in-camera report from Senior Legal Counsel, Acting Senior Executive Director Corporate Services, City Solicitor, Commissioner of Community and Corporate Services, 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 Supervisor of Community Programming and Cultural Affairs, Manager Development Revenue and Financial Administration, Manager Culture and Events, Executive Director Culture, Acting Senior Executive Director Community Services, City Solicitor, Commissioner of Infrastructure Services, Commissioner of Community and Corporate Services and Commissioner of Finance/City Treasurer respecting a personal/plan matter - project **BE APPROVED AS AMENDED.**

Councillor Angelo Marignani and Renaldo Agostino voting nay.

8. That the recommendation contained in the in-camera report from the Acting Senior Executive Director Community Services, Manager of Corporate Projects, Deputy Treasurer Financial Accounting and Corporate Controls, City Solicitor, Acting Senior Executive Director Corporate Services, Commissioner of Corporate and Community Services, Commissioner of Economic Development, Manager Development Revenue and Financial Administration and Commissioner of Finance/City Treasurer respecting a property/plan matter – lease **BE APPROVED.**

Councillor Fred Francis and Kieran McKenzie voting nay.

9. That the recommendation contained in the in-camera report from the Executive Director Parks Recreation and Facilities, Manager Development Revenue and Financial Administration, Acting Senior Executive Director Community Services, Commissioner of Economic Development, Commissioner of Community and Corporate Services, City Solicitor and Commissioner of

Minutes
City Council
Monday, April 14, 2025

Page 39 of 52

Finance/City Treasurer respecting a property matter – disposition of land **BE APPROVED AS AMENDED.**

Councillor Angelo Marignani voting nay.

10. That the recommendation contained in the in-camera report from the Manager Intergovernmental Funding, Executive Director Human Resources, Acting Manager Homelessness and Housing, Executive Director Housing and Children's Services, Commissioner of Human and Health Services, City Solicitor, Acting Senior Executive Director Corporate Services and Commissioner of Finance/City Treasurer respecting a personal/plan matter – labour relations/plan **BE APPROVED.**

Motion Carried.

Moved by Councillor Renaldo Agostino, seconded by Councillor Fred Francis,
That the special meeting of council held February 24, 2025 BE ADJOURNED.
(Time: 2:10 p.m.)
Motion Carried

STRIKING COMMITTEE – IN CAMERA
February 24, 2025

Meeting called to order at: 2:10 p.m.

Members in Attendance:

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

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
Stacey McGuire, Acting Commissioner of Infrastructure Services/City Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Michael Chantler, Acting Commissioner Community and Corporate Services
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk
Christopher Menard, Acting Mayor's Chief of Staff
Dana Paladino, Acting Senior Executive Director Corporate Services
Wira Vendrasco, City Solicitor

Verbal Motion is presented by Councillor Renaldo Agostino,

Minutes

City Council

Monday, April 14, 2025

Page 41 of 52

seconded by Councillor Jo-Anne Gignac,
to move in Camera for discussion of the following item(s):

Item No.	Subject & Section - Pursuant to <i>Municipal Act, 2001</i> , as amended
1	Personal matter – about identifiable individual(s) –appointment of member(s) to the Environment and Climate Change Advisory Committee, 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 Kieran McKenzie,
to moved back into public session.
Motion Carried.

Moved by Councillor Mark McKenzie, seconded by Councillor Gary Kaschak,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Striking Committee Meeting held February 24, 2025 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 a member on the Environment and Climate Change Advisory Committee **BE RECEIVED.** (see open report of the Striking Committee).

Motion Carried.

Moved by Councillor Fabio Costante, seconded by Councillor Jim Morrison

Minutes

City Council

Monday, April 14, 2025

Page 43 of 52

That the special Striking Committee meeting held February 24, 2025 BE ADJOURNED.

(Time: 2:12 p.m.)

Motion Carried.

**SPECIAL MEETING OF COUNCIL – IN CAMERA
March 20, 2025**

Meeting called to order at: 9:07 a.m.

Members in Attendance: (via zoom)

Mayor Drew Dilkens
Councillor Renaldo Agostino
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

Also in attendance: (via zoom)

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
David Simpson, Commissioner of Infrastructure Services/City Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Ray Mensour, Commissioner Community and Corporate Services
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk
Sandra Gebauer, Council Assistant
Mark Nazarewich, Acting City Solicitor
Dana Paladino, Acting Senior Executive Director Corporate Services
Christopher Menard, Acting Mayor's Chief of Staff
Milan Vujanovic, Senior Economic Development Officer (Item 1)
Matt Johnson, Executive Director Economic Development (Item 1)

Verbal Motion is presented by Councillor Jo-Anne Gignac, seconded by Councillor Ed Sleiman,

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	Property matter – lease update, Section 239(2)(c)(k)
---	--

2	Legal matter – update/plan, Sections 239(2)(e)(f)(j)(k) – report to be distributed at meeting
---	---

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

Verbal Motion is presented by Councillor Angelo Marignani, seconded by Councillor Renaldo Agostino,
to move back into public session.
Motion Carried.

Moved by Councillor Mark McKenzie, seconded by Councillor Jim Morrison,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held March 20, 2025 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Manager Development Revenue and Financial Administration, Senior Economic Development Officer, Executive Director Economic Development, Commissioner of Economic Development, City Solicitor, Commissioner of Infrastructure Services and Commissioner of Finance/City Treasurer respecting a property matter – lease update **BE APPROVED.**

2. That the confidential verbal update from the City Solicitor and Chief Administrative Officer respecting a legal matter – update/plan **BE RECEIVED.**

Motion Carried.

**Moved by Councillor Gary Kaschak, seconded by Councillor Renaldo Agostino,
That the special meeting of council held March 20, 2025 BE ADJOURNED.
(Time: 10:04 a.m.)
Motion Carried.**

SPECIAL MEETING OF COUNCIL – IN CAMERA
April 1, 2025

Meeting called to order at: 9:03 a.m.

Members in Attendance: (via zoom)

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

Members Absent

Councillor Kieran McKenzie

Also in attendance: (via zoom)

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
David Simpson, Commissioner of Infrastructure Services/City Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk
Sandra Gebauer, Council Assistant
Wira Vendrasco, City Solicitor (Items 1 and 2)
Dana Paladino, Acting Senior Executive Director Corporate Services
Michael Chantler, Acting Senior Executive Director Community Services
Christopher Menard, Acting Mayor's Chief of Staff
Nicole El-Chammas, Employee Relations Specialist (Item 2)
Norbert Wolf, Manager of Employee Relations (Item 2)
Vincenza Mihalo, Executive Director of Human Resources (Item 2)
Jim Leether, Manager of Environmental Services (Item 2)

Minutes

City Council

Monday, April 14, 2025

Page 49 of 52

David Soave, Manager Strategic Operating Budget (Item 2)
Kevin Cabana, Manager Lou Romano Reclamation Plant (Item 2)
Mark Nazarewich, Deputy City Solicitor (Item 3)
Aaron Farough, Senior Legal Counsel (Item 3)

**Verbal Motion is presented by Councillor Ed Sleiman, seconded by Councillor Jo-Anne Gignac,
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	Position/plan update, Section 239(2)(k) – verbal report
2	Personal matter – labour negotiations, Section 239(2)(d)
3	Legal/property matter – expropriation settlement, Section 239(2)(e)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

**Verbal Motion is presented by Councillor Renaldo Agostino, seconded by Councillor Angelo Marignani,
to move back into public session.
Motion Carried.**

Minutes

City Council

Monday, April 14, 2025

Page 50 of 52

Moved by Councillor Jim Morrison, 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 Council Meeting held April 1, 2025 directly to Council for consideration at the next Regular Meeting.

3. That the confidential verbal report from the Chief Administrative Officer respecting a position/plan update **BE REFERRED BACK** to Administration to allow for further information.
4. That the recommendation contained in the in-camera report from the Manager Employee Relations, Executive Director of Human Resources, Acting Senior Executive Director of Corporate Services, Commissioner of Community and Corporate Services, Manager of Strategic Operating Budget Development and Control and Commissioner of Finance/City Treasurer respecting a personal matter – labour negotiations **BE APPROVED**.
5. That the recommendation contained in the in-camera report from Senior Legal Counsel, Acting Senior Executive Director Corporate Services, Deputy City Solicitor, Commissioner of Finance/City Treasurer and Commissioner of Infrastructure Services respecting a legal/property matter – expropriation settlement **BE APPROVED**.

Motion Carried.

Moved by Councillor Renaldo Agostino, seconded by Councillor Fred Francis,
That the special meeting of council held April 1, 2025 BE ADJOURNED.
(Time: 9:32 a.m.)
Motion Carried.

Minutes

City Council

Monday, April 14, 2025

Page 52 of 52

Moved by Councillor Mark McKenzie, seconded by Councillor Renaldo Agostino,
That the special meeting of the Environment, Transportation and Public Safety Standing Committee – sitting as Transit Windsor Board of Directors – in camera held February 10, 2025
BE ADJOURNED.
(Time: 3:13 p.m.)
Motion Carried.



Council Report: C 62/2025

Subject: Response to Mayoral Directive MD 13-2025 Stormwater Financing Program Review - City Wide

Reference:

Date to Council: April 28, 2025

Author(s):

Tony Ardovini
Deputy Treasurer, Financial Planning
(519) 255-6100 Ext. 6223
tardovini@citywindsor.ca
Finance

Marc Di Domenico
Project Administrator
(519) 255-6100 Ext. 6452
mdidomenico@citywindsor.ca
Corporate Projects – Engineering

Report Date: April 23, 2025
Clerk's File #: SW2025

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** City Council **DIRECT** Administration to proceed with providing a transitional rebate in 2025 to all residential property owners experiencing an annual increase over their 2024 sewer surcharge costs, as outlined in the body of this report; and,
- II. **THAT** City Council **DIRECT** Administration to proceed with providing a 4-year phase-in period for the stormwater fee (only) to residential property owners on septic systems, with a 75% subsidy in 2025, as outlined in the body of this report; and,
- III. **THAT** City Council **DIRECT** Administration to proceed with approving an ongoing 60% exemption to qualifying Places of Worship and Cemeteries (Property Codes 314, 700, 701, 702, 703), as outlined in the body of this report; and,

- IV. **THAT** City Council **DIRECT** Administration to proceed with providing a one-time transitional credit in 2025 to non-residential property owners, as outlined in the body of this report; and,
- V. **THAT** City Council **AUTHORIZE** the City Treasurer to transfer actual amounts required to effect the recommendations estimated at \$6.9 million from the Sewer Surcharge Reserve; and,
- VI. **THAT** the City Treasurer **BE AUTHORIZED** to fund the costs associated with any additional rebates that may be necessary to ensure that all residential customers pay less in 2025 than in 2024 as required from the Sewer Surcharge Reserve; and,
- VII. **THAT** the City Solicitor **BE DIRECTED** to amend the Stormwater Surcharge Bylaw as may be required to effect the approved recommendations; and,
- VIII. **THAT** Administration **BE DIRECTED** to work with Enwin Utilities Limited to bring effect to the recommendations noted above, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any required documentation/procurement(s) necessary for that purpose, subject to legal approval by the City Solicitor, financial approval by the City Treasurer, and technical approval by the City Engineer.

Executive Summary:

N/A

Background:

The Stormwater Financing Project commenced in 2018 and has been the subject of many stakeholder engagement meetings as well as regular updates to City Council. Implementation was delayed from the original target date of January 1, 2024 to January 1, 2025 specifically to allow for further consultation, public engagement and refinement of various credit policies for both residential and non-residential property owners.

On October 28, 2024, Administration presented the 2025 stormwater and wastewater rates which, upon receiving Council approval, allowed for the new funding program to be actioned January 1, 2025. With the separation of stormwater and wastewater funding, the new rate structure shifted the cost burden for stormwater funding from **55% Residential / 45% Non-Residential to 42% Residential / 58% Non-Residential**. This new cost distribution model which effectively **reduced the overall stormwater costs paid by the entire category of residential users by 13%**, more closely aligned the amount of impervious area occupied by these property types and is more reflective of their relative contribution of runoff to the stormwater management system. This new distribution was expected to be sufficient to result in a large number of residential property owners realizing a decrease in combined wastewater/stormwater charges.

Allocation of wastewater remained at the previous 55% residential / 45% non-residential distribution reflective of water usage.

As per Report C 130/2024, Administration provided an analysis showing the predicted cost impact to residents with the new combined funding model based on impervious area (stormwater) and average water consumption (wastewater). The analysis showed that combined overall stormwater and wastewater savings would be realized across all residential tier structures, when using the average water consumption value estimates. The results further showed that the 2025 wastewater surcharge would decrease by nearly 40% compared to prior year wastewater rates when the stormwater component was removed from the rate calculation.

With the rollout of the program, first bills to customers were issued by Enwin in late January 2025. Under the new billing structure, the stormwater surcharge was broken out as a separate line item from the wastewater surcharge on the Enwin utility bill. Administration received considerable feedback from many residential customers and various Councillors during the new program launch indicating that the combined wastewater and stormwater monthly fees in a number of cases were higher than experienced in 2024. As well, various customers expressed concern over receiving stormwater charges where they are not directly connected or physically serviced by municipal infrastructure.

As such, Mayoral Directive MD 13-2025 was issued by Mayor Dilkens on March 25, 2025 to direct staff to undertake research and report back to City Council regarding the stormwater financing program with the following information:

1. A detailed analysis of the impact on pre-existing residential ENWIN customers as a result of the separation of the wastewater and stormwater billings. If the analysis demonstrates an outcome that is materially different than what had been reported publicly that Administration provide City Council with all reasonable options for consideration to affect the expected decrease.
2. An analysis which includes the number of homeowners currently on septic systems for which no wastewater charge was previously charged and the total monthly stormwater revenue now being collected from these homeowners.

This report provides a response to MD 13-2025.

Discussion:

Impact to Residential Customers

As indicated above, average water consumption data was used in the funding model. It was expected that by using the average water consumption data combined with the redistribution of costs from residential to non-residential property owners, a large number of residential customers would see a decrease in their combined wastewater/storm water billings. The use of average water consumption values is very similar to the methodology used when establishing property tax rates. The rates are determined based upon the tax classes as a whole with the individual impacts to residents being based upon actual property assessment values. The increase to the

residential homeowner is disclosed based upon an average residential property assessment value. Those residents with a value that is higher than average may see a higher tax levy increase while those residents with a lower tax assessment value will see a lower tax levy increase.

As the combined fee impact was directly related to the amount of water used in 2024 and the rates in place at the time, Administration has worked closely with Enwin to gather and analyze actual data rather than average data. As a result, it was determined that the actual annual average water usage value for Windsor in 2024 was slightly less than used in the model at 196 cubic meters, and once excess summer consumption is removed, the average residential consumption is estimated at 146 cubic metres. As such, a number of residential customers using below-average water consumption within each Tier could see an increase on their overall combined wastewater and stormwater bill regardless of the fact that the overall stormwater funding portion allocated to the residential users as a whole is substantively lower than in past years.

While this updated analysis confirms the information being conveyed by residents, it is important to note some additional considerations that also impacted individual residential bills as follows:

- Water usage can fluctuate throughout any given year. Use of the annual water usage average is more reflective of actual billing impacts than a month-to-month analysis however can result in a perceived increase in any given month.
- Actual 2025 data is for the first three months from January to March which is typically a low water use time period.
- The 2024 sewer surcharge rates took effect in March of 2024. The months of January and February of 2024 are reflective of lower 2023 rates. Again, a month-to-month comparison would not show the expected decrease in combined wastewater/storm water distribution.

Given the foregoing and in order to remain consistent with the outcomes communicated publicly that all residents will see a reduction in their overall sewer surcharge amount, Administration proposes that a rebate be provided to those residential property owners who, as a result of lower than average water usage are not realizing a reduction in combined wastewater/stormwater fees. This rebate will be based on each individual residential 2023-2024 winter-average water consumption (i.e. November to April water consumption) and applied monthly for 2025 (see attached Appendix A). The intent is to ensure that on an annual basis residential customers will pay less towards total wastewater and stormwater costs. The residential rebate will also be applied to tenant paid utility accounts thereby mitigating any impacts where landlord (property owner) may try to recover the stormwater fee for the property through the rent. More details as to the rebate program is provided in the Financial Matters.

Should Council approve this proposed option, Administration will work with Enwin to develop a process to apply this rebate to all eligible residential property owners such that they pay less yearly sewer fees (wastewater and stormwater) as compared to 2024. Enwin has confirmed that they will be able to apply a retroactive rebate starting with customer June billings reflective of the first six months of the year (January to June).

Thereafter, those customers will continue to see a monthly rebate (1/6th of the retroactive rebate) to the end of December.

Notwithstanding the additional efforts taken by Administration to ensure that all residential customers will pay less in 2025 than 2024, it still may be possible, due to extreme fluctuations in water usage, that the rebate identified may not be enough to fully offset the increase. Administration is seeking approval to work with these customers individually to resolve the matter. Any additional credits will be subject to review and approval by the City Treasurer.

Impact to Residential Properties on Septic Systems

Septic systems are used for homes in areas which are not serviced by wastewater sewers. Under the previous sewer surcharge model, these homeowners were exempt from paying the sewer surcharge, meaning that no payments were made towards the wastewater or stormwater systems. With the implementation of the new stormwater funding model in 2025, it was recognized that properties on septic systems do contribute to stormwater-runoff because of their impervious areas. As such, these sewer surcharge exempt customers are now subject to the stormwater fee.

The fundamental concept of the stormwater financing program is that everyone contributes to the public stormwater system. All customers benefit from an effective and properly functioning drainage system, so it is reasonable that everyone contributes to the maintenance and management of it.

Furthermore, septic systems have an impact on the City's stormwater systems. For example, some septic beds seep into the ground and can affect the groundwater table and its capacity to hold more water, and others have overflow discharges into drains and ditch systems that are ultimately maintained by the City. In addition, aging and/or failing Septic systems cause environmental contamination to watercourses by delivering health-endangering contaminants, including bacteria, viruses, parasites and nitrate, through overflows to storm systems. This is the basis of a long-standing goals of the Province and the City for prioritizing construction of municipal sanitary sewers to service properties on septic systems.

Municipal drains and tributary ditches within the City, which are found primarily in rural areas without access to municipal sewers, outlet to the Great Lakes and the Detroit River which are designated environmentally sensitive areas with high biodiversity including 22 species of rare plants, 2 rare reptiles and critical habitat for Species at Risk. The City's response to runoff, erosion and sedimentation and environmental concerns within these waterways is crucial to sustainability of the Great Lakes system.

Based on the above, it is important that all property owners contribute to the cost of stormwater management. Given that these property owners have never been subject to a fee for stormwater services, Administration proposes a four-year phase-in period for residential properties that were previously exempt from the sewer surcharge, with a 75% incentive being applied this year to their 2025 stormwater fee (refer to Financial Matters section).

Impact to Places of Worship and Cemeteries

During review of the program in the initial months of its inception, Administration considered various policy decisions with respect to exemptions. The Stormwater financing program, similar to property taxes, is a zero-sum program. That is, whenever one property owner is provided with a reduction to their contribution, other property owners must in turn increase their contribution. As such, and currently, only primary and secondary school boards having a registered board number are exempt from the stormwater fee as per section 58 of the Education Act. Places of Worship and cemeteries, which can have large impervious areas such as parking lots, private roadways and large rooftop buildings were not exempt under pre-2025 sewer surcharge model and; thus, contributed towards funding both the wastewater and stormwater management systems.

Upon additional review of other municipalities, it was noted that 11% offer some sort of subsidy or exemption to places of worship having specific property code designation as determined by the Municipal Property Assessment Corporation (MPAC). As a result, Administration is proposing an ongoing 60% subsidy to places of worship and cemeteries that have MPAC property code designation of 314, 700, 701, 702 or 703 (refer to Financial Matters section). Since these properties have a large amount of impervious area and would otherwise face a large stormwater fee increase, a 40% contribution of the non-residential rate is considered a fair amount for Places of Worship and cemeteries to pay towards funding the stormwater management system.

Impact to Multi-Residential & Non-Residential Customers

The 2025 rate structure for Multi-Residential and Non-Residential properties is based on a flat fee annual rate of \$1.26 per square meter of impervious area. These types of properties are typically large and contain many impervious surfaces such as buildings, paved surfaces, compacted earth, and parking lots. This stormwater fee is considered reasonable and fair as it aligns with the principle of more equitably distributing the cost based on impervious area across the City.

The financial impact of the new model compared to the 2024 sewer surcharge model is parcel specific, and varies based on the type of property, amount of impervious area and amount of water usage. Due to this, Administration undertook a consultation process with multi-residential and non-residential property owners in 2023 and 2024 to engage and educate them of the revised stormwater model and provide information of the stormwater program, rate structure and available credits, and provided fee impact summaries specific to their properties.

In light of recent economic uncertainties and to ease into the first year of the stormwater program, Administration proposes to offer a one-time transitional credit for all multi-residential, non-residential and business property owners (refer to Financial Matters section).

Timing for Adjustments

Should City Council approve the recommendations brought forward by Administration, work will continue with Enwin to start the process of providing the respective rebates and subsidies as presented in this report starting with the residential customers. Retroactive rebates will appear on eligible residential customer bills beginning in June reflective of the six-month period January to June. Thereafter those customers will continue to see a rebate applied to their bill. Thereafter additional rebates and subsidy information for each of the other impacted properties will be provided to Enwin for inclusion with the billing. That is, the adjustments to those customers on septic systems, places of worship and cemeteries followed by all other non-residential customers. It is anticipated that all customers who will be in receipt of a credit will receive said adjustment by the end of August.

Risk Analysis:

Stormwater surcharge fees provide a dedicated, stable and equitable funding source and are used by many municipalities across Ontario and Canada. There are several risks to be considered in accepting the options put forth in this report, some of which are summarized below:

- *Risks from Depleting the Stormwater and Wastewater Sewer Surcharge Reserves* – While a transfer from the Sewer Surcharge Reserve is being recommended to fund the 2025 transitional subsidies as a result of the available uncommitted funding available in the reserve, additional reductions from the reserve to reduce the rates further are not recommended. This would leave the Corporation without adequate dedicated reserves to fund any shortfalls. This is especially risky given the historical trend of declining revenues due to decreasing water consumption on the wastewater side. As well, this would compromise the Corporation's ability in the future to fund the City's share of projects funded by federal/provincial grants that are announced periodically for sewer purposes.
- *Risks to Under Funding the Stormwater Capital and Operating Budget* – The transitional subsidies proposed in this report are considered a unique subsidy in place only for 2025, except for the ongoing 60% subsidy proposed for Places of Worship and Cemeteries. Expanding subsidies, credits, or exemptions any further will have a negative impact on the ability to properly fund the stormwater budget and preserve required reserve funding. It is expected that any further rate reviews and financial analysis would be accommodated through the annual budgetary process and service level reviews which are undertaken each year. Levels of Service and cost of service impacts will be undertaken each year with due consideration to the resulting rate impacts on all rate payers. Administration will work to bring fair and responsible budget estimates and rate proposals to Council for approval each year that consider the impacts to all user billings.

Climate Change Risks:

Climate Change Mitigation

There will be no notable impacts to the City's greenhouse gas inventories or mitigation actions as a result of implementing the proposed options indicated in this report.

Climate Change Adaptation

The City's Climate Change Adaptation Plan, Action 7.2, recommends that the City explore options to implement stormwater financing mechanisms including effectively communicating and educating the public of any stormwater financing implementation decisions. Stormwater financing is one method to encourage property owners to minimize impermeable surfaces allowing for stormwater to infiltrate where it falls, reducing flow into the City's sewer system. Understanding that Windsor's climate change projections show increasing annual rainfall amounts, managing stormwater where it falls will add resiliency of the current system.

Financial Matters:

Estimated Financial Impact on the City Windsor Residential customers:

The analysis previously completed for the Stormwater Project recommended residential tier rates based on average water consumption for each of the three tiers as outlined in the table below. Under each tier, residents with the average consumption would expect to see savings as outlined for each tier. Residents using in excess of the average water consumption would experience increased savings, while residents with low water usage would see an increase to their costs given that under the previous water consumption based model they were not paying a representative share of the stormwater costs.

RESIDENTIAL TIER	CURRENT TIERED RATE (MONTHLY)	AVERAGE ANNUAL WATER CONSUMPTION	ANNUAL SAVING
1	\$22.50	175 m3	(\$73)
2	\$28.17	200 m3	(\$40)
3	\$33.83	225 m3	(\$6)

A review of water consumption data was completed in 2025 that showed the actual annual water consumption average of 196 cubic metres was slightly lower than the estimates used to establish the rates. Given the water usage used to calculate the wastewater variable consumption fees is based on the lower of summer usage or winter average (i.e. November to May) the actual average consumption of 146 cubic metres impacts the anticipated savings for residents.

On this basis, and in an effort to remain consistent with the outcomes communicated publicly to residents that they would see a reduction in their overall sewer surcharge amount, Administration proposes to offer a rebate to all impacted residential property owners in 2025 so that they realize a reduction in total sewer fees compared to what they paid in 2024.

The recommended residential rebate is based on the customer's 2023-2024 winter-average water consumption and applied monthly for 2025. This will provide a reduction on the annual amount paid towards total wastewater and stormwater costs. The one-time transitional rebate will impact an estimated 33,000 residential customers and require \$3.375 million in funding.

It is important to note that had the new stormwater and wastewater surcharge program not been implemented in 2025, there would have been an estimated 9.9% (with program enhancements) **increase to all the City of Windsor residential customers.**

As highlighted in Report C 130/2024, the City and Enwin both previously increased their contribution to expand the Water Rate Assistance Program (WRAP) to provide financial assistance up to \$250 to qualifying low-income residential homeowners towards their water, stormwater and wastewater bill payments. The program is administered by the Unemployed Help Centre and Housing Information Services and remains available.

Financial Impact of Residential Properties on Septic Systems

Under the previous sewer surcharge model, homeowners not connected to a sanitary sewer and using a septic system were exempt from paying the sewer surcharge, meaning no payments were made towards the wastewater or stormwater systems. Upon implementation of the stormwater program requiring that septic system users contribute toward stormwater costs, these residents saw their monthly contribution towards the city-wide sewer system go from \$0 to \$22.50 for a Tier 1 property, \$28.17 for a Tier 2 property, and \$33.83 for a Tier 3 property. The table below illustrates the number of properties estimated to be on septic systems, along with the estimated monthly stormwater revenue being collected through the new stormwater model.

RESIDENTIAL PROPERTIES ON SEPTIC SYSTEM		
RESIDENTIAL TIER	ESTIMATE NO. OF PROPERTIES	STORMWATER REVENUE (MONTHLY)
1	33	\$ 743
2	136	\$ 3,831
3	351	\$ 11,876
TOTAL	520	\$ 16,449
*** Note *** Based on data available to the City of Windsor Engineering Department		

Administration proposes a four-year phase-in period for residential properties with a septic system, with a 75% transitional subsidy being applied to the 2025 residential stormwater fee. Residential properties fall under the tiered rate structure based upon the amount of impervious area on the property. The Table below illustrates the incentive amount for each residential tier.

RESIDENTIAL TIER	CURRENT TIERED RATE (MONTHLY)	INCENTIVE AMOUNT (MONTHLY)
1	\$22.50	\$16.87
2	\$28.17	\$21.12
3	\$33.83	\$25.37

Should Council approve this proposed option, the costs of the 2025 subsidies for this program will be approximately \$150,000. Administration will work with Enwin to apply the 75% incentive effective to January 1, 2025.

Financial Impact to Places of Worship and Cemeteries

Places of Worship and Cemeteries were not exempt under pre-2025 sewer surcharge model and; thus, contributed towards funding both the wastewater and stormwater management systems. As noted earlier, Administration is recommending that an ongoing 60% exemption be provided to Places of Worship and Cemeteries in order to afford some level of financial relief to the sewer surcharge.

The cost of this ongoing annual subsidy is estimated to cost \$375,000 annually. If approved by Council, Administration will work with Enwin to process this ongoing exemption effective January 1, 2025 and amend the Stormwater Bylaw to institute a 60% exemption to places of worship and cemeteries.

It is noted that a property with this 60% exemption is not able to apply for a credit through the Stormwater Credit program.

Financial Impact to Multi-Residential & Non-Residential Customers

As noted previously, the rate structure for Multi-Residential and Non-Residential properties is based on a flat fee annual rate of \$1.26 per square meter of impervious area. In light of recent economic uncertainties and to ease into the first year of the stormwater program, Administration proposes to offer a one-time transitional credit for all multi-residential, non-residential and business property owners. This special credit is applied as a rate in the amount of \$0.12 per square meter of impervious area. It does not require an application and will be applied directly to the utility bill.

The cost of this one-time transitional subsidy is \$3 million representing approximately 10% of the annual rate. If approved by Council, Administration will work with Enwin to develop a process to apply this one-time subsidy to all non-residential customers.

Summary of 2025 Financial Impact of Recommendations

As detailed in the table below, the various credits, rebates and subsidies being recommended for 2025 total approximately \$6.9 million. As indicated through the 2024 year-end report, additional uncommitted funding of \$11.8 million is available in the Sewer Surcharge Reserve. This additional one-time amount was realized as a result of new water customers being added to the sewer surcharge billing systems in the latter part of 2024. The new stormwater billing process, being based upon property and not

water use has captured these customers as part of the determination of the future stormwater fee process.

	2025 TOTAL ESTIMATED (ANNUAL)
1. REBATE FOR RESIDENTS PAYING MORE IN 2025 <i>Based on Winter Average Water Consumption + \$1.00/month (\$12 annually)</i>	\$3,375,000
2. RESIDENTIAL SEPTIC <i>2025 Phase-in</i>	\$150,000
3. CHURCHES, CEMETERIES & PLACES OF WORSHIP <i>Ongoing Annual Subsidy of 60% on Stormwater Fee</i>	\$375,000
4. NON-RESIDENTIAL / COMMERCIAL <i>One-Time Transition Credit Applied on a per Square Metre Basis</i>	\$3,000,000
TOTAL 2025 ESTIMATED IMPACT	\$6,900,000

2026 Rate Setting

The implementation of the new stormwater financing program included an enhanced LOS program that aims to increase the annual capital budget for stormwater by \$15.9 million to fund critical improvements to the existing service levels of the stormwater management system. These enhanced LOS offerings include:

- Increased funding for sewer upgrades, rehabilitation and lining repairs;
- Increased separation of combined sewers into dedicated stormwater sewer and wastewater sewer;
- Regular inspections and increased maintenance of municipal drains, ditches, culverts, and natural drainage systems;
- Creation of a pond monitoring and inspection program;
- Increased sewer infrastructure inspections and sewer cleaning program; and
- Increased street sweeping program.

The approach approved by Council proposes phasing in the enhanced LOS program over a five-year period with each year's increase being subject to Council approval as part of that year's budget process.

The rebate(s) being recommended for 2025 will assist residents and non-residential/commercial customers in transitioning to the new wastewater/stormwater model that was implemented in January 2025. It is important to note that the 2026 wastewater and stormwater rates will continue to be developed based on the new model and will fund the planned operational and capital costs projected for 2026. The

budget model will consider a number of variables including water consumption, amount of impervious area, CPI increases, along with modelling for the continued phase-in of the increased level of service as approved in the Stormwater Financing Study. It is expected that each year through the annual budgetary process that the LOS and capital programs will be reviewed with a focus on presenting fair and responsible annual budget estimates to Council for their approval. This annual budget exercise will focus on a balanced approach which considers the stormwater needs of the municipality while also being attuned to the financial impacts to ratepayers

Consultations:

Colleen Middaugh – Manager of Corporate Projects

Adam Pillon – Manager of Right of Way

Mark Spizzirri – Manager of Performance Measurement & Business Case Development

JP Lovecky – Financial Planning

ENWIN Utilities Ltd

Conclusion:

The City has a responsibility to provide effective and dependable stormwater management services. To do so, a sustainable funding model is required to build and maintain stormwater management assets which improve Windsor's flood resiliency. Separating the old sewer surcharge model to have dedicated wastewater and stormwater funding models, and one where the stormwater fee is based on impervious area provides a reliable and consistent methodology to fund the stormwater program.

While 2025 wastewater rates have decreased significantly, the new stormwater funding model based on impervious area does not impact all property owners equally as the combined effect of the model is heavily dependent on both impervious area of the property as well as water usage patterns. Accordingly, Administration has provided options to Council that are designed to provide transitional relief, particularly as the program was launched during an uncertain and unpredictable economic environment.

Administration, under the direction of City Council, remains confident that the stormwater financing program has been launched successfully considering the magnitude and complexity of the program and the transitional nature of the billing impacts on individual users. While the new billing system has realigned the stormwater billing process in a more equitable manner, it will take time for users to adjust to the new plan. Administration will continue to monitor the program, meet with residential and non-residential property owners, and recommend future refinements as appropriate through the annual rate setting so as to ensure a robust annual budget process is in place to ensure the continued and ongoing success of this program.

Planning Act Matters:

N/A

Approvals:

Name	Title
Stacey McGuire	Executive Director Engineering, Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Email

Appendices:

- 1 Appendix A - Sewer Cost Comparison 2024 vs 2025 (1 page)

Appendix A: Residential Sewer Cost Comparison - 2024 vs. 2025

Rate	Paying Less	Paying More
Tier 1	10,785	7,002
Tier 2	14,428	17,531
Tier 3	3,613	8,652
	28,826	33,185

Winter Average Water Consumption (CM)*	Residential Monthly Cost Before Stormwater (2024)			Residential Monthly Cost With Stormwater (2025)								Residential Year-Over-Year Difference Monthly Rebate (red box) Inclusive of \$1/month Premium					
	Wastewater Fixed Rate	Wastewater Consumption (\$3.37 / CM)	Total	Wastewater Fixed Rate	Wastewater Consumption (\$2.01 / CM)	Stormwater Component Tier 1	Stormwater Component Tier 2	Stormwater Component Tier 3	Total Tier 1	Total Tier 2	Total Tier 3	Tier 1	Number of Accounts	Tier 2	Number of Accounts	Tier 3	Number of Accounts
1	\$ 21.65	\$ 3.37	\$ 25.02	\$ 12.89	\$ 2.01	\$ 22.50	\$ 28.17	\$ 33.83	\$ 37.40	\$ 43.07	\$ 48.73	\$ 13.38	310	\$ 19.05	320	\$ 24.71	101
2	\$ 21.65	\$ 6.74	\$ 28.39	\$ 12.89	\$ 4.02	\$ 22.50	\$ 28.17	\$ 33.83	\$ 39.41	\$ 45.08	\$ 50.74	\$ 12.02	236	\$ 17.69	260	\$ 23.35	79
3	\$ 21.65	\$ 10.11	\$ 31.76	\$ 12.89	\$ 6.03	\$ 22.50	\$ 28.17	\$ 33.83	\$ 41.42	\$ 47.09	\$ 52.75	\$ 10.66	463	\$ 16.33	552	\$ 21.99	125
4	\$ 21.65	\$ 13.48	\$ 35.13	\$ 12.89	\$ 8.04	\$ 22.50	\$ 28.17	\$ 33.83	\$ 43.43	\$ 49.10	\$ 54.76	\$ 9.30	675	\$ 14.97	916	\$ 20.63	242
5	\$ 21.65	\$ 16.85	\$ 38.50	\$ 12.89	\$ 10.05	\$ 22.50	\$ 28.17	\$ 33.83	\$ 45.44	\$ 51.11	\$ 56.77	\$ 7.94	780	\$ 13.61	1,128	\$ 19.27	341
6	\$ 21.65	\$ 20.22	\$ 41.87	\$ 12.89	\$ 12.06	\$ 22.50	\$ 28.17	\$ 33.83	\$ 47.45	\$ 53.12	\$ 58.78	\$ 6.58	895	\$ 12.25	1,322	\$ 17.91	412
7	\$ 21.65	\$ 23.59	\$ 45.24	\$ 12.89	\$ 14.07	\$ 22.50	\$ 28.17	\$ 33.83	\$ 49.46	\$ 55.13	\$ 60.79	\$ 5.22	839	\$ 10.89	1,528	\$ 16.55	421
8	\$ 21.65	\$ 26.96	\$ 48.61	\$ 12.89	\$ 16.08	\$ 22.50	\$ 28.17	\$ 33.83	\$ 51.47	\$ 57.14	\$ 62.80	\$ 3.86	911	\$ 9.53	1,677	\$ 15.19	552
9	\$ 21.65	\$ 30.33	\$ 51.98	\$ 12.89	\$ 18.09	\$ 22.50	\$ 28.17	\$ 33.83	\$ 53.48	\$ 59.15	\$ 64.81	\$ 2.50	948	\$ 8.17	1,737	\$ 13.83	616
10	\$ 21.65	\$ 33.70	\$ 55.35	\$ 12.89	\$ 20.10	\$ 22.50	\$ 28.17	\$ 33.83	\$ 55.49	\$ 61.16	\$ 66.82	\$ 1.14	945	\$ 6.81	1,709	\$ 12.47	588
11	\$ 21.65	\$ 37.07	\$ 58.72	\$ 12.89	\$ 22.11	\$ 22.50	\$ 28.17	\$ 33.83	\$ 57.50	\$ 63.17	\$ 68.83	\$ 1.22	911	\$ 5.45	1,721	\$ 11.11	632
12	\$ 21.65	\$ 40.44	\$ 62.09	\$ 12.89	\$ 24.12	\$ 22.50	\$ 28.17	\$ 33.83	\$ 59.51	\$ 65.18	\$ 70.84	\$ 2.58	852	\$ 4.09	1,666	\$ 9.75	671
13	\$ 21.65	\$ 43.81	\$ 65.46	\$ 12.89	\$ 26.13	\$ 22.50	\$ 28.17	\$ 33.83	\$ 61.52	\$ 67.19	\$ 72.85	\$ 3.94	748	\$ 2.73	1,555	\$ 8.39	559
14	\$ 21.65	\$ 47.18	\$ 68.83	\$ 12.89	\$ 28.14	\$ 22.50	\$ 28.17	\$ 33.83	\$ 63.53	\$ 69.20	\$ 74.86	\$ 5.30	667	\$ 1.37	1,440	\$ 7.03	597
15	\$ 21.65	\$ 50.55	\$ 72.20	\$ 12.89	\$ 30.15	\$ 22.50	\$ 28.17	\$ 33.83	\$ 65.54	\$ 71.21	\$ 76.87	\$ 6.66	618	\$ 0.99	1,336	\$ 5.67	568
16	\$ 21.65	\$ 53.92	\$ 75.57	\$ 12.89	\$ 32.16	\$ 22.50	\$ 28.17	\$ 33.83	\$ 67.55	\$ 73.22	\$ 78.88	\$ 8.02	585	\$ 2.35	1,226	\$ 4.31	541
17	\$ 21.65	\$ 57.29	\$ 78.94	\$ 12.89	\$ 34.17	\$ 22.50	\$ 28.17	\$ 33.83	\$ 69.56	\$ 75.23	\$ 80.89	\$ 9.38	513	\$ 3.71	1,119	\$ 2.95	495
18	\$ 21.65	\$ 60.66	\$ 82.31	\$ 12.89	\$ 36.18	\$ 22.50	\$ 28.17	\$ 33.83	\$ 71.57	\$ 77.24	\$ 82.90	\$ 10.74	2,442	\$ 5.07	3,383	\$ 1.59	1,112
19	\$ 21.65	\$ 64.03	\$ 85.68	\$ 12.89	\$ 38.19	\$ 22.50	\$ 28.17	\$ 33.83	\$ 73.58	\$ 79.25	\$ 84.91	\$ 12.10	413	\$ 6.43	916	\$ 0.77	433
20	\$ 21.65	\$ 67.40	\$ 89.05	\$ 12.89	\$ 40.20	\$ 22.50	\$ 28.17	\$ 33.83	\$ 75.59	\$ 81.26	\$ 86.92	\$ 13.46	355	\$ 7.79	780	\$ 2.13	362
21	\$ 21.65	\$ 70.77	\$ 92.42	\$ 12.89	\$ 42.21	\$ 22.50	\$ 28.17	\$ 33.83	\$ 77.60	\$ 83.27	\$ 88.93	\$ 14.82	338	\$ 9.15	715	\$ 3.49	345
22	\$ 21.65	\$ 74.14	\$ 95.79	\$ 12.89	\$ 44.22	\$ 22.50	\$ 28.17	\$ 33.83	\$ 79.61	\$ 85.28	\$ 90.94	\$ 16.18	298	\$ 10.51	623	\$ 4.85	301
23	\$ 21.65	\$ 77.51	\$ 99.16	\$ 12.89	\$ 46.23	\$ 22.50	\$ 28.17	\$ 33.83	\$ 81.62	\$ 87.29	\$ 92.95	\$ 17.54	248	\$ 11.87	569	\$ 6.21	296
24	\$ 21.65	\$ 80.88	\$ 102.53	\$ 12.89	\$ 48.24	\$ 22.50	\$ 28.17	\$ 33.83	\$ 83.63	\$ 89.30	\$ 94.96	\$ 18.90	233	\$ 13.23	522	\$ 7.57	230
25	\$ 21.65	\$ 84.25	\$ 105.90	\$ 12.89	\$ 50.25	\$ 22.50	\$ 28.17	\$ 33.83	\$ 85.64	\$ 91.31	\$ 96.97	\$ 20.26	211	\$ 14.59	428	\$ 8.93	217
26	\$ 21.65	\$ 87.62	\$ 109.27	\$ 12.89	\$ 52.26	\$ 22.50	\$ 28.17	\$ 33.83	\$ 87.65	\$ 93.32	\$ 98.98	\$ 21.62	179	\$ 15.95	376	\$ 10.29	216
27	\$ 21.65	\$ 90.99	\$ 112.64	\$ 12.89	\$ 54.27	\$ 22.50	\$ 28.17	\$ 33.83	\$ 89.66	\$ 95.33	\$ 100.99	\$ 22.98	177	\$ 17.31	328	\$ 11.65	179
28	\$ 21.65	\$ 94.36	\$ 116.01	\$ 12.89	\$ 56.28	\$ 22.50	\$ 28.17	\$ 33.83	\$ 91.67	\$ 97.34	\$ 103.00	\$ 24.34	143	\$ 18.67	308	\$ 13.01	151
29	\$ 21.65	\$ 97.73	\$ 119.38	\$ 12.89	\$ 58.29	\$ 22.50	\$ 28.17	\$ 33.83	\$ 93.68	\$ 99.35	\$ 105.01	\$ 25.70	131	\$ 20.03	270	\$ 14.37	138
30	\$ 21.65	\$ 101.10	\$ 122.75	\$ 12.89	\$ 60.30	\$ 22.50	\$ 28.17	\$ 33.83	\$ 95.69	\$ 101.36	\$ 107.02	\$ 27.06	99	\$ 21.39	249	\$ 15.73	119
31	\$ 21.65	\$ 104.47	\$ 126.12	\$ 12.89	\$ 62.31	\$ 22.50	\$ 28.17	\$ 33.83	\$ 97.70	\$ 103.37	\$ 109.03	\$ 28.42	94	\$ 22.75	223	\$ 17.09	93
32	\$ 21.65	\$ 107.84	\$ 129.49	\$ 12.89	\$ 64.32	\$ 22.50	\$ 28.17	\$ 33.83	\$ 99.71	\$ 105.38	\$ 111.04	\$ 29.78	87	\$ 24.11	181	\$ 18.45	102
33	\$ 21.65	\$ 111.21	\$ 132.86	\$ 12.89	\$ 66.33	\$ 22.50	\$ 28.17	\$ 33.83	\$ 101.72	\$ 107.39	\$ 113.05	\$ 31.14	80	\$ 25.47	156	\$ 19.81	94
34	\$ 21.65	\$ 114.58	\$ 136.23	\$ 12.89	\$ 68.34	\$ 22.50	\$ 28.17	\$ 33.83	\$ 103.73	\$ 109.40	\$ 115.06	\$ 32.50	67	\$ 26.83	131	\$ 21.17	78
35	\$ 21.65	\$ 117.95	\$ 139.60	\$ 12.89	\$ 70.35	\$ 22.50	\$ 28.17	\$ 33.83	\$ 105.74	\$ 111.41	\$ 117.07	\$ 33.86	65	\$ 28.19	118	\$ 22.53	62
36	\$ 21.65	\$ 121.32	\$ 142.97	\$ 12.89	\$ 72.36	\$ 22.50	\$ 28.17	\$ 33.83	\$ 107.75	\$ 113.42	\$ 119.08	\$ 35.22	61	\$ 29.55	118	\$ 23.89	59
37	\$ 21.65	\$ 124.69	\$ 146.34	\$ 12.89	\$ 74.37	\$ 22.50	\$ 28.17	\$ 33.83	\$ 109.76	\$ 115.43	\$ 121.09	\$ 36.58	58	\$ 30.91	93	\$ 25.25	42
38	\$ 21.65	\$ 128.06	\$ 149.71	\$ 12.89	\$ 76.38	\$ 22.50	\$ 28.17	\$ 33.83	\$ 111.77	\$ 117.44	\$ 123.10	\$ 37.94	47	\$ 32.27	105	\$ 26.61	38
39	\$ 21.65	\$ 131.43	\$ 153.08	\$ 12.89	\$ 78.39	\$ 22.50	\$ 28.17	\$ 33.83	\$ 113.78	\$ 119.45	\$ 125.11	\$ 39.30	34	\$ 33.63	86	\$ 27.97	32
40	\$ 21.65	\$ 134.80	\$ 156.45	\$ 12.89	\$ 80.40	\$ 22.50	\$ 28.17	\$ 33.83	\$ 115.79	\$ 121.46	\$ 127.12	\$ 40.66	31	\$ 34.99	69	\$ 29.33	26

* Limited to 40 cubic meters for illustrative purposes



Council Report: C 36/2025

Subject: Residential Rental Licensing Pilot Study Preliminary Results - Wards 1 & 2

Reference:

Date to Council: April 28, 2025

Author: Craig Robertson

Manager, Licensing & Enforcement/Deputy Licence Commissioner

519-255-6100 ext. 6869

crobertson@citywindsor.ca

Jude Malott

Executive Initiatives Coordinator

519-255-6100 ext. 6804

jmalott@citywindsor.ca

Policy, Gaming, Licensing & By-Law Enforcement

Report Date: February 25, 2025

Clerk's File #: SB/12952

To: Mayor and Members of City Council

Recommendation:

1. That City Council **RECEIVE** Report C 36/2025 dated February 25, 2025 entitled "Residential Rental Licensing Pilot Study Preliminary Results"; and,
2. That City Council **PLACE** Residential Rental Licensing By-law 14-2023 **IN ABEYANCE**; and,
3. That City Council **DIRECT** Administration to **REPORT BACK** with options for alternative residential rental housing regulation program models.

Executive Summary:

N/A

Background:

On April 25, 2022, Council approved a pilot study framework to evaluate residential rental licensing in Ward 1 and Ward 2 and directed Administration to report back with results after two years (CR171/2022). Residential Rental Licensing (RRL) By-law 14-2023 came into effect on February 13, 2023, starting the two-year pilot study period.

On April 21, 2023, the Office of the City Clerk received notice of an application brought by Windsor Housing Providers Inc. (WHPI) to quash the RRL By-law. The subsequent

Court Order let the City continue to process licence applications but suspended enforcement of the RRL By-law, like issuing tickets or filing charges, until the court process concluded.

On December 7, 2023, the Ontario Superior Court heard arguments on WHPI's application. In March 2024, the Court released its decision upholding the By-law and dismissing WHPI's application to quash, which WHPI appealed.

On February 3, 2025, the Court of Appeal for Ontario upheld the lower court's ruling and dismissed the appeal.

On February 13, 2025, the two-year pilot study period ended.

Discussion:

The Residential Rental Licensing (RRL) Pilot Study was designed to assess:

- Whether the piloted framework improves housing conditions in the study area.
- Whether a city-wide program is feasible with current or additional resources.

Administration used information collected from database records and on-site inspections to assess housing unit conditions. Additional information from application forms, correspondence, and correspondence with internal stakeholders was used to assess the feasibility of the piloted licence framework.

Please see Appendix A for an expanded timeline of events related to the pilot study.

Methodology

The Licensing Division accepted new RRL applications from February 13, 2023, to January 13, 2025. When possible, unit received at least one on-site inspection from a Building By-law Officer and a Fire Prevention Officer, who documented the property's condition. When appropriate, officers followed up with property owners to ensure that defects were addressed, including issuing Orders or requiring a permit.

Information on the study's purpose, scope, and framework was made available on the City's website. Potential rental property owners were notified by mail and encouraged to contact the Licensing Division if they believed their property was identified as a rental in error. Residents in the study area received an information card by mail to raise awareness of the study and direct people to the City's website for more information.

Limitations

Due to several factors, the full staffing complement approved in C 54/2022 was not realized during the pilot study period. Temporary positions were established where possible but saw high turnover as recruited staff secured permanent positions elsewhere in the Corporation. When application volumes dropped, positions were kept vacant to match service demands and minimize expenses. However, the surge of applications received in May 2023 resulted in a significant backlog of inspections, which

persisted into 2024. Due to this, renewal licence applications were not initiated for the second pilot study year.

To comply with the Court Order, By-law Enforcement Officers could not ticket or charge properties identified as unlicensed rentals as originally intended. Instead, complaints of unlicensed properties were recorded and tracked. Once received, officers attended the property and notified property owners of the requirement to get a licence if appropriate. By-law officers would also address violations of existing by-laws, like improperly stored garbage or unkempt yards, when observed. As a result, the study could not assess the feasibility of the piloted framework's enforcement tools.

Further stakeholder consultation was not performed while the matter was before the courts.

Financial outcomes

Revenue estimates in C 54/2022 projected \$752,590 from 1,615 new licence applications in the first year and \$1,376,125 from a total of 3,615 new and renewal applications in the second year. Actual revenues fell short of these projections, generating only \$339,428 in the first year and \$24,232 in the second year.

It is important to note that due to the uncertainty caused by the application to quash the by-law, the 2024 revenue budget for the pilot study was not adjusted for second year projections and remained \$752,590. The Court Order prevented officers from issuing tickets, making the program effectively voluntary and resulting in fewer applications than initially estimated presuming a full complement of enforcement tools, including legal action. A backlog of new applications needing initial inspections prevented renewal applications in the second year, which also significantly reduced revenues.

Estimated annual expenses for each year were \$744,895, but actual expenses were \$327,655 in the first year and \$138,927 in the second. Administration ensured efficient use of program resources by scaling back expenses as program demand shifted, keeping administrative and enforcement positions vacant when application volumes slowed.

Overall, in year 1, the program generated a net surplus of \$11,773 (actual revenue minus expenses) and a deficit of \$114,695 in year 2. Annual variances from budget projections for the pilot were identified in each respective quarterly and year-end variance reports.

A summary of estimated and actual revenues and expenses for each study year are provided in Appendix B.

Findings

Licensing received 782 RRL applications over the study period, with about twice as many in Ward 2 as Ward 1. Peak intake occurred in May 2023, with 166 submitted on May 30 and 31 alone, accounting for two of the department's three highest volume days in the year. After May 2023, application volumes dropped significantly. Despite being limited to providing education only, follow-up on complaints by By-law Enforcement

Officers resulted in 29 additional applications. 19 applications were withdrawn prior to licence issuance because the property was sold or no longer occupied by tenants prior to the completion of the licensing process.

Building and Fire officers successfully accessed 660 dwelling units. 41 applicants declined to arrange inspections when contacted due to litigation. The remainder did not respond to contact requests from dispatch. Only one application could not be processed because the tenant refused access to their unit.

About a third of properties inspected were compliant on first inspection or by the end of the same day. Major defects related to expired, defective, or absent smoke alarms or CO (carbon monoxide) alarms were found most frequently, followed by minor building condition defects. Rates of observed defects were slightly higher in Ward 2 for most issues, but rates of major defects related to smoke and CO alarms were higher in Ward 1. Issues related to land use, including properties operating with multiple tenancies in a single unit or with units unestablished by a permit, were the most common condition observed in applications still pursuing compliance.

Operational data is summarized in Appendix C.

Were housing conditions improved?

Most applications required at least one re-inspection to confirm repairs were made, meaning the RRL directly contributed to improved dwelling unit conditions. During the study period, 22 building permits were issued to repair, alter, or demolish as part of RRL inspections and enforcement. An additional 18 permits were issued to create new dwelling units or establish existing ones, all meeting current Ontario Building Code and Fire Code requirements.

The most significant and immediate improvement delivered by the piloted licensing framework was in fire safety. Major defects related to missing or expired smoke and CO alarms were the most common in both Ward 1 and Ward 2. Fire Prevention Officers ensured each unit inspected was left with some kind of smoke and CO detection if corrections required more time to be completed, like replacing devices in dwelling units where interconnected devices are required.

While housing conditions and safety were substantially improved in some dwellings, it is unclear whether the condition issues observed are unique to rental units. As part of the inspection process, each unit was assessed and assigned a ranking based on its general condition. Each ranking was determined using the same criteria as a question included in the long-form Census, which includes both rental and owner-occupied homes, so the results could be compared. The data returned shows conditions observed may fall within the normal condition range of local housing stocks and are not particular to rental dwellings.

Is the piloted framework feasible as a city-wide program?

To undertake a city-wide program, the City must have sufficient resources to deliver the program's requirements. Implementing the piloted framework city-wide presents critical

risks to new and existing operations across multiple departments because it requires resources at a scale that cannot be secured with existing staff or facilities.

Administration recommends placing the current by-law and pilot program in abeyance so study data can be used to return more feasible alternatives for Council's consideration, as outlined further below in this report.

How many licence applications would a city-wide program generate?

To estimate the total number of rental dwelling units in the pilot study area, and therefore the maximum (100% application submission) and likely (50% application submission) capacity required to deliver a city-wide program, Administration analyzed property records in Ward 1 and Ward 2. The analysis focused on approximately 18,000 properties with low-rise residential and mixed-use MPAC classifications. Of these properties, about 3,700 were flagged as potential rentals based on indicators like corporate ownership or owners with more than one property.

Owners of flagged properties were notified by mail and encouraged to contact the City if their property was not a rental. About 360 owners responded to this effect, indicating about 10% of the properties flagged were flagged in error. As well, only 106 of 782 applications received were not flagged in the records analysis, suggesting the criteria used to identify potential rental properties are reasonably effective. Considering this, Administration estimates a total potential licence pool of 3,000 dwelling units in Ward 1 and Ward 2, with about twice as many in Ward 2 as in Ward 1.

To determine the potential city-wide licence pool of a mature program, each of Windsor's ten wards were classified into one of two groups based on demographics and built environment. Wards in Group 1 (1, 6, 7, 8, 9, 10) were estimated at 1,000 licences each, while those in Group 2 (2, 3, 4, 5) were estimated at 2,000 licences each.

6 Group 1 wards @ 1000 licences each = 6,000

4 Group 2 wards @ 2000 licences each = 8,000

Total licence pool (100% compliance) = 14,000

Total annual pool (estimated 50% compliance) = 7,000

The City currently processes approximately 3,000 business licence applications each year through coordinated efforts of staff in Licensing, By-law Enforcement, Building, Fire, Public Works, and Planning. Based on pilot study data, a city-wide application of the piloted framework could require over twice the number of business licences currently processed annually for the RRL program alone.

Do we have the required staff for a city-wide program?

The resources to deliver a 233% increase in licensing capacity are extensive, requiring an increase in resources equivalent to a small department. Expanding the piloted framework city-wide without sufficient resources in place will risk critical impacts on service levels and cost recovery across all impacted areas, both for the RRL and for all

other existing licence and enforcement programs. If sufficient staff are not secured, Building and Fire resources would need to be reassigned to address high priority RRL matters, impacting existing operational efficiency and leaving other day-to-day duties delayed.

Table 1: Regular Full-Time (RFT) staffing estimates for city-wide implementation

Estimates based off 2024 Approved Salary Schedules and an annual volume of 7000 applications.

Service Area	Job Title	RFT	Annual Cost
Building	Building By-law Enforcement Officer (step 2)	6	\$827,981
Building	Building By-law Enforcement Clerk	1	\$83,051
By-law Enforcement	By-law Enforcement Officer (step 2)	5	\$552,170
By-law Enforcement	By-law Enforcement Clerk (step 2)	1	\$68,680
Fire and Rescue	Fire Prevention Officer (step 4)	10	\$1,960,856
Fire and Rescue	Fire Prevention Clerk	1	\$109,008
Licensing	Licence Issuer (step 2)	7	\$517,268
Licensing	Licensing Clerk (step 2)	1	\$63,952
Planning	Zoning Coordinator (step 2)	2	\$191,049
All Impacted Areas	Total Full-Time Positions	34	\$4,374,015

The staffing complement required for the piloted framework is substantial and, once scaled to the capacity required for a permanent city-wide program, may be challenging to fully secure. The piloted framework requires annual inspection of each licenced unit by staff with specialized education and experience. When recruiting for these positions, the City must compete with other municipalities as well as private sector employers for a limited number of qualified applicants. However, because the piloted framework is fundamentally based on annual inspections, avenues to mitigate this risk are limited.

In order to fully recover the costs for the staff necessary to carry out this program based on 7000 applications per year, the initial licence fee would need to be a minimum of \$625 annually. This equates to an increase of \$159 or 34% as compared to the licence fee approved under the pilot program.

Do we have the required facilities for a city-wide program?

If the City were able to secure sufficient staff to administer the program, the physical arrangement of existing workspaces also presents a capacity bottleneck. Significant renovations would be required to house the additional inspection staff complement. However, the most critical bottleneck to expanded licensing capacity is the customer service counter where applications are accepted.

The City's three full-time Licence Issuers handle an average of 3,000 licence applications annually at the counter on the first floor of 350 City Hall Square W. The counter has eight windows total, which Licensing shares with staff from Finance:

- 2 for Property Tax customer service
- 1 for the Senior Licence Issuer, which is also configured to create photo ID
- 1 for accessible service
- 4 for Licence Issuers (1 vacant)

The current workspace for Licence Issuers can only accommodate one additional Issuer, or 1,000 applications annually, without displacing Property Tax staff. Even if staff from Property Tax were moved elsewhere, this configuration limits the maximum complement of Licence Issuers to six total – about 4,000 applications short of the 10,000 annual licences (across all categories) the City would need to process if the piloted framework were implemented city-wide. There may be the possibility to explore online applications in the future, but currently it does not appear that this would eliminate the need for staff to review applications.

Next Steps

As the piloted framework is effective but not feasible for expansion based on current resource levels, Administration is seeking Council's direction whether it wishes to explore alternative models or simply end the program and repeal RRL By-law 14-2023, as amended.

Option 1 (recommended): Place the by-law in abeyance and report back with alternate models

Data gathered during the pilot study period provides valuable insight into housing conditions in Ward 1 and Ward 2 and demonstrates some form of rental housing business regulation may be desirable. Preliminary results also suggest continuing the piloted residential rental licence program as-is requires significant resources that could be challenging to secure. Administration recommends undertaking further research and reporting back with alternatives for Council's consideration, like:

- Different licence frameworks, e.g. licensing buildings rather than units, licensing property managers rather than dwellings.
- Different regulatory models, e.g. property management by-laws, voluntary rental registry.

If Council chooses this option, Administration can report back with alternatives as part of the 2026 budget process.

Option 2: Repeal the by-law

Council can choose to repeal the RRL by-law and end the program, returning to the previous complaint-driven status quo. Building and Fire officials would continue to pursue compliance for identified defects.

Anyone wishing to register a complaint about a property's condition or maintenance would continue to be able to do so through 311. Complaints about internal unit conditions from someone other than the occupant may be challenging to investigate without an occupant's cooperation.

Risk Analysis:

Any legal risks associated with these options are included in the P&C memo accompanying this report.

Option 1 (recommended): Place the by-law in abeyance and report back with alternate models

Maintaining, but not enforcing, a by-law that has already withstood court challenge mitigates risks to staff and legal resources that could arise if the by-law was repealed now and reintroduced later. Allowing time for Administration to perform further data analysis and undertake research on alternatives also minimizes future risks to resources and reputation associated with implementing more costly regulatory models if better ones can be used.

Option 2: Repeal the by-law

There are no significant risks identified with this option. Administration will revert to the previous status quo, investigating and enforcing property maintenance, garbage preparation, and related by-laws on a complaint basis.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Financial outcomes for the pilot study are described in the Discussion section of this report. Figures for each year's revenues and expenses are provided in Appendix B.

All licence fees are determined with the intent to fully recover the costs of administering their related program. Staffing for a city-wide roll-out of the piloted framework is estimated to require an additional 34 new regular full-time positions at a cost of \$4,374,015. Based on 7000 applications per year, in order to fully recover the staff

necessary to carry out this program the initial license fee would need to be a minimum \$625 annually. This equates to an increase of \$159 or 34% as compared to the license fee approved under the pilot program.

As indicated, existing staff and facility design cannot accommodate the number of licence applications the piloted framework is anticipated to result in. Because of this, it is not feasible to deliver a full cost recovery program using the piloted framework. An alternative framework for the delivery of a licensing program would be required.

Financial implications for the recommended and alternate next steps described previously is presented below.

Option 1 (recommended): Place the by-law in abeyance and report back with alternate models

All positions hired as part of the pilot were temporary and were vacant by the time the pilot completed. No additional revenue and or expenditures related to the program would be realized. A financial analysis reflecting alternate models would be brought forward in a future report for consideration. Any necessary adjustments as a result of the adoption of an alternate model to the program budget for revenue and or expenditures would be brought forward as part of a future budget process.

Option 2: Repeal the by-law

As indicated with Option 1, all positions hired as part of the pilot were temporary and were vacant by the time the pilot completed. There would be no additional costs associated with repealing the by-law and ending the RRL program. Administration would make the necessary adjustments to the operating budget to align program revenue and expenditures with the discontinuance of the program. Administration has confirmed that all applications received while the by-law was enforced have been processed and have received their initial inspection therefore there would be no further revenue realized.

Consultations:

Sharon Strosberg, Senior Legal Counsel

Roberto Vani, Senior Manager of Inspections/Deputy Chief Building Official

Mike Coste, Chief Fire Prevention Officer

Stephen Laforet, Deputy Fire Chief

Rosa Maria Scalia, Financial Planning Administrator

Josie Gualtieri, Financial Planning Administrator

Monika Schneider, Financial Planning Administrator

Conclusion:

The Residential Rental Licensing (RRL) Pilot Study demonstrated the piloted licensing framework involving proactive inspections does improve the safety and condition of most units inspected. However, the piloted model is not feasible as a city-wide program without significant investment in staff and facilities. Administration recommends the piloted licensing program and framework be put in abeyance so more scalable, cost-effective alternatives can be returned for Council's consideration.

Planning Act Matters:

N/A

Approvals:

Name	Title
Craig Robertson	Manager, Licensing & Enforcement/Deputy Licence Commissioner
Jude Malott	Executive Initiatives Coordinator
Steve Vlachodimos	City Clerk & Licence Commissioner
Wira Vendrasco	City Solicitor
Dana Paladino	Senior Executive Director, Corporate Services (A)
James Waffle	Fire Chief
Ray Mensour	Commissioner, Community & Corporate Services
John Revell	Chief Building Official
Jelena Payne	Commissioner, Economic Development
David Soave	Manager, Strategic Operating Budget Development & Control
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Notification List provided to Clerks.		

Appendices:

- 1 Appendix A: Pilot Study Timeline
- 2 Appendix B: Pilot Study Financial Data
- 3 Appendix C: Pilot Study Operational Data
- 4 Appendix D: Residential Rental Licensing By-law 14-2023, as amended

Appendix A: Pilot Study Timeline

May 6, 2019: Councillor Costante asks CQ 10-2019 (CR243/2019).

August 24, 2020: Council receives Report C 137/2020, "Housing in Near-Campus Neighbourhoods" and requests options for city-wide licensing (CR418/2020).

March 8, 2021: Council receives Report C 188/2020, "Residential Rental Housing Licensing Options" and decides to undertake a pilot study, similar in approach to Hamilton, based on the existing Lodging House licence (CR97/2021).

September 21 & 29, 2021: Proposed licensing framework is presented to Advisory Committees, who raise concerns about rent increases due to licensing costs.

October 19 to November 8, 2021: An online survey is offered to collect feedback on framework elements and the potential impact of licensing costs.

December 13, 2021: Funding to implement 2-year pilot study as per approved. Cost of the program is intended to be fully funded through licensing fees.

April 25, 2022: Council receives Report C 54/2022, "Residential Rental Licensing By-law," which includes a draft by-law and framework with reduced fees. Council adopts the draft by-law and directs administration to report back in two years (CR171/2022).

February 13, 2023: Residential Rental Licensing (RRL) By-law 14-2023 is proclaimed, starting the pilot study period.

February 22 to March 3, 2023: Potentially subject property owners receive notification by mail that the study has started and a licence is now required.

March 5, 2023: An information flyer is sent to 16,000 households in Ward 1 and Ward 2.

April 21, 2023: Windsor Housing Providers Inc. (WHPI) applies to quash the RRL By-law. After discussions with counsel for WHPI and the Superior Court, the City agrees to suspend enforcement until the court process finishes.

May 29, 2023: Council receives Report C 81/2023, "Housekeeping Amendments to By-law 14-2023" and approves changes to clarify licence requirements (CR215/2023).

December 7, 2023: Arguments for the application brought by WHPI are heard in the Ontario Superior Court.

March 24, 2024: The Court releases its decision upholding the By-law 14-2023, as amended, and dismisses WHPI's arguments. WHPI files for appeal.

January 21, 2025: Arguments for the appeal are heard in the Ontario Court of Appeal.

February 3, 2025: Ontario Court of Appeal upholds the lower court's ruling, dismisses WHPI's appeal, and awards costs to the City.

February 13, 2025: Two-year pilot study period ends.

Appendix B: Pilot Study Financial Data

Table B-1: Year 1 (2023) Estimated and Actual Revenues

Licence Type	Fee	Estimated Applications	Estimated Revenue	Actual Applications	Actual Revenue	Variance
2023 New	\$466	1,615	\$752,590	728	\$339,428	(\$413,162)
2023 Renewal	\$275	--	--	--	--	--
2023 Total	--	1,615	752,590	728	\$339,428	(\$413,162)

Table B-2: Year 1 (2023) Budgeted and Actual Expenses

Service Area	Budgeted	Actual	Variance
Building & Planning	\$228,439	\$142,523	\$85,916
Fire	\$317,172	\$83,537	\$233,635
Licensing & Enforcement	\$199,284	\$101,595	\$97,689
Total	\$744,895	\$327,655	\$417,240

Table B-3: Year 2 (2024) Estimated and Actual Revenues

Licence Type	Fee	Estimated Applications	Estimated Revenue	Actual Applications	Actual Revenue	Variance
2024 New	\$466	2,000	\$932,000	52	\$24,232	(\$907,768)
2024 Renewal	\$275	1,615	\$444,125	0	\$0	(\$444,125)
Total	--	3,615	\$1,376,125	52	\$24,232	(\$1,351,893)

Table B-4: Year 2 (2024) Budgeted and Actual Expenses

Service Area	Budgeted	Actual	Variance
Building & Planning	\$228,439	\$64,002	\$164,437
Fire	\$317,172	\$18,681	\$298,491
Licensing & Enforcement	\$199,284	\$56,244	\$143,040
Total	\$744,895	\$138,927	\$605,968

Appendix C: Pilot Study Operational Data

Table C-1: Applications Received

Provides a count of the number of applications received, withdrawn prior to issuance, and issued for each ward and pilot study year.

Application Class	Ward 1	Ward 2	Combined
Year 1 Received	209	521	730
Year 1 Withdrawn	6	13	19
Year 1 Issued	102	216	318
Year 2 Received	23	29	52
Year 2 Withdrawn	0	0	0
Year 2 Issued	85	181	266

Received means a licence application was submitted.

Withdrawn means the application was withdrawn prior to completion.

Issued means a licence was issued following inspections and confirmation of all required documents.

Table C-2: Site Visit Compliance Rate

Provides a count and percentage units inspected by degree of compliance. This data gives an indication of the preparedness of applicants and the frequency of re-inspections.

Compliance class	Ward 1	Ward 2	Combined
No objections on first visit	61 (31%)	129 (28%)	190 (29%)
Same day compliance	18 (9%)	30 (6%)	48 (7%)
Compliance on reinspection	108 (55%)	238 (52%)	346 (53%)
Pursuing compliance	10 (5%)	64 (14%)	74 (11%)

First Inspection means no property standards or Fire Code defects were observed during the first site visit.

Same Day means defects were observed during the first site visit but were remedied the same day.

On Reinspection means defects identified during the first inspection were remedied at a later date.

Pursuing Compliance means major defects identified during the first inspection have not yet been resolved and licence issuance remains on hold.

Table C-3: Current Unit Condition

Provides the percentage of inspected units as classified by condition based on a scale used by Statistics Canada as part of the 2021 Census. Each unit's class was determined by the Building By-law Officer during their initial visit. This data gives a general idea of the condition of units observed.

Condition Class	Ward 1	Ward 2	Combined	2021 Census
Regular maintenance/minor repairs	98%	96%	97%	94%
Major defects	2%	4%	3%	6%

Regular maintenance/minor repairs includes new units as well as those needing things like painting, furnace cleaning, tiling, or step repairs.

Major defects includes defective plumbing, wiring, or structural repairs.

Table C-4: Condition Defects Observed

Provides a count and percentage of inspected units where officers found property standards or Fire Code issues during their scheduled visit. This data may be used to understand the frequency and severity of defects observed in the field.

Defect Class	Ward 1	Ward 2	Combined
Building Condition – Minor	27 (14%)	81 (18%)	108 (16%)
Building Condition – Major	12 (6%)	53 (11%)	65 (10%)
Smoke Alarms – Minor	27 (14%)	36 (8%)	63 (10%)
Smoke Alarms – Major	64 (32%)	123 (27%)	187 (28%)
CO Alarms – Minor	17 (9%)	23 (5%)	40 (6%)
CO Alarms - Major	60 (30%)	126 (27%)	186 (28%)
Egress	3 (2%)	40 (9%)	43 (7%)
Hazardous Materials	12 (6%)	35 (8%)	47 (7%)
Electrical	8 (4%)	24 (5%)	32 (5%)
Land Use (Lodging House)	4 (2%)	41 (9%)	45 (7%)
Unestablished Unit	17 (9%)	67 (15%)	84 (13%)
Unsafe Occupancy	3 (2%)	16 (3%)	19 (3%)

Building Conditions means non-compliance with one or more requirements under Property Standards By-law 9-2019 except those in another issue class.

- **Minor** issues do not impede licence issuance, e.g. painting, tilework
- **Major** issues pose a safety risk and must be addressed before licence issuance.

Smoke Alarms means devices intended to detect and alert unit occupants of a fire in the building were not in conformance with the Fire Code.

- **Minor** indicates working devices were present but improper or insufficient.
- **Major** indicates devices were defective, expired, or absent entirely.

CO Alarms means devices intended to detect and alert unit occupants of carbon monoxide in their unit were not in conformance with the Fire Code.

- **Minor** indicates working devices were present but improper or insufficient.
- **Major** indicates devices were defective, expired, or absent entirely.

Egress means conditions that impede exiting the unit during an emergency.

Hazardous Materials means improper storage of combustible materials, like propane tanks, lithium batteries, or automotive tires.

Electrical means improper installation or enclosure of electrical wires, outlets, or fixtures.

Land Use means an observed use not permitted under Zoning By-law 8600. This includes issues like improperly stored trailers as well as properties operating as unlicensed lodging houses with more than three separate tenancies.

Unestablished Unit means a building where two or more dwelling units were observed but not constructed under a building permit.

Unsafe Occupancy means conditions observed indicating habitation (i.e. sleeping) in spaces with insufficient space, ceiling height, ventilation, or egress.

(Amended by By-law 66-2023, dated May 29, 2023)

BY-LAW NUMBER 14-2023

A BY-LAW TO ESTABLISH A LICENSING PROGRAM FOR THE REGULATION OF RESIDENTIAL RENTAL HOUSING IN THE CITY OF WINDSOR

Passed the 13th day of February, 2023.

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

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

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

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

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

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

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

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

AND WHEREAS the Council for The Corporation of the City of Windsor considers it necessary and desirable for the public to regulate the renting of residential premises for the purpose of protecting the health and safety of the persons residing in residential rental premises by ensuring that certain regulations are met, that the required essentials such as plumbing, heating and water are provided, for ensuring that the residential rental premises do not create a nuisance to the surrounding properties and neighbourhood and to protect the residential amenity, character and stability of residential areas;

THEREFORE the Council of The Corporation of the City of Windsor enacts this by-law to licence residential rental housing within the jurisdictional boundaries of the City of Windsor as follows:

1 Short Title

- 1.1 This by-law may be cited as the Residential Rental By-law.

2 Definitions

- 2.1 In this by-law:

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

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

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

“Building” means a structure, whether permanent or temporary, with walls or a roof or part thereof, used or intended to be used for shelter, accommodation or enclosure of persons, animals, goods or chattels;

“Building Code” means Ontario Regulation 350/06, as amended under the *Building Code Act, 1992*, S.O.1992, c.23, as amended;

“Business Licensing By-law” means the City’s Business Licensing By-law 395-2004, as amended, or its successor by-law;

“Chief Building Official” means the Chief Building Official for the City or their delegate;

“Chief of Police” means the Chief of Windsor Police Service, or their delegate;

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

“Contact Information” means, but is not limited to:

- (a) Mailing address;
- (b) Telephone number;
- (c) E-mail address; and
- (d) Emergency contact;

“Dwelling Unit” means a room or suite of rooms in a Building used or designed to be used by one (1) or more individuals as an independent and separate housekeeping unit;

“Fire Chief” means the Chief of Windsor Fire and Rescue Services, or their delegate;

“Fire Code” means O. Reg. 213/07, as amended, under the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended;

“Ice and Snow By-law” means the City’s Ice and Snow Removal By-law 8544, as amended, or its successor by-law;

“Individual Person” means a natural person;

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

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

“Licensee” means a person, corporation or partnership who has been issued and maintains a valid Licence pursuant to the terms of this By-law;

“Local Contact” means an Individual Person, whether an Owner or an Operator, who is responsible for the Rental Housing Unit and who resides within the City of Windsor or the County of Essex; **(amended by By-law 66-2023, dated May 29, 2023)**

“Market”, “Marketed”, or “Marketing” means...directly or indirectly, the promotion, canvassing, solicitation, or advertising of part or all of a Rental Housing Unit, and includes placing, posting or erecting advertisements physically or online; **(amended by By-law 66-2023, dated May 29, 2023)**

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

“Noise By-law” means the City’s Noise By-law 6716, as amended, or its successor by-law;

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

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

“Operate”, “Operated” or “Operating” means to rent out, provide, offer to rent out or provide, or cause to be Marketed, the offer or rental, whether directly or indirectly, including, without limitation, via the internet or other

electronic platform, of a Rental Housing Unit and shall include a person collecting a fee or handling payments in respect of a Rental Housing Unit;

“Operator” means any person who operates, maintains, or is otherwise responsible for managing or addressing issues in relation to a Rental Housing Unit but is not an Owner;

“Order” means a direction issued by the City under statutory authority, including but not limited to orders under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, including section 9.5 of this by-law, the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, and the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended;

“Owner” includes:

- (a) Each registered owner of a Rental Housing Unit;
- (b) Each person who permits occupancy of a Rental Housing Unit; and
- (c) The heirs, assigns, personal representatives and successors in title of a person referred to in articles (a) and (b);

“Parking By-law” means the City’s Parking By-law 9023, as amended, or its successor by-law;

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

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

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

“Property Standards By-law” means the City’s Property Standards By-law 9-2019, as amended, or its successor by-law;

“Rent” includes the amount of any consideration paid or given or required to be paid or given by or on behalf of a Tenant to an Owner for the right to occupy a Rental Housing Unit and for any services and facilities and any privilege, accommodation or thing that the Owner provides for the Tenant in respect of the occupancy of the Rental Housing Unit, whether or not a separate charge is made for services and facilities or for the privilege, accommodation or thing;

“Rental Housing Unit” means a Dwelling Unit which is occupied or offered for occupancy in exchange for Rent or services in lieu of paying Rent;

“Tenant” includes a person who pays Rent or provides services in lieu of paying Rent in return for the right to occupy a Rental Housing Unit and includes the person’s heir, assigns (including subtenants) and personal representatives;

“Waste Collection By-law” means the City’s Waste Collection By-law 2-2006, as amended, or its successor by-law;

“Yard Maintenance and Anti-Littering By-law” means the City’s Yard Waste, Exterior Property Maintenance and Littering By-law 3-2006, as amended, or its successor by-law;

“Zoning By-law” means the City’s Zoning By-law 8600, as amended, or its successor by-law, as well as any other by-laws passed by the City pursuant to s. 34 of the *Planning Act*, R.S.O. 1990, c. P13, as amended.

3 Applicability and Scope

3.1 This by-law applies to all of the following within Wards 1 and 2 of the City of Windsor as described in Appendix “A” of this By-law:

- (a) Owners of a Rental Housing Unit;
- (b) Operators of a Rental Housing Unit; and
- (c) Dwelling Units used or intended to be used as a Rental Housing Unit.

3.2 This By-law does not apply to:

- (a) a Property containing five (5) or more Dwelling Units;
- (b) a Dwelling Unit whose occupant or occupants are required to share a bathroom or kitchen facility with the owner, the owner’s spouse, child or parent or the spouse’s child or parent, and where the owner, spouse, child or parent lives in the Building in which the living accommodation is located;
- (c) a hotel, motel, or inn;
- (d) a Bed-and-Breakfast, Guest House Establishment, or Lodging Home licensed under the City’s Business Licensing By-law; or
- (e) a Dwelling Unit to which any of the following statutes, or their regulations, apply:
 - (i) the *Homes for Special Care Act*, R.S.O. 1990, c H. 12, as amended;
 - (ii) the *Innkeeper’s Act*, R.S.O. 1990, c 17, as amended;
 - (iii) The *Fixing Long-Term Care Act, 2021*, S.O. 2021, c. 39, Sched. 1, as amended; **(amended by By-law 66-2023, dated May 29, 2023)**
 - (iv) the *Retirement Homes Act, 2000*, S.O. 2010, c. 11, as amended;
 - (v) The *Housing Services Act, 2011*, S.O. 2011, c. 6, Sched. 1, as amended; and **(amended by By-law 66-2023, dated May 29, 2023)**
- (f) social housing or affordable housing that is not subject to the *Social Housing Reform Act, 2000*, S.O. 2000, c. 27, as amended, but which is subject to an agreement with the City of Windsor and which has been approved for exemption by the Licence Commissioner.

4 Prohibitions

4.1 No person shall do any of the following, except in accordance with a Licence issued under this by-law:

- (a) Operate a Rental Housing Unit;
 - (b) Permit a person to operate a Rental Housing Unit;
 - (c) Collect Rent, or permit Rent to be collected, for a Rental Housing Unit;
 - (d) Market, or permit to be Marketed, a Rental Housing Unit; or
 - (e) Hold a Rental Housing Unit out as being licensed.
- 4.2 **(deleted by By-law 66-2023, dated May 29, 2023)**
- 4.3 No person shall do any of the following under a name other than the name under which a Licence has been issued under this by-law:
- (a) Operate a Rental Housing Unit;
 - (b) Permit a person to operate a Rental Housing Unit;
 - (c) Collect Rent, or permit Rent to be collected, for a Rental Housing Unit;
 - (d) Market, or permit to be Marketed, a Rental Housing Unit; or
 - (e) Hold a Rental Housing Unit out as being licensed.
- 4.4 No person shall provide false or misleading information to the City when applying for a Licence under this by-law, renewing a Licence or at any other time.
- 4.5 No person shall operate, or permit to operate, a Rental Housing Unit in contravention of the City's Zoning By-law, or in contravention of any of the other of the City's by-laws, or in contravention of the Building Code, the Fire Code, or any other applicable law.
- 4.6 No person licensed under the provisions of this by-law shall fail to maintain, on a continuous basis, the standards and requirements necessary to obtain the original approval of the Licence application, or that have been imposed since the issuance of the Licence.
- 4.7 No person shall hinder or obstruct, or attempt to hinder or obstruct, or advise, instruct, or encourage others to hinder or obstruct, an Officer who is exercising a power or performing a duty under this by-law.
- 4.8 No person shall fail to keep any and all of the records required to be kept under the provisions of this by-law.
- 4.9 No Licence issued under this by-law may be sold or transferred.
- 4.10 No person licensed or required to be licensed under this by-law shall charge any person, or provide services to any person, or deny service to any person, in a manner that in the opinion of the Licence Commissioner discriminates on the basis of a prohibited ground under the *Ontario Human Rights Code*, R.S.O. 1990, c. H.19, as amended, or is deemed by the Licence Commissioner to have the same or similar effect.

5 Powers and Duties

POWERS AND DUTIES OF THE LICENCE COMMISSIONER

5.1 The Licence Commissioner:

- (a) Shall receive and process all applications for Licences and renewal of Licences to be issued under this By-law;
- (b) Shall coordinate the enforcement of this By-law;
- (c) Shall perform all the administrative functions conferred upon him or her by this By-law;
- (d) Shall make or cause to be made all investigations and inspections which they deem necessary to determine whether an Applicant meets the requirements of this By-law and all applicable laws;
- (e) Shall make or cause to be made a circulation, respecting each application, which may include circulation of the licence application to the Medical Officer of Health, the Fire Chief, the Chief Building Official, the Chief of Police and any other departments of the City, and any other public authorities which may have an interest in the licence application for comment;
- (f) May issue Licences to persons who meet the requirements of this By-law and may suspend Licences pursuant to the requirements of this By-law; and
- (g) May, where a Licence has been issued pursuant to this By-law and otherwise remains in full force and effect, renew the Licences of persons who meet the requirements of this By-law.

5.2 Upon reviewing a licence application, including an application for renewal of a Licence, or upon receiving information or a complaint as against a Licensee, the Licence Commissioner may, in their sole discretion refer the application to the Windsor Licensing Commission, to refuse to grant or revoke or suspend or place conditions on a Licence upon the following grounds:

- (a) Where there are reasonable grounds for belief that such Applicant or Licensee will not carry on or engage in the business in accordance with the law, or with integrity and honesty;
- (b) Where there are reasonable grounds for belief that the carrying on by the Applicant or Licensee of the business in respect of which the Licence is sought or held, would infringe the rights, or endanger the health or safety of, members of the public;
- (c) Where there are reasonable grounds for belief that the carrying on of the business by the Applicant or Licensee will result in non-compliance with this By-law or any other requirement or prohibition imposed by any other law;
- (d) Where the Property on which the Rental Housing Unit is situated is subject to an Order, or Orders, made pursuant to:
 - (i) The City's Property Standards By-law;
 - (ii) The City's Zoning By-law;
 - (iii) The *Building Code Act, 1992* or any regulations made under it, including the Building Code;
 - (iv) The *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended, or any regulations made under it; or

- (v) The authority of the Medical Officer of Health;
 - (e) Where there are reasonable grounds for belief that the nature, condition or use of the Property or premises, or any equipment, vehicle or other personal property used or to be used by the Applicant or Licensee in the carrying on or engaging of the business would involve non-compliance with any provision of this By-law or any other law;
 - (f) Where there are reasonable grounds for belief that any application or any other document or information provided by or on behalf of the Applicant or Licensee, contains a false statement or provides false information; and
 - (g) Where information provided to the City by or on behalf of the Applicant or Licensee, whether oral or in writing, has ceased to be accurate, and the Applicant or Licensee has not provided up-to-date accurate information to the City sufficient to allow the Licence Commissioner, or the Windsor Licensing Commission, as the case may be, to conclude the Licence should be granted or maintained as valid and subsisting;
 - (h) Where a Licensee's or Applicant's insurance, as approved by the Licence Commissioner, has expired and they continue to carry on business for which the Licence was issued;
 - (i) Where a Licensee or Applicant fails to comply with a request to inspect or hinders an inspection in any way;
- 5.3 The Licence Commissioner's decision under section 5.2 shall be guided by the following considerations:
- (a) The safety, health and well-being of the community;
 - (b) The impact on neighbouring properties;
 - (c) Financial impact to the City;
 - (d) The impact of any such Licence revocation or suspension on any Tenant; and
 - (e) Imposing terms or conditions on any such Licence revocation or suspension that would minimize the adverse impact on any Tenant, including the possibility of providing a reasonable time period before the Licence revocation or suspension takes place to permit any Tenant to find new housing or to seek relief in a Court or before the Ontario Landlord and Tenant Board.
- 5.4 Despite section 5.2, a Licence shall not be issued or renewed and the Licence Commissioner shall refer the matter to the Windsor Licensing Commission where:
- (a) the Property for which the Rental Housing Unit is being proposed has any outstanding unpaid penalties or fines from the City;
 - (b) any of the Applicants, within the previous five years from the date of application or renewal have been convicted of any of the following under the Criminal Code of Canada:
 - (i) homicide or manslaughter;

- (ii) sexual offences;
- (iii) assault offences;
- (iv) confinement offences;
- (v) robbery or extortion offences;
- (vi) break and enter offences;
- (vii) fraud or forgery offences; or,
- (viii) a statutory or regulatory offence in any way related to the ownership or management of residential rental properties.

- 5.5 For the purposes of sections 5.2 and 5.4 of this by-law, the term “person” shall include any director, officer, partner or principal of a partnership or a corporation or any shareholder of a corporation that holds at least fifty per cent (50%) of the shares of that corporation.
- 5.6 In the case where the Licence Commissioner refuses, revokes or suspends a Licence upon any one or more of the grounds listed in section 5.2 of this by-law, the Applicant, or Licensee, as the case may be, may appeal the Licence Commissioner’s decision to the Windsor Licensing Commission by notifying the Licensing Commissioner, in writing, of his, her or its request to appeal to the Windsor Licensing Commission no later than fourteen (14) days after the date the Licence application is refused, revoked or suspended by the Licence Commissioner.
- 5.7 In the case where the Licence Commissioner or the Applicant, or Licensee, as the case may be, refer or appeal to the Windsor Licensing Commission, the Windsor License Commission may refuse to grant, or revoke or suspend or place conditions on a Licence upon any one or more of the grounds listed in section 5.2 of this By-law.
- 5.8 Where after a hearing, the Windsor Licensing Commission concludes that any one of the grounds set out under section 5.2 exist, the Windsor Licensing Commission may, instead of refusing, revoking, suspending a Licence, grant a Licence or allow a Licence to continue upon such conditions as the Windsor Licensing Commission may see fit to impose, for the purpose of ensuring the proper and lawful carrying on of the business, or such other conditions, as are authorized by law.
- 5.9 No revocation or suspension of a Licence under this By-law shall be final, except after a hearing by the Windsor Licensing Commission, or after the Licensee has been given the opportunity for such a hearing, in accordance with the law.
- 5.10 The Licence Commissioner may suspend a Licence where there are reasonable grounds to believe that such is required to prevent a breach of the By-law, or for any of the reasons that would form grounds for the revocation of a Licence pursuant to section 5.2.
- 5.11 A suspension under section 5.2 shall take effect upon service of written notice thereof to the Licensee, or upon the delivery of written notice to the business premises of the Licensee at the address shown on the City’s records.
- 5.12 A suspension under section 5.2 shall remain in effect for no more than fourteen (14) days from the date of service of the notice under section 5.11.

- 5.13 Following suspension of a Licence under section 5.2, the Licence Commissioner shall prepare a written report to the Windsor Licensing Commission, advising of the suspension and:
- (a) Recommend that the Windsor Licensing Commission hold a hearing to determine whether the suspension should continue, or be terminated, and whether the Windsor Licensing Commission should give consideration to whether or not the Licence should be revoked or otherwise dealt with pursuant to the By-law; or
 - (b) Recommend reinstatement of the Licence on the basis that the conditions leading to the suspension have been remedied; or
 - (c) Recommend that no action be taken upon the termination of the suspension.
- 5.14 At any time before the Licence Commissioner shall issue or renew a Licence, or recommend to the Windsor Licensing Commission that it refuse to issue or refuse to renew a Licence, the Licence Commissioner may as they see fit, or shall at the request of the Applicant, refer the application for issuance or renewal of the Licence to the Windsor Licensing Commission.

POWERS AND DUTIES OF THE WINDSOR LICENSING COMMISSION

- 5.15 Where there is a referral to the Windsor Licensing Commission pursuant to this section, the Windsor Licensing Commission shall hold a hearing for the purpose of:
- (a) issuing or renewing the Licence;
 - (b) refusing to issue or renew the Licence;
 - (c) suspending the Licence;
 - (d) revoking the Licence; or,
 - (e) issuing or renewing the Licence with the imposition of conditions.
- 5.16 Where the Licence Commissioner intends to recommend to the Windsor Licensing Commission that it refuse to issue, refuse to renew, place conditions on, revoke or suspend a Licence, the Licence Commissioner shall give notice of the intended recommendation and the reasons for the intended recommendation to the Applicant or Licensee as well as to such other persons, civic departments, boards, commissions, authorities and agencies having an interest in the recommendation. Under this section, notice to the Applicant or Licensee shall be written notice served personally or sent by ordinary, prepaid mail addressed to the address shown on the application or Licence. The notice of the hearing shall:
- (a) contain a reason or reasons for the proposed refusal, suspension, revocation or imposition of conditions;
 - (b) specify the time, place and purpose of the hearing of the Windsor Licensing Commission at which the proposed refusal, suspension or revocation will be considered;
 - (c) inform the affected Applicant or the affected holder of the Licence that they are entitled to attend the hearing and make submissions regarding the proposal and that, in their absence, the Windsor Licensing Commission may proceed to consider the proposal and

the Applicant or affected holder of the Licence will not be entitled to any further notice in the proceeding;

- (d) afford the affected Applicant or the affected holder of the Licence a reasonable opportunity, before the hearing, to show or achieve compliance with all lawful requirements for the retention of the Licence; and
- (e) be given at least seven (7) days notice prior to the date of the Windsor Licensing Commission hearing.

5.17 At a hearing, the Windsor Licensing Commission:

- (a) shall afford the affected Applicant or the holder of the Licence an opportunity to make submissions in respect of the matter that is the subject of the Commission's proceedings;
- (b) shall afford any person, civic department, board, commission, authority or agency given notice under section 5.16 of this by-law and in attendance at the hearing, or any other person in the discretion of the Commission, an opportunity to make submissions in respect of the matter that is the subject of the Commission's proceedings;
- (c) the hearing shall be open to the public but the Commission may close a portion of the hearing for the purposes of receiving confidential legal information pertaining to the affected Applicant or Licensee;
- (d) the hearing shall be open to the public but the Commission may close all or a portion of the hearing to the public if the Commission is of the opinion that intimate financial or personal matters may be disclosed of such a nature, having regards to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest, outweighs the desirability of adhering to the principle that the hearing be open to the public;
- (e) shall give due consideration to the submissions made to it;
- (f) shall take such action to refuse, suspend revoke or impose conditions on the application or Licence, or not to refuse, suspend revoke or impose conditions on the application or Licence, as the Windsor Licensing Commission considers proper in the circumstances; and
- (g) shall give notice of its decision to the Licence Commissioner, to the Applicant or to the Licensee, and to any person, civic department, board, commission, authority or agency in attendance at the hearing, together with the reasons for its decision.

5.18 At the hearing, the Windsor Licensing Commission may suspend, revoke, and refuse to issue or impose conditions on any Licence under this By-law:

- (a) for any reason that would disentitle any Licensee to a Licence;
- (b) where the Licensee or Applicant is in breach of a condition of the Licence;
- (c) where the Licensee or Applicant is in breach of any of the provisions of this By-law;
- (d) if there are reasonable grounds to believe any of the statements made on the application for issuance or renewal are false;

- (e) if, subsequent to the issuance of the Licence, a report is filed by any body which originally provided its approval that indicates that the Licensee is no longer in compliance with this By-law;
 - (f) upon such grounds as are set out in this By-law;
 - (g) if the Applicant has outstanding fees or fines owing to the City, or if the Applicant has not paid the required application fee;
 - (h) if the conduct or character of the Applicant or Licensee affords reasonable grounds to believe that the Applicant or Licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;
 - (i) if the geographic location of the business does not meet land use requirements or does not comply with this By-law;
 - (j) if, in the case of a corporate Applicant or Licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that the business will not be carried on in accordance with the law or with honesty and integrity;
 - (k) if issuing the Licence is not in the public interest;
 - (l) if a Licensee's or Applicant's insurance, as approved by the Licence Commissioner, has expired and they continue to carry on business for which the Licence was issued; or
 - (m) if a Licensee or Applicant fails to comply with a request to inspect or hinders an inspection in any way.
- 5.19 A decision of the Windsor Licensing Commission refusing, suspending, revoking or imposing conditions on an application or Licence takes effect upon the rendering of such decision by the Windsor Licensing Commission. No Licensee shall operate or carry on the activity for which the Licence was issued while his Licence is under suspension.
- 5.20 The Windsor Licensing Commission shall give its decision to the Licence Commissioner within seven (7) days of the hearing.
- 5.21 The Licence Commissioner shall forthwith notify the Applicant in writing of such decision by serving a copy personally or sent by ordinary, prepaid mail addressed to the last known address for the person appearing on the records of the City.
- 5.22 The proceedings of the Windsor Licensing Commission shall, at the request of the Applicant and upon payment of a fee determined by the Licence Commissioner, be transcribed in writing and a copy of the transcript shall be made available to the Applicant on payment of such additional fees as may be determined by the Licence Commissioner.
- 5.23 Upon receipt of a notice of the decision of the Windsor Licensing Commission suspending or revoking a Licence, the Licensee shall, within twenty-four (24) hours of service of notice by certified mail or immediately if the notice is personally served, return the Licence to the Licence Commissioner and the Licence Commissioner shall have access to any premises, or other property of the Licensee for the purpose of receiving or taking the same. All Licences not returned within twenty-four (24) hours of service of notice will automatically be deemed invalid.

- 5.24 No person shall refuse to deliver a suspended or revoked Licence to the Licence Commissioner or designate or shall in any way prevent or hinder the Licence Commissioner or designate from receiving or taking the same.
- 5.25 Where a Licence is revoked, the Licensee is entitled to a refund of that part of the Licence fee proportionate to the unexpired part of the term for which it was granted, such refund to be prorated on a monthly basis.
- 5.26 Where the Windsor Licensing Commission renders a decision granting the Applicant the Licence applied for, the Licence shall be issued upon the applicant complying with the terms of this By-law and the conditions imposed on the Licence, if any, and the Applicant shall complete the application within fourteen (14) days of the decision of the Windsor Licensing Commission.
- 5.27 Decisions made by the Windsor Licensing Commission are final.

6 Licensing Requirements

APPLYING TO OBTAIN OR RENEW A LICENCE

- 6.1 Any person seeking to obtain or renew a Rental Housing Unit Licence shall:
- (a) Be at least eighteen (18) years of age;
 - (b) Complete an application in the form prescribed by the Licence Commissioner, including setting out such information and attaching such additional documentation as may be required by the Licence Commissioner which includes the information and documentation outlined in Schedule 2;
 - (c) Submit their completed application to the Licence Commissioner; and,
 - (d) Pay the applicable fee pursuant to Schedule 1.
- 6.2 A separate Licence shall be required for each Rental Housing Unit.
- 6.3 An application shall only be made in person by the Applicant, who at the time of application shall present two (2) forms of government issued identification, one being photo and the other demonstrating proof of status in Canada, to the satisfaction of the Licence Commissioner.
- 6.4 Despite section 6.3, an Authorized Agent of the Applicant may make the application if they have written authorization to do so from at least one (1) of the Applicants along with two (2) forms of government issued identification, one being photo and the other demonstrating proof of status in Canada, to the satisfaction of the Licence Commissioner.
- 6.5 Prior to the issuance of a Licence, a copy of the application may be forwarded for a report or comments to the Medical Officer of Health, the Fire Chief, the Chief Building Official, the Chief of Police and any other departments of the City, and any other public authorities which may have an interest in the licence application, or for such information as may be required under this By-law or any other legislation.
- 6.6 Receipt of the application, request for renewal, or submission of the licence fee shall not constitute approval of the application for, or renewal of, a Licence, nor shall it obligate the City to issue or renew any such Licence.

- 6.7 Despite section 6.6, if a Licensee has remitted the prescribed renewal fee, the Licence shall be deemed to continue until the renewal is granted or refused, subject to the Licensees' avenue for appeal under Part 5 of this By-law.
- 6.8 Every Licence issued under this By-law shall expire on May 31 of the year following issuance unless revoked or otherwise terminated under this By-law prior to that date. When a renewal deadline expires on a Saturday, Sunday or holiday, the act or proceeding may be done or taken on the next following that is a business day.
- 6.9 A Licence may be obtained for one-half the applicable fee as established in Schedule 1 of this By-law if the Licence is obtained on or after February 1 of the same year.
- 6.10 A Licence not renewed by the deadline day shall be deemed to have lapsed at 12:01 a.m. the following day and the person whose name the original Licence was issued under shall not operate a Rental Housing Unit.
- 6.11 Despite section 6.10, a Licence that has not lapsed by more than 356 days from the date of the renewal deadline may still be renewed and the Applicant shall be liable to pay the licence fee established by this By-law together with the penalty of 50% over the base fee.
- 6.12 A Licence that has lapsed more than 365 days from the date of the renewal deadline shall be deemed cancelled and no longer eligible for renewal.
- 6.13 A Licensee who operates with a Licence that has been cancelled under section 6.12 may not apply for a new Licence unless the outstanding renewal fee and late renewal fee has been paid.

CHANGES IN INFORMATION

- 6.14 Every Applicant or Licensee shall notify the Licence Commissioner in writing within seven (7) days of any change in any information contained in the application for a Licence or renewal thereof.
- 6.15 Where the changes in section 6.14 include a change in the legal entity of the Licensee, the existing Licence shall be cancelled and a new Licence shall be obtained by the said legal entity, subject to all of the licensing requirements of this By-law.
- 6.16 Notwithstanding section 6.15, where there is a change in any of the registered owners of a Rental Housing Unit, a new Licence shall be obtained by all the parties operating or proposing to operate a Rental Housing Unit.
- 6.17 Where there is a change to a Rental Housing Unit as a result of a renovation or other similar work, the Owner shall notify the Licence Commissioner, as per section 6.14, and the Licence Commissioner may require such Owner to apply for a new Licence if such renovations or similar work are deemed to be significant.
- 6.18 Where an Owner intends to operate a Rental Housing Unit at a location different than the dwelling unit identified in their application, the existing Licence shall be cancelled and a new Licence shall be obtained before the intended Rental Housing Unit may operate.

7 Regulatory Requirements

REQUIREMENTS FOR OWNERS

- 7.1 No Owner shall allow any person to operate their Rental Housing Unit unless such person has been registered with the City as per Schedule 2 and section 7.4 of this by-law.
- 7.2 Every Owner of a Rental Housing Unit shall operate their Rental Housing Unit in accordance with the conditions of its Licence.
- 7.3 Every Owner shall post the Licence supplied by the City at the time of issuance or renewal, along with any additional documents or materials prescribed in Schedule 2 as being required for display, in a conspicuous place within 1 metre of the Rental Housing Unit's main entrance.
- 7.4 Every Owner shall ensure that the list of Authorized Agents and Operators relating to a Rental Housing Unit is up-to-date and accurate in accordance with Schedule 2 of this By-law.
- 7.5 Notwithstanding the requirements under Schedule 2 and section 7.2 of this By-law, every Owner shall be fully responsible for any and all decisions and actions governed by this By-law, including those taken by an Operator or Authorized Agent, whether or not such individual has been identified as such by the Owner and whether or not such individual was granted explicit permission or authority to make such decisions or take such actions.
- 7.6 The Owner of a Rental Housing Unit may be charged and convicted of an offence under this By-law for which an Operator or Authorized Agent is subject to be charged and on conviction the Owner is liable to the penalty prescribed for the offence.

REQUIREMENTS FOR OPERATORS

- 7.7 No Operator shall operate a Rental Housing Unit unless they are registered with the City for that purpose by the Owner in accordance with Schedule 2 and section 7.4 of this By-law.
- 7.8 Every Operator registered in accordance with Schedule 2 and section 7.4 and who is an Individual Person shall be at least 18 years of age at the time of registration.
- 7.9 Every Operator shall be required to identify themselves upon request by an Officer or any other person authorized to administer or enforce this By-law.

8 Administrative Matters

NOTICE

- 8.1 Any notice or other information required or authorized to be forwarded, given or served under this By-law is sufficiently given if delivered personally or sent by ordinary, prepaid mail addressed to the person to whom delivery is required to be made at the address shown on the application or at last address shown or appearing on the records of the City. In the case of a corporation, this shall include delivery personally or by ordinary, prepaid mail delivered to any Individual Person who acts or appears to act for the benefit of such corporation, including a sales or customer service representative or an individual person employed or contracted by such corporation who is located at the premises of such corporation or any of such corporation's affiliates, subsidiaries or parent corporations, as the case may be.

- 8.2 Where service is effected by ordinary, prepaid mail, it shall be deemed to be made on the fifth (5th) day after the date of mailing, unless the person on whom service is being made establishes to the satisfaction of the Licence Commissioner that they did not, acting in good faith, through absence, accident, illness, or other cause beyond their control, receive the notice or Order until a later date.

MINOR NATURE OF POWERS DELEGATED

- 8.3 For the purposes of section 23.2(4) of the *Municipal Act*, it is the opinion of Council that the powers delegated to the Licence Commissioner, the Windsor Licensing Commission pursuant to this By-law are of a minor nature.

9 Enforcement

POWERS OF AN OFFICER

- 9.1 The provisions of this By-law may be enforced by an Officer.
- 9.2 An Officer who has reasonable grounds to believe that a person has contravened any provision of this By-law may require that person provide identification to the Officer.
- 9.3 Any information provided to the Officer under section 9.2 is presumed to be correct and accurate and is admissible in any proceeding.
- 9.4 All persons who are required by an Officer to provide identification under section 9.2 shall provide such identification to the Officer. Failure to provide sufficient or correct and accurate identification shall constitute an offence as set out under section 9.7 of this By-law.
- 9.5 An Officer may issue an Order to any person governed by the provisions of this By-law, directing such person to:
- (a) discontinue a contravening activity; or
 - (b) do work to correct a contravention.
- 9.6 Failure to comply with an Order under section 9.5 is an offence and every person named in such Order shall be subject to penalties and remedies prescribed under this By-law.
- 9.7 No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this By-law.

POWERS OF ENTRY AND INSPECTION

- 9.8 Officers, and any person acting under their direction, may, at any reasonable time or at any time when there are reasonable grounds to believe that a contravention of this By-law is occurring or alleged to be occurring and subject to applicable law, enter onto any property to determine if the provisions of this By-law are being complied with.
- 9.9 Officers are authorized, for the purposes of an inspection to determine and enforce compliance with the By-law, to:
- (a) direct an Owner or Operator to provide a Tenant with notice in accordance with the *Residential Tenancies Act, 2006* to allow entry into the unit to carry out an inspection;
 - (b) enter, at any reasonable time, onto any property, other than an occupied Dwelling Unit unless authorized by the occupier of such

Dwelling Unit or under the authority of a warrant issued by a court of competent jurisdiction;

- (c) require any person to produce for inspection any substance, equipment, documents, or other things relevant to the alleged offence or inspection;
- (d) alone or in conjunction with persons possessing special or expert knowledge, make examinations, take tests, obtain samples, and/or make audio, video and/or photographic records relevant to the alleged offence or inspection; and/or
- (e) require information from any person concerning the alleged offence or inspection.

10 Offences and Penalties

10.1 Every person who contravenes a provision of this by-law or direction provided by an Officer in order to achieve compliance shall be guilty of an offence and upon conviction shall be liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, C. P.33, and as set out below:

- (a) Upon a first conviction, a fine of not less than \$500 and not more than \$5,000.00.
- (b) Upon a second or subsequent conviction, a fine of not less than \$500.00 and not more than \$10,000.00.
- (c) Upon conviction for a multiple offence, for each offence included in the multiple offence, a fine of not less than \$500.00 and not more than \$10,000.00.
- (d) Upon a first conviction, where the person is a corporation, a fine not less than \$500.00 and not more than \$100,000.00.
- (e) Upon a second or subsequent conviction, where the person is a corporation, a fine of not less than \$500.00 and not more than \$100,000.00.
- (f) Upon conviction for a multiple offence, for each offence included in the multiple offence and where the person is a corporation, a fine of not less than \$500.00 and not more than \$100,000.00.

COLLECTION OF UNPAID PENALTIES AND FINES

10.2 Pursuant to section 441 of the *Municipal Act*, if any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under section 66 of the *Provincial Offences Act*, including any extension of time for payment ordered under that section, the City Treasurer or their designate may give the person against whom the fine was imposed written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. The notice shall be sent by registered mail to be delivered to that person at the person's residence or place or business.

10.3 If the fine referred to in section 10.2 remains unpaid after the final date on which it is payable as specified in the notice, the fine shall be deemed unpaid taxes for the purposes of section 351 of the *Municipal Act*.

CONTINUATION, REPETITION PROHIBITED BY ORDER

- 10.4 The court in which a conviction has been entered, and any court of competent jurisdiction thereafter, may make an Order prohibiting the continuation or repetition of the offence by the person convicted, and such Order shall be in addition to any other penalty imposed on the Person convicted.

11 Severability

- 11.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

12 Schedules

- 12.1 Schedules attached to and forming part of this by-law:
Schedule 1 – Licence Application and Renewal Fees
Schedule 2 – Required Supporting Documentation

13 Force and Effect

- 13.1 This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

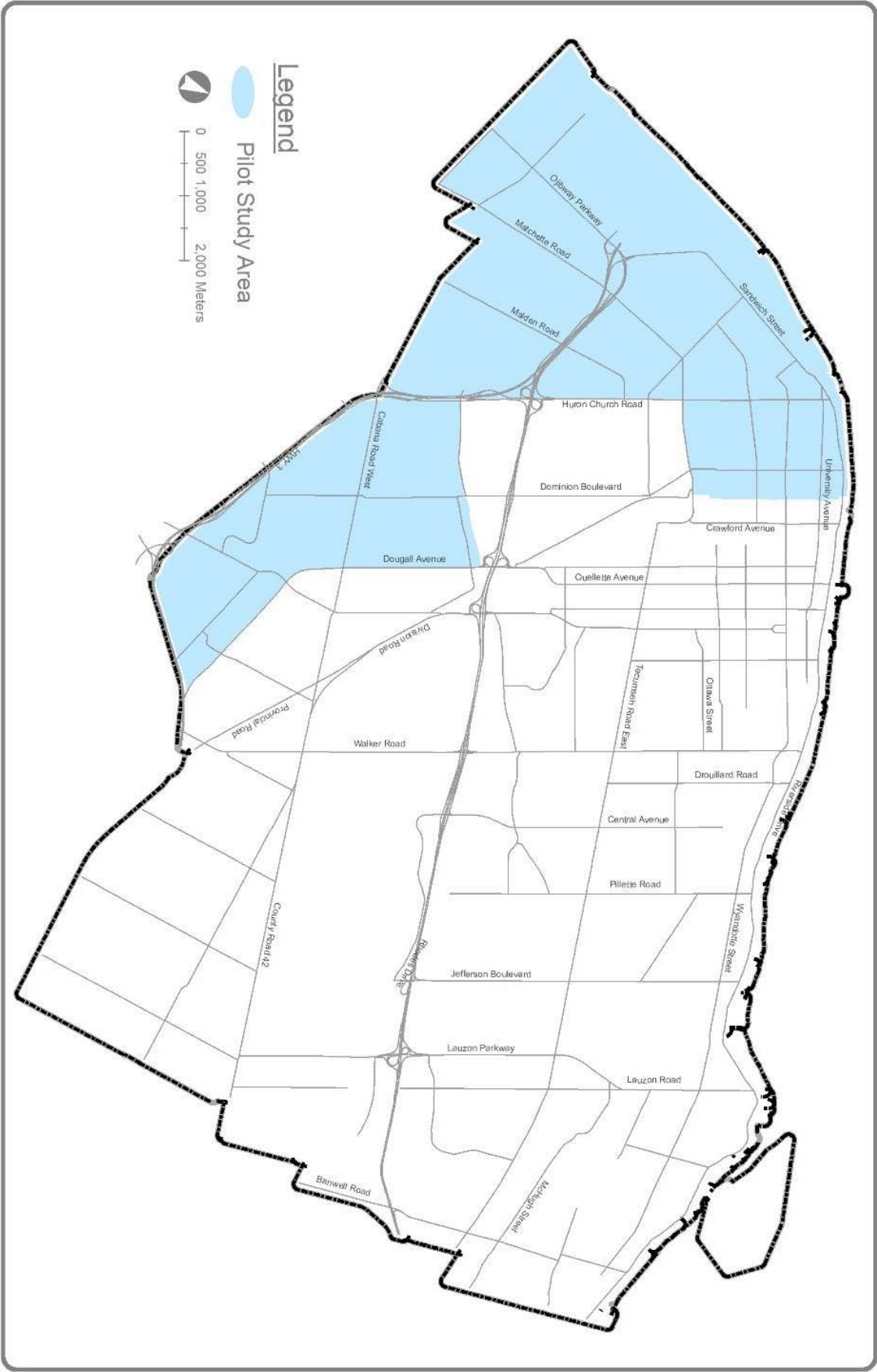
CITY CLERK

First Reading - February 13, 2023

Second Reading - February 13, 2023

Third Reading - February 13, 2023

Appendix “A” – Pilot Study Area



Schedule 1 – Licence Application and Renewal Fees

	Initial Application	Renewal
Administration	111.80	111.80
Building Inspection	83.70	83.70
Zoning Letter	41.00	--
Fire Inspection	150.00	--
Enforcement	23.94	23.94
Office Expense Overhead	21.95	21.95
Corporate Support Overhead	33.15	33.15
Total	\$466	\$275

14 Schedule 2 – Required Supporting Documentation

REQUIREMENTS FOR ALL APPLICATIONS

14.1 Every application to obtain or renew a Residential Rental Licence shall include:

- (a) The municipal address and legal description of the Rental Housing Unit;
- (b) The number of bedrooms within the Rental Housing Unit;
- (c) The name and Contact Information of each Owner;
- (d) If an Owner is a partnership, the name and Contact Information of each partner;
- (e) If an Owner is a corporation:
 - (i) the address of its head office;
 - (ii) the name and Contact Information of each director, officer and shareholder who holds more than 30% of the issued shares in the corporation; and
 - (iii) a Corporate Profile report dated no more than thirty (30) days from the date of application submission
- (f) Proof of ownership of the Rental Housing Unit, satisfactory to the Licence Commissioner;
- (g) Proof of Insurance that:
 - (i) Includes a limit of liability no less than \$2,000,000 (two million dollars) per occurrence for property damage and bodily injury; and
 - (ii) Identifies the proposed use of the premise is that of a rental property
 - (iii) **(deleted by By-law 66-2023, dated May 29, 2023)**
- (h) A completed police record check every Owner and Applicant, if different from the Owner, issued by an Ontario Police Service for the jurisdiction in which each Applicant or Owner resides, not more than thirty (30) days before the date of application submission, including:
 - (i) If the Owner or Applicant is a partnership, a completed police records check for each partner; or,
 - (ii) If the Owner or Applicant is a corporation, a completed police records check for each director, officer or shareholder who holds more than thirty percent (30%) of the issued shares in a corporation;
- (i) If none of the Owners reside in the City of Windsor, or if the Owner is a corporation, the name and Contact Information of a Local Contact;
- (j) A list for registration by the City of all Authorized Agents at the time of application, including their Contact Information;

- (k) A list for registration by the City of all Operators at the time of application, including their Contact Information;
- (l) A sworn statement by each Applicant certifying the accuracy, truthfulness, and completeness of the application; and,
- (m) Any other information required to be provided under this by-law or as may be requested by the Commissioner.

REQUIREMENTS FOR LICENCE ISSUANCE (NEW LICENCES)

14.2 In addition to the requirements of S2.1, every application to issue (not renew) a Residential Rental licence shall also include:

- (a) An inspection certificate from a certified Electrical Safety Authority technician confirming the electrical system is in proper working order, which results from an inspection that was conducted no more than six (6) months prior to the date of application submission;
- (b) A completed Property Standards and Safety Checklist;
- (c) A signed written statement that:
 - (i) The Rental Housing Unit is in compliance with the *Building Code Act, 1992* or any regulations made under it, including the Building Code;
 - (ii) The Rental Housing Unit is in compliance with the *Fire Protection and Prevention Act, 1997*, or any regulations made under it, including the Fire Code;
 - (iii) The Rental Housing Unit is in compliance with the *Electricity Act, 1998*, S.O. 1998, c.15, Sched. A, as amended, or any regulations made under it, including the Electrical Safety Code;
 - (iv) The Rental Housing Unit is in compliance with all applicable City By-laws;
 - (v) The Owner and any person listed as an Authorized Agent or Operator is aware of all relevant federal and provincial legislation, including the *Human Rights Code*, R.S.O. 1990, c. H. 19, as amended, as well as all relevant municipal by-laws, and that they, and the Rental Housing Unit, will comply with all of them; and
 - (vi) The Applicant or Owner confirms the accuracy, truthfulness and completeness of the information submitted.

REQUIREMENTS FOR LICENCE RENEWAL

14.3 The information or documentation referred to in section S2.2(a) shall only be required for the issuance of a licence, not a renewal, except for every fifth renewal (every 5 years), at which time the Licence Commissioner may require the information or documentation to be produced.



Council Report: C 59/2025

Subject: Excess Soils Reuse Site Update - Ward 9

Reference:

Date to Council: April 28, 2025

Author: Robert Perissinotti

Development Engineer

(519) 255-6100 Ext. 6615

rperissinotti@citywindsor.ca

Development – Engineering

Report Date: 4/15/2025

Clerk's File #: EI2025

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** Council **APPROVE** the establishment of an Excess Soils Reuse Site within the City owned Windsor International Airport employment lands on the north side of Cabana Road East between 8th and 9th Concession Roads (the "Reuse Site"); and further,
- II. Whereas on February 21, 2025, the Capital Budget was deemed approved via Mayoral Decision MD08-2025 and subsequently City Council **SUPPORTS** an expenditure up to \$3,902,780 (taxes included) representing costs to start up and operate the Reuse Site to December 31, 2025; and further,
- III. **THAT** Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the Reuse Site, provided that the procurement(s) are within the expenditure limit identified in II above, pursuant to the Purchasing By-Law 93-2012 and amendments thereto satisfactory in financial content to the City Treasurer, in form to the City Solicitor or designate and in technical content to the City Engineer; and further,
- IV. **THAT** Administration **BE AUTHORIZED** to use available funds within the expenditure limit identified in II above and issue any change order(s) for any amendment(s) or change requirement(s)/directive(s) and additional documents relating to executed agreement(s), pursuant to the Purchasing By-Law 93-2012 and amendments thereto, satisfactory in form to the City Solicitor or designate, in financial content to the City Treasurer, and in technical content to the City Engineer; and further,

- V. **THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any documentation(s)/agreements(s)/amendment(s) as may be required, provided they are within the expenditure limit identified in II above, satisfactory in financial content to City Treasurer, in form to the City Solicitor or designate and in technical content to the City Engineer; and further,
- VI. **THAT** Administration **BE DIRECTED** to submit an updated plan and associated funding strategy (full cost recovery and/or cost avoidance) for the operation of the Reuse Site beyond December 31, 2025 to be submitted for consideration as part of a future report to Council.

Executive Summary:

N/A

Background:

Excess Soils

In December 2019, the Ontario Ministry of Environment, Conservation and Parks (MECP) introduced Ontario Regulation 406/19 On Site and Excess Soil Management (the Regulation), under the Environmental Protection Act. This Regulation provides rules and requirements for the reuse and management of excess soil from construction projects. The proper management of excess soils is essential to reduce landfill pressure, mitigate environmental impacts, promote sustainable development practices and lower project costs.

On June 10, 2024, Council received Report S 62/2024- in response to CQ15/2024 (attached as Appendix A) being an update on the City's progress towards the creation of an Excess Soils Reuse Site (Reuse Site). As part of that report, Administration noted that since its implementation that the Regulation has had significant impacts on City projects primarily through increased project costs to complete planning requirements and delays while trying to secure appropriate reuse sites.

Establishing a dedicated Reuse Site (or multiple sites) for managing excess soils can yield substantial benefits, including:

- improve land sale value/ site readiness for construction upon sale,
- reduce excess soil planning requirements,
- eliminate the onus on contractors to secure applicable reuse sites and in turn decrease costs in tenders associated with excavation of excess soils,
- provide savings related to trucking, dumping and tipping fees, diesel, and labour, and,
- create jobs related to the management of the reuse site(s).

To this end, Report S 62/2024 established a committee of staff from Engineering, Real Estate Services, Planning, Operations and Parks (Reuse Site Committee) to source a beneficial reuse site for excess soils generated from construction and infrastructure projects across the City and potentially across the greater region.

City Owned Airport Employment Lands

The 2010 Windsor International Airport Master Plan concluded the airport's capacity would meet operational needs with surplus lands remaining that would be suitable for development. These City owned surplus lands have been subject of various Foreign Direct Investment (FDI) leads which have resulted in a number of significant lease announcements in recent months such as Minth, Neo Battery Materials, Dongshin and Bobaek, which when combined and fully operational are anticipated to employ more than 1500 employees.

Discussion:

As per Report S 62/2024, a Reuse Site Committee was formed and has met to identify City-owned lands suitable for use as a Reuse Site with a goal of avoiding the need to acquire lands for this purpose. During discussions led by the Economic Development Department regarding FDI leads at the Windsor International Airport, it was identified that the lands available for lease at the airport lands on the north side of Cabana Road East between 8th and 9th Concession Roads must be raised to meet minimum flood proofing elevation requirements established by the Essex Region Conservation Authority (ERCA).

This created a timely opportunity to utilize the site for excess soils generated by City infrastructure projects, potentially providing significant cost savings by avoiding disposal fees and reducing the need for alternative soil management solutions. These potential savings combined with the costs that would otherwise be necessary to import clean soils to raise the subject lands to meet the flood proofing requirements to increase the marketability of the airport employment lands provide a win-win scenario. It is anticipated that the Reuse Site can accommodate between 250,000 to 600,000 cubic metres of soil.

Administration, with support from the Reuse Site Committee, recommends proceeding with the development of a Reuse Site on the airport lands shown in the attached Appendix B - Excess Soils Reuse Site Overall Site and Stages Plan. The Reuse Site is proposed to be developed in two (2) phases. Phase 1 encompasses approximately 196 ha of employment lands (188 ha of which would be developable lands following municipal servicing) which was approved and adopted by Council through Official Plan Amendment OPA#177. Phase 2 encompasses approximately 100 ha of future employment lands currently in the preliminary concept development and studies stage.

Dillon Consulting Ltd. (Dillon) was hired to prepare Reuse Site protocols to aid Administration in determining what would be required to establish the Reuse Site. The Reuse Site plans to receive excess soils from source sites such as capital infrastructure projects provided the excess soil generated meets the applicable excess soil quality standards established through the Regulation and is geotechnically suitable for the Reuse Site. Administration will continually monitor the availability and suitability of source site material and the capacity of the Reuse Site to accommodate the needs of current capital projects and future development.

Phase 1 of the Reuse Site is comprised of specific areas being zoned Industrial, Business Park and Natural Heritage, with Business Park designations in close proximity to the future site of the regional acute care hospital at Cabana Road East and 9th Concession Road. The Reuse Site land use, in particular the Industrial designation areas, makes it optimal in that the site can accept a wider range of soil classifications that would not otherwise be acceptable should the site be prepared for eventual residential, agricultural or institutional uses. Based on initial review of the Reuse Site, it is anticipated that the site will be able to accept excess soil quality standards meeting Table 3.1 of the Regulation for Residential/Parkland/Institutional (RPI) Property Use (RPI ESQS) throughout and Industrial/Commercial/Community (ICC) Property Use (ICC ESQS) for at a minimum internal roads, rights-of-way and lots proposed for development of ICC land uses.

Once the Reuse Site has been made operational, loads of soils would be removed from the source sites and trucked to the Reuse Site accessing it from the intersection of Cabana Road East and 9th Concession. The source site excess soils would be dumped in a designated receiving area where it would be visually inspected, documented and deposited into specific piles to distinguish between RPI and ICC soil characterizations. Soil would then be moved to build up the future internal roadway network and/or designated stockpile areas on each development lot. Appendices C and D of this report illustrate the laydown and stockpile areas proposed to manage the soils. Administration anticipates that future lease agreements will include language that the lessee be responsible, at their entire cost, for final grading of their site using the available stockpiled materials.

In order to avoid throwaway costs and to provide access to the various lots in Phase 1, granular material will be imported to the Reuse Site to build up the future airport employment lands roadways in their planned locations. These granular roadways will be used as temporary accessways to transport soils around the Reuse Site in the short term; however, it is anticipated that the majority of the road base material can be reused in the eventual construction of the roads.

Next Steps

Under Section 19 of the Regulation, the owner of the Reuse Site at which at least 10,000CM of excess soil is expected to be deposited, must ensure that the following steps are taken before the soil is deposited at the reuse site:

- A notice is filed in the excess soil registry;
- Procedures are developed and applied to account for every load of excess soil to be deposited for final placement; and,
- Procedures are developed and applied to ensure the storage of excess soil at the reuse site does not cause an adverse effect.

Administration continues to formulate the above procedures, and should Council approval be received, staff intends to file the required notice in the excess soil registry.

The Reuse Site will require some advanced set up works including but not limited to:

- Site access improvements at the entrance to the site;
- Topsoil stripping;
- Temporary accessways on the Reuse Site lands to facilitate movement of soils;
- Modifications to security fencing;
- Supply and grading of granular materials for the proposed laydown areas;
- Silt fencing installation to manage erosion and sediment control; and
- Supplying, erecting and maintaining traffic control measures and signage.

Based on current commitments, the first load of excess soil is anticipated to be received on site as early as mid to late May 2025. As such, it is proposed that Administration be authorized to expedite the necessary steps required to action the above items in order to make the Reuse Site operationally ready in Q2, 2025 through to the end of December 31, 2025.

The site will require ongoing management through its service life (estimated at 2 to 3 years) by staff and contracted individuals. Some examples of roles and responsibilities of City and contracted staff include, but are not limited to, the following:

- Develop and implement site protocols;
- Issue and maintain soil management contracts;
- Documentation, quality control and performance tracking;
- Soil acceptance and rejection;
- Movement, placement and compaction of soils throughout the Reuse Site;
- Monitor dust, wildlife, water quality and other potential impacts to airport operation and surrounding landowners;
- Maintain site security and access; and
- Project coordination (YQG, lessees, contractors, consultants, ERCA, etc.).

Administration will provide a follow up report as part of the 2026 budget process including a business case to fund the ongoing operation. The Reuse Site Committee will continue to seek out opportunities for additional sites, as deemed necessary, for future consideration by Council.

Risk Analysis:

Financial Risks

There is a risk that further leases may not be secured on the airport employment lands and the return on investment in raising the site may not be realized. This risk of the City failing to recoup the investment is low, as the City will have opportunities to use the lands for other purposes once the sites are raised and shovel ready. In addition, the savings (cost avoidance) from capital projects alone is expected to provide sufficient benefit to the City.

There is a risk that the Regulation may change as a result of stakeholder consultation and changing governments, reducing the impact on capital projects resulting from the implementation of the Regulation itself and making the case for the Reuse Site less critical. Although this is possible and resulting regulatory fees may be reduced or eliminated, the act of diverting soils from the landfill is likely to remain a priority of Council both in Windsor and surrounding municipalities in order to prolong the life of the regional landfill. Furthermore, trucking excess soils to a Windsor location in lieu of a reuse site in the County of Essex or to landfill will save money on trucking and tipping fees associated with disposal.

Economic Development Risks

If the City does not raise the remaining employment lands to meet minimum flood proofing elevations, there is a risk that the lands will face marketing challenges. This is especially true in the current landscape where potential tariff impacts related to building projects remain uncertain. Any attempt to reduce the cost of development will improve the City's position when competing for FDI leads.

Environmental Risks

Portions of the Reuse Site fall within a Source Water Intake Protection Zone as designated by ERCA. Appropriate setbacks from waterways, erosion control and stormwater management will be essential to minimize the risk of contaminants entering the waterway.

Within the footprint of the Reuse Site there is currently a woodlot that includes an area identified by the Ministry of Natural Resources and Forestry as provincially significant wetlands as well as a City designation as a Natural Heritage Area containing habitat for threatened and/or endangered species. A 30m setback has been applied to the woodlots and activities related to the Reuse Site are not permitted to occur within the setback areas or the woodlots themselves.

Climate Change Risks

Climate Change Mitigation:

The Community Energy Plan aims to create economic advantage, mitigate climate change and improve energy performance. It strives to position Windsor as an energy centre of excellence that boasts efficient, innovative, and reliable energy systems that contribute to a high quality of life for residents and businesses. The NextStar EV facility and its supply chain, some of which have already located on the airport lands present an opportunity for Windsor to create economic advantage while supporting the transition towards to a low carbon future. Opportunities to secure additional supply chain leases should be encouraged.

Construction emissions required to start up the Reuse Site are anticipated to be more than offset by GHG emission reductions that will result from the lowered trucking distances for capital projects that use the Reuse Site to manage their excess soils.

Climate Change Adaptation:

Raising the lands in accordance with ERCA flood proofing elevations will reduce flood risks for the new buildings that will locate on those lands through lease agreements.

Financial Matters:

The following table outlines the estimated costs to set up and operate the Reuse Site up to December 31, 2025:

Item	Estimated Cost
Expenses	
Reuse Site Preparation (topsoil stripping, drainage, grading, site access, security, erosion and dust control)	\$565,000
Owner's Engineer (April – December)	340,000
Audit Sampling	\$100,000
Reuse Site Operator (May – December)	\$2,260,450
Internal Project Management	\$130,000
Contingency (10%)	340,000
Excess Soil Reuse Site Protocols Development	\$88,750
Registry Fee	\$13,320
Non-Recoverable Tax	\$65,260
Total (Expenses)	\$3,902,780
Funding Sources	
7242009 – Excess Soil Management	\$600,000
Total (Funding Sources)	\$600,000
Shortfall	\$3,302,780

The 2025 capital budget approved \$150,000 in project ENG-004-25 (Project ID# 7242009 – Excess Soil Management) for the purpose of internal time, limited consulting services, site investigation work and/or land acquisition related to a potential excess soils reuse site. Further, the September 30, 2024 Capital Variance Report was approved by Council on April 14, 2025 including a transfer of approximately \$450,000

from Project 7101026 – Economic Development Land Assembly to project 7242009 – Excess Soil Management for a total available funding amount of approximately \$600,000. As a result, an additional approximately \$3,300,000 in funding is required.

A portion of the cost to set up the Reuse Site is recommended to be, as a first charge, recovered from project 7211060 – Airport Employment Lands Servicing as it relates to granular material used to build up roadways for the future servicing requirements of the airport employment lands. Such roadways will be used in the interim as accessways to facilitate the movement of soils around the Reuse Site.

In addition to the Airport Employment Lands Servicing project, it is anticipated that the Reuse Site may additionally readily receive excess soils for other ongoing City led capital project source sites including but not limited to Banwell Road / E.C. Row Interchange and Corridor Improvements, St. Rose Pumping Station, Lauzon Parkway and County Road 42 Improvement Project, McEwan Avenue Rehabilitation, St. Luke Road Rehabilitation, and Byng Road Rehabilitation.

Each of these projects may benefit from the Reuse Site through cost avoidance, as the cost to dispose soil at a City-owned site is anticipated to be cheaper than disposing at landfill or other private reuse sites. One reason for this, amongst others, is the proximity of the Reuse Site relative to the aforementioned projects, which will result in substantially lower transportation costs.

With this in mind, costs incurred in the Excess Soils Management project will be recovered from each of the respective projects based on the savings expected as a result of availability of the Reuse Site. It should be noted too that until such time as additional funding through the methodology outlined above can be actioned, there may be some internal financing charges applied to the Excess Soils Management project from the time costs are incurred until the project is fully funded. It is anticipated that this cost avoidance would be able to partially or fully offset the cost of establishing the Reuse Site.

As noted in the Discussion section, the Reuse Site will require further operational funding for the duration of its life (2 to 3 years) until such time as it can no longer accept further excess soils. As part of a future report to Council, Administration will provide a business case in support of the future costs, estimated to be in excess of \$2 million, with an aim to remain at cost neutral at a minimum, which may result in requests for additional funding in the Operating and Capital Budgets.

For comparison purposes, at current pricing, it is projected to cost upwards of \$5M to import clean soils in order to bring the Reuse Site lands up to minimum ERCA flood proofing elevations in support of future leases. Savings through cost avoidance from each individual capital project would be on top of this amount. In particular, the excavation of stormwater management ponds required as part of the Cabana Road East/Lauzon Parkway widening and intersection improvements project has the potential for significant cost avoidance due to the proximity of that work to the Reuse Site.

Administration will monitor tender bids related to 2025 capital projects to better refine the potential cost savings related to excess soil management for consideration as part of the report back to Council.

Consultations:

Patrick Winters – Manager of Development

Wira Vendrasco – City Solicitor

Dawn Lamontagne – Purchasing Manager (A)

Aaron Farough/Kate Tracey – Senior Legal Counsel

Sarah Meneses – Environmental Compliance Coordinator

Joe Baker – Manager, Land Development and Growth

Matthew Johnson – Executive Director, Economic Development

Mark Spizzirri – Manager, Performance Measurement and Business Case Development

Natasha Gabbana – Senior Manager, Asset Planning

Kathy Buis – Financial Planning Administrator

Michelle Moxley-Peltier – CEP Project Administrator

Reuse Site Committee

Conclusion:

The establishment of an excess soils beneficial reuse site at the City-owned Windsor International Airport aims to reduce capital costs (cost avoidance) related to construction projects and ready employment lands for ongoing development.

Planning Act Matters:

N/A

Approvals:

Name	Title
Michael Dennis	Manager, Strategic Capital Budget Development and Control
Stacey McGuire	Executive Director of Engineering/Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Jelena Payne	Commissioner, Economic Development
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix A - S 62/2024 - Response to CQ15-2024 - Excess Soil Reuse Site Update - City Wide

Appendix B - Excess Soils Reuse Site Overall Site and Stages Plan

Appendix C - Laydown Yard

Appendix D - Site Plans 01 to 03

Subject: Response to CQ15-2024 - Excess Soil Reuse Site Update - City Wide

Reference:

Date to Council: May 29, 2024
Author: Sarah Meneses
Environmental Compliance Coordinator
(519) 255-6100 ext. 6336
smeneses@citywindsor.ca
Design – Engineering
Report Date: May 9, 2024
Clerk's File #: EI2024

To: Mayor and Members of City Council

Recommendation:

- I. That City Council **RECEIVE** the response to CQ 15-2024 for information.

Executive Summary:

N/A

Background:

At the March 18, 2024 meeting of City Council, Councillor Fred Francis asked the following question, CQ 15-2024:

Asks that Administration provide a status report regarding the excess soil/earth project from 2021. This is important as it can save some money when we take projects to tender.

The following information is provided in response to Council Question 15-2024.

In December 2019, the Ontario Ministry of Environment, Conservation and Parks (MECP) introduced Ontario Regulation 406/19 On Site and Excess Soil Management (the Regulation), under the Environmental Protection Act. This Regulation provides rules and requirements for the reuse and management of excess soil from construction projects.

The Regulations were phased in over time, as follows:

- January 1, 2021: Reuse Rules, including risk based standards, waste designation and approvals
- January 1, 2023: Testing, tracking, and registration (some exemptions apply)
- January 1, 2025: restrictions on landfilling soils.

A business case was completed by the University of Windsor's Masters of Business students in August 2021 discussing the development of a beneficial reuse site in the City of Windsor that can serve the purpose of accepting soil from nearby construction projects. The report explored several considerations related to creating this site.

Discussion:

The sole responsibility for regulatory compliance with the Regulation lies with Project Leaders, defined as the person or persons who are ultimately responsible for making decisions relating to the planning and implementation of the project. Responsibility and liability can no longer be transferred to a third party contractor. This means that the City is ultimately responsible for the management of excess soils created by our projects.

The Regulation promotes the beneficial reuse of excess soils which can lead to environmental benefits. By encouraging the classification and reuse of soils that meet environmental standards, the Regulation supports the reduction of waste and the conservation of natural resources.

The Regulation requires Project Leaders to assess and classify soil based on its environmental quality in order to determine the potential for reuse and/ or the need for landfill disposal. To ensure soils are properly classified and managed during construction, the Regulation outlines the following requirements for any projects that will generate excess soil:

1. Preparation of an Assessment of Past Uses
2. Preparation and implementation of Sampling & Analysis Plan
3. Preparation of a Soil Characterization Report
4. Preparation of Excess Soil Destination Assessment Report
5. Submittal of Notice on Registry
6. Development and implementation of a tracking system

It should be noted that there are several exemptions to the above noted requirements, such exemptions based on volume of excess soil or the property type as well as moving excess soils from one infrastructure project to another. A majority of city projects would not qualify for such exemptions at this time.

Since its implementation, the Regulation has had significant impacts on City projects primarily through increased project costs to complete planning requirements and delays while trying to secure appropriate reuse sites. Based on a review of the Engineering

department projects in 2023, the City generated over 100,000 cubic metres of excess soil suitable for reuse and over 1,000 cubic metres of excess soil that required landfill disposal. The management of the excess soil generated from a City project is reflected in tender unit prices related to excavation; in fact it has been estimated that the excavation costs between 2019 and 2023 have increased by almost three times. In addition, excess soil registry fees have increased approximately 500% in 2024.

Establishing a dedicated reuse site or multiple reuse sites for managing excess soils can yield substantial benefits, including:

- improve the value of land for sale/ readiness of the site for construction upon sale,
- reduce excess soil planning requirements,
- eliminate the onus on the contractor to secure applicable reuse sites and in turn decrease costs in tenders associated with excavation of excess soils,
- provide savings related to trucking, dumping and tipping fees, diesel, and labour, and
- create jobs related to the management of the reuse site(s).

Based on the above, and as supported by the business case completed, Administration has created a committee to review the potential of establishing a City owned reuse site(s) comprised of support staff from Engineering, Real Estate Services, Planning, Operations and Parks. The committee will report back with recommendations on next steps and funding.

Risk Analysis:

As this is an informational report to Council, there are no significant or critical risks associated with the recommendations in this report.

There are risks associated with non-compliance of these regulations, such as imposing compliance orders and penalties against the Corporation and even potential prosecution.

The establishment of a committee to review the potential for City owned reuse site(s) has the potential to mitigate the escalation of construction costs currently observed through tender results that are directly attributable to the Regulation.

Climate Change Risks

Climate Change Mitigation:

The recommendations related to this Council Report do not facilitate Climate Change Mitigation in a material way.

Client Change Adaption:

The recommendations related to this Council Report do not facilitate Climate Change Adaptation in a material way.

Financial Matters:

There are no costs related to this Council Report. The committee will consider financial impacts, if any, of sites identified such as land acquisition, direct costs related to the Regulation, potential savings from construction projects, trucking and gas, testing, loss of use of a site, recreation opportunities and associated user fees, etc and report the same to Council for direction at a later date.

Consultations:

Jane He – Engineer III – Construction Standards Lead

Shawna Boakes – Executive Director of Operations

Conclusion:

The above information is provided in response to Council Question 15-2024.

Planning Act Matters:

N/A

Approvals:

Name	Title
Paul Mourad	Manager of Design (Acting)
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
Mark Winterton	Commissioner of Infrastructure Services / City Engineer
Janice Guthrie for Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:



Committee Matters: SCM 122/2025

Subject: Report of the Striking Committee of its meeting held February 24, 2025

**REPORT OF THE STRIKING COMMITTEE
of its meeting held
February 24, 2025**

Members in Attendance:

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

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
Stacey McGuire, Acting Commissioner of Infrastructure Services/City
Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Michael Chantler, Acting Commissioner Community and Corporate
Services
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk
Christopher Menard, Acting Mayor's Chief of Staff
Dana Paladino, Acting Senior Executive Director Corporate Services
Wira Vendrasco, City Solicitor

Declarations of Pecuniary Interest:

None declared.

Your Committee submits the following recommendation:

- (1) The Sandra Janzen **BE APPOINTED** to the ***Environment and Climate Change Advisory Committee*** for the term expiring November 14, 2026 to replace Kiemia Rezagian, resigned.

MAYOR

CITY CLERK



Committee Matters: SCM 123/2025

Subject: Report of the Special Meeting of Council – In-Camera of its meeting held April 14, 2025

SPECIAL MEETING OF COUNCIL – IN CAMERA
April 14, 2025

Meeting called to order at: 1:28 p.m.

Members in Attendance:

Councillor Renaldo Agostino
Councillor Fabio Costante (Acting Chair)
Councillor Fred Francis
Councillor Gary Kaschak
Councillor Angelo Marignani
Councillor Kieran McKenzie
Councillor Mark McKenzie
Councillor Jim Morrison
Councillor Ed Sleiman

Members Absent:

Mayor Drew Dilkens
Councillor Jo-Anne Gignac

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
David Simpson, Commissioner of Infrastructure Services/City Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Ray Mensour, Commissioner Community and Corporate Services
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk
Wira Vendrasco, City Solicitor
Dana Paladino, Acting Senior Executive Director Corporate Services
Michael Chantler, Acting Senior Executive Director Community Services
Christopher Menard, Acting Mayor's Chief of Staff
Cory Elliott, Manager Arenas and Recreation Facilities (Item 3)

Verbal Motion is presented by Councillor Angelo Marignani,
seconded by Councillor Fred Francis,
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	Property matter – expropriation commencement, Section 239(2)(c)
2	Legal/property matter – expropriation settlement, Section 239(2)(e)(c)
3	Position/plan, Section 239(2)(k)(i)
4	Personal matter – about an identifiable individual/negotiations, Section 239(2)(b)(d)
5	Position/plan – negotiations, Section 239(2)(k)

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 Mark McKenzie,
to move back into public session.

Motion Carried.

Moved by Councillor Jim Morrison, seconded by Councillor
Gary Kaschak,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained
in the report(s) discussed at the In-Camera Council Meeting held April 14,
2025 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, City Solicitor, Acting Senior Executive Director Corporate Services, Commissioner of Community and Corporate Services, Executive Director Engineering/Deputy City Engineer, Commissioner of Infrastructure Services, Manager Strategic Capital Budget Development and Control and Commissioner of Finance/City Treasurer respecting a property matter – expropriation commencement **BE APPROVED.**
2. That the recommendation contained in the in-camera report from Senior Legal Counsel, City Solicitor, Acting Senior Executive Director Corporate Services, Commissioner of Community and Corporate Services, Commissioner of Infrastructure Services, Manager Strategic Capital Budget Development and Commissioner of Finance/City Treasurer respecting a property matter – expropriation settlement **BE APPROVED.**
3. That the in-camera report from the Manager of Arenas and Recreation Facilities, Executive Director Parks Recreation and Facilities, Acting Senior Executive Director Community Services, Commissioner of Community and Corporate Services/Deputy CAO, Manager Development Revenue and Financial Administration and Commissioner of Finance and City Treasurer respecting a position/plan **BE RECEIVED** and further that Administration **PROCEED** on the verbal direction of Council.
4. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, Chief Building Official, City Solicitor, Commissioner of Economic Development/Deputy CAO and Commissioner of Finance/City Treasurer respecting a personal matter – about an identifiable individual/negotiations **BE APPROVED.**
5. That the confidential information respecting a position/plan – negotiations **BE RECEIVED** and further Administration **PROCEED** on the verbal direction of Council.

Motion Carried.

**Moved by Councillor Renaldo Agostino, seconded by Councillor Gary Kaschak,
That the special meeting of council held April 14, 2025 BE ADJOURNED.
(Time: 2:13 p.m.)**

Motion Carried.



Committee Matters: SCM 125/2025

Subject: Report of the In-Camera Striking Committee of its meeting held April 14, 2025

STRIKING COMMITTEE – IN CAMERA
April 14, 2025

Meeting called to order at: 2:14 p.m.

Members in Attendance:

Councillor Fred Francis
Councillor Angelo Marignani
Councillor Kieran McKenzie
Councillor Ed Sleiman
Councillor Jim Morrison
Councillor Renaldo Agostino
Councillor Fabio Costante (Acting Chair)
Councillor Gary Kaschak
Councillor Mark McKenzie

Members Absent:

Mayor Drew Dilken
Councillor Jo-Anne Gignac

Also in attendance:

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

**Verbal Motion is presented by Councillor Fred Francis,
seconded by Councillor Mark McKenzie,
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	Personal matter – about identifiable individual(s) –appointment of member(s) to the Community Public Art Working Group, Section 239(2)(b)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

**Verbal Motion is presented by Councillor Gary Kaschak, seconded by Councillor Renaldo Agostino, to moved back into public session.
Motion Carried.**

**Moved by Councillor Mark 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 Striking Committee Meeting held April 14, 2025 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 a member on the Community Public Art Working Group **BE RECEIVED.** (see open report of the Striking Committee).

Motion Carried.

**Moved by Councillor Ed Sleiman, seconded by Councillor Fred Francis
That the special Striking Committee meeting held April 14, 2025 BE ADJOURNED.
(Time: 2:17 p.m.)
Motion Carried.**



Committee Matters: SCM 126/2025

Subject: Report of the Striking Committee of its meeting held April 14, 2025

**REPORT OF THE STRIKING COMMITTEE
of its meeting held
April 14, 2025**

Members in Attendance:

Councillor Fred Francis
Councillor Angelo Marignani
Councillor Kieran McKenzie
Councillor Ed Sleiman
Councillor Jim Morrison
Councillor Renaldo Agostino
Councillor Fabio Costante (Acting Chair)
Councillor Gary Kaschak
Councillor Mark McKenzie

Members Absent:

Mayor Drew Dilkens
Councillor Jo-Anne Gignac

Also in attendance:

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

Declarations of Pecuniary Interest:

None declared.

Your Committee submits the following recommendation:

- (1) The Spencer Montcalm and Ustav Ghimire **BE APPOINTED** to the ***Community Public Art Working Group*** for the term expiring November 14, 2026.

MAYOR

CITY CLERK

Written Submission for City Council Delegation

Re: Motion to Remove the City of Windsor as a “Strong Mayor” Community

Submitted by: Christopher McAskin

Date: April 11, 2025

To the Mayor, Members of Council, and Clerk’s Office:

I am submitting this statement in support of Councilor Kieran McKenzie’s motion to remove the City of Windsor from the list of municipalities designated under the Strong Mayor legislation.

This legislation, as imposed by the Province under O. Reg. 530/22, fundamentally alters the principles of local governance and erodes the democratic framework that our municipality has long respected and upheld. By centralizing power in the Office of the Mayor, this system minimizes the essential role of elected Council members and disrupts the longstanding practice of deliberative, consensus-driven decision-making.

The strength of our city lies not in unilateral authority, but in the collective voice of its representatives. Windsor has a proud history of collaborative governance, built on dialogue, debate, and shared responsibility. That legacy is undermined by a governance model that allows executive override without meaningful checks and balances.

It is also important to note that Windsor did not formally request or consult on being designated under this framework. This lack of local consent is deeply concerning and sets a troubling precedent for the future of municipal autonomy across Ontario.

We are witnessing a growing wave of concern from citizens, elected officials, and other municipalities across the province who recognize this legislation for what it is: an unnecessary and harmful concentration of power that undermines accountability, transparency, and local democracy.

I respectfully urge Council to pass this motion, and to formally request the Premier and the Minister of Municipal Affairs and Housing to remove Windsor from the Strong Mayor framework. This action is not merely procedural it is a vital stand for representative democracy, for institutional integrity, and for the future of governance in our city.

Thank you for the opportunity to submit this statement.

Respectfully,
Christopher McAskin

April 11, 2025

Dear City Council

Re: Kieran McKenzie's Motion on the Strong Mayors, Building Homes Act

Thank you for the opportunity to provide a written submission in support of this motion.

I offer the following as a concerned resident and enthusiastic participant in civil society.

There are three reasons why I support this motion opposing the Strong Mayors, Building Homes Act (SMBH) ; 1) the concentration of powers under the mayor's control undermines the role and function of councillors, 2) it is undemocratic to award a veto power to defeat majority votes and 3) it alters the accountability of administration.

1) Concentration of power

Municipal governments are often the most accessible forum for concerned citizens to exercise their democratic freedoms of participation and speech. In a time where democratic principles and practices are under serious attack, we should be enhancing the democratic underpinning of our local government. The SMBH Act has the opposite effect. By concentrating power in the mayor's office, the ability of individual councillors to represent their constituents' interests is compromised. The value of vigorous review and debate cannot be underestimated in these turbulent times. If councillors feel that their voice and vote do not matter, council will become a rubber stamp. Civil participation will decline and respect for civil process will be diminished to the detriment of our community.

2) Undemocratic practice

Majorities rule. It the fundamental basis of democratic civil society. The SMBH Act allows the mayor not only to veto the council's decision; it also allow the mayor to vote on the decision to rescind the veto. It does not matter who the mayor is, whether the council is right or whether it is a more expedient process. Majority votes should not be aside because one individual disagrees with the decision. If the decision is wrong in law, the courts' role is to review the exercise of power by the municipality. The SMBH Act is being touted as the solution to the provincial government's housing crisis. If the provincial government was truly interested in addressing the housing crisis, they would upload the housing portfolio to the province.

3) *Accountability of Administration*

The Act extends the mayor's abilities to hire staff and set budgets. The municipal staff should be accountable to council and the municipality, not to the mayor. We should be increasing the ability of council to obtain advice that is in the best interests of the municipality. Staff who feel vulnerable to the influence of the mayor will not be able to perform that function to the best of their ability.

There are huge challenges for municipalities, and we should foster an environment where the expertise and voices of our elected officials are amplified not diminished.

Yours sincerely,

Marion Overholt

Ward 4 resident

ETPS March 26, 2025

Re: Item 8.5 - Windsor DEER-City Wide

On behalf of the Citizens Environment Alliance, the following comments are submitted; we do not support the recommendations of this report.

After approximately eight years since the promulgation of the Community Energy Plan (CEP), the single largest emission reduction strategy of the plan is recommended to be dropped without rational justification and without any proffered alternative. Windsor's community-wide climate action implementation efforts will be in shambles if the administration's report is accepted.

Multiple reports over the years to the city council from the Environmental Sustainability and Climate Change department have shown the highest cost of city-wide climate action will come from delaying, deferring or avoiding action. Ironically, now this is the recommendation from that same, beleaguered department.

Despite several municipal governments exercising wise-use practices to implement DEER-like programmes successfully, item 8.5 implies that Windsor's programme would be an outlier by taking an approach without wise-use practices.

Within the report financial details show over a 10-year period an approximate expense of \$200 million with the majority from municipal financing. This is a large capital investment. However, in the context of the city's 10-year capital budget of almost \$2 billion the R-DEER would not even be the largest or second largest investment. Although it would be the most direct investment in countering the existential threat of the climate crisis.

The capital budget's hierarchy of investments puts roads at the top. Our homes are valued far more than our roads, yet our older housing stock

will be left vulnerable without ongoing, coordinated efficiency efforts from our governments. Recommending writing a letter to senior levels of government is just not good enough!

The market validation study notes that for every \$1 million invested 16-30 high-quality, full-time equivalent jobs could be created, generating millions of dollars in economic activity. An important factor given Windsor's chronically high unemployment and the potential for long-lasting tariffs. Millions invested could, conservatively, result in thousands of jobs.

According to the climate data collected by researchers across the planet, this past year was the warmest on record. The *State of the Global Climate Report*, by the World Meteorological Organization, also noted that 2024 was likely the first calendar year to be more than 1.5C above the pre-industrial era. The report also showed that:

- Atmospheric concentration of carbon dioxide is at the highest levels in the last 800,000 years.
- Globally each of the past ten years were individually the ten warmest years on record.
- Each of the past eight years has set a new record for ocean heat content.
- The 18 lowest Arctic sea-ice extents on record were all in the past 18 years.
- The three lowest Antarctic ice extents were in the past three years.
- The largest three-year loss of glacier mass on record occurred in the past three years.
- The rate of sea level rise has doubled since satellite measurements began.

Climate action by the city is becoming less accountable as the climate crisis worsens. The city has also failed to provide reports in a complete and timely manner for several climate issues. For example, despite Commissioner Payne publicly stating months ago that the SSSNAP

report (the full, final report) would be available to the public, it is nowhere to be seen. The implementation strategy for science-based targets and net-zero promised by administration years ago is unavailable. There are more examples of an insufficient, unaccountable effort to implement climate actions by the city.

Beyond the CEP there are several City of Windsor plans that at least imply the city takes climate change seriously. The climate emergency declaration of 2019 also indicated that the city would move to implement important emission reduction strategies. While the city has failed to quickly move to implement community-wide emission strategies, the public retains an expectation that their governments will implement climate action.

Earlier this month a Leger national poll showed more than two-thirds of Canadians agreed that the next Canadian government should make climate action and protecting nature a high priority. Since municipalities are responsible for about half of greenhouse gas (ghg) emissions, the onus remains for cities like Windsor to implement their commitments to reduce ghg emissions.

Please reject the recommendation of the administrative report to terminate the R-DEER programme.



1801 WYANDOTTE STREET EAST
WINDSOR, ONTARIO N8Y 1E2

199 BAY STREET, SUITE 2200
P.O. BOX 447, COMMERCE COURT POSTAL STATION
TORONTO, ON CANADA M5L 1G4
TELEPHONE: 416-777-0101
FACSIMILE: 844-670-6009
<http://www.dickinsonwright.com>

JOHN D. LESLIE
JLeslie@dickinsonwright.com

April 25, 2025

City of Windsor
350 City Hall Square West,
Windsor, ON N9A 6S1
VIA EMAIL (clerks@citywindsor.ca)

Re: Official Plan and Zoning By-Law 8600 - File Numbers Z-005/25 [ZNG/7284] & OPA 195 [OPA/7285]

Please be advised that we represent 2408380 Ontario Inc. ("240"), a Property owner on Crawford Avenue, just east of the Applicant's Property at 673 Wellington Avenue.

Our client at the Development and Heritage Standing Committee (the "Committee") objected to the Applicant's request to amend the City of Windsor's By-law (the "City's By-law"). Specifically the Applicant's request to amend the City's By-law to allow for a reduction in the parking spots required by the City's By-law for the proposed retail store.

I. The Applicant's Request for a Reduction in the Required Parking Spaces

The Applicant retained RC Spencer Associates Inc. Consulting Engineers ("Spencer") to prepare a Traffic Impact/Parking Study.

Pursuant to the Spencer Report, the Applicant requested a modest reduction of parking spaces, from what Spencer indicated the number of parking spaces to be under the City's By-law from 49 to 42 parking spaces as follows:

"A total of 42 parking spaces (including four accessible spaces) are proposed to accommodate the commercial redevelopment. The City of Windsor by-law states that 1 parking space per 36 sq. m. (387.5 sq. ft.) is required for the proposed commercial land use. Therefore, the City's zoning by-law requires seven more parking spaces than the currently proposed parking supply." (Attached here to as "Exhibit A")

However, the fundamental flaw in the Applicant's request was that the actual number of spaces required by the City's By-law was in fact 79, calculated as 1 space per 22.5 square meters.

II. Transportation Planning Department (the "Department")

The Department, according to the submission to the Committee, made the following finding:

“(d) provided with adequate off-street parking; and

- **The applicant submitted a Traffic Impact/Parking Study in support of a reduction in the required number of parking spaces for a retail store from 79 to 42.**
- **The Transportation Planning Department does not agree with the parking analysis, however accepts the parking reduction since the deficiency has no effect on the surrounding area and only affects the future business itself. There is additional site area that may be added to the parking area if needed in the future.”** (Attached hereto as “Exhibit B”)

In a memo dated February 7, 2025, the Department also determined as follows:

“To summarize, Transportation Planning rejected the parking study as it did not prove that the proposed number of parking spaces will be sufficient for the future development nor provided any alternates to compensate the reduction. However, we agree on the parking reduction, as it will not affect the neighbourhood. There is no need to revise the parking study.” (Attached hereto as “Exhibit C”)

III. Position of 240

It is the position of 240 that the recommendation by the Department to the Committee is fundamentally flawed, on the face of it, and should not be accepted.

The Applicant, at no time, ever requested a parking space reduction from 79 to 42 parking spaces. A substantial reduction of approximately 53%. The Applicant only requested a modest reduction of what it perceived to be the required amount of parking spaces from 49 parking spaces to 42 parking spaces.

From the record, it is clear that the Department, on its own, took the position that 79 parking spaces to 42 parking spaces was a warranted request to amend the City’s By-law, despite the Applicant never making such a request.

Furthermore, the rationale that the Department used in recommending to the Committee the approximate 53% reduction in parking spaces was that the parking reduction **“only affects the future business itself”**.

This is not sound planning practices. The Department is stating that the “business” can dictate the amount of parking spaces, not the City by-laws, because it will be the business that may suffer with fewer parking spots.

The area in question has virtually no street parking and a substantial reduction of approximately 53% of the required spaces will definitely affect the surrounding area including our client’s Property and parking lot. Further the Applicant’s planner at the Heritage Development Meeting failed to disclose that the supermarket will be 4 times bigger than their current location with proposed added and larger vending services planned to be included in their new location such as a restaurant/food court which will obviously encourage a higher than normal traffic volume and higher parking requirements for the supermarket. None of these facts were mentioned in any of the reports.

We would respectfully request that the Council reject the Committee's recommendation to amend the City's by-law to reduce the required parking spaces for a retail store from the required 79 to 42 on the basis that no such request was even made by the Applicant nor did the Applicant's Parking Study support such a drastic reduction in the required spaces as is required by any applicant for any requested proposed amendment to the City's By-law.

Moreover, the Department and Committee's decision to amend the by-law was not founded on sound planning principles.

Sincerely,

DICKINSON WRIGHT LLP

A handwritten signature in black ink, appearing to read "JDL", enclosed within a circular flourish.

John D. Leslie
JDL/lb

As calculated in **Appendix F**, the intersection sight distance was determined to be 192m for the worst-case left turn egress maneuver, while intersection sight distance for a right turn egress maneuver was determined to be 175m. Based on the resulting sight lines illustrated on **Figure 8**, it is the engineers' opinion that there is sufficient sight distance in both directions for safe egress from the proposed site egress; the proposed site egress poses no undue hazard to the safety of traffic operations at this location.

ITE PARKING GENERATION MANUAL VS. WINDSOR BYLAW REQUIREMENTS

A total of 42 parking spaces (including four accessible spaces) are proposed to accommodate the commercial redevelopment. The City of Windsor bylaw states that 1 parking space per 36 sq. m. (387.5 sq. ft) is required for the proposed commercial land use. Therefore, the City's zoning by-law requires a minimum of 49 parking spaces; effectively, the bylaw requires seven more parking spaces than the currently proposed parking supply.

To evaluate whether the proposed parking supply can accommodate the anticipated peak parking demand, the ITE Parking Generation Manual (6th Edition) was consulted. According to the ITE manual, peak parking demand for supermarkets is estimated based on the building's square footage. Land Use Code 850 (Supermarket - Dense Multi-Use Urban) is the most appropriate code for the proposed grocery store. According to the ITE, a dense multi-use urban area is a fully (or nearly) developed area, with diverse and interacting complementary land uses, good pedestrian connectivity, and convenient frequent transit; this setting provides a more realistic approach to the parking estimates. The subject land use code provides a peak parking demand rate of 2.01 spaces per 1,000 square feet GFA (gross floor area) on a Monday to Thursday, as well as a peak parking demand rate of 2.36 spaces per 1,000 square feet GFA on a Saturday. As provided in **Appendix G**, for a 19,041 square foot grocery building, the ITE references suggest that a minimum of 36 parking spaces should be sufficient to meet the regular weekday peak parking demand, while a minimum of 45 parking spaces should be sufficient to meet the Saturday peak parking demand. This leaves a potential deficiency of only three parking spaces for the Saturday peak.

Transit and active transportation options were also evaluated. Existing sidewalks are provided on both sides of Wyandotte Street West and College Avenue, on the west side of Wellington Avenue and Crawford Avenue, and on the east side of Crawford Avenue north of Elliott Street West; none are provided on Elliott Street West. Area walkability is good, and several destinations are within walking distance of the development (such as coffee shops, fast-food venues, and commercial establishments, etc.); the site is located close to numerous residential areas which would encourage pedestrian patronage. Accordingly, increased pedestrian activity could result in an increased modal split (further minimizing the need for on-site parking).



clustered together and separated from sensitive land uses. This designation is also applied to certain older industrial areas of Windsor where such a separation may not have been achieved.

Evaluation Criteria

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed industrial development is: (Policy 6.4.3.4)

- *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
 - *(iii) where traffic generation and distribution is a provincial or municipal concern; and*
 - The applicant submitted a Traffic Impact / Parking Study in support of the proposed development.
 - The Transportation Planning Department reviewed and deemed the traffic impact component of the study to be acceptable.
 - *(v) adjacent to sensitive land uses and/or heritage resources.*
 - Refer to the response provided to PPS Policy 2.8.1.1.e) herein.
- *(c) capable of being provided with full municipal physical services and emergency services;*
 - Refer to the responses provided to Official Plan Policy 6.4.3.3 (c) herein.
 - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 4) & Windsor Police Service.
- *(d) provided with adequate off-street parking; and*
 - The applicant submitted a Traffic Impact / Parking Study in support of a reduction in the required number of parking spaces for a retail store from 79 to 42.
 - The Transportation Planning Department does not agree with the parking analysis, however accepts the parking reduction since the deficiency has no effect on the surrounding area and only effects the future business itself. There is additional site area that may be added to the parking area if needed in the future.
- *(e) compatible with the surrounding area in terms of siting, orientation, setbacks, parking and landscaped areas.*
 - The applicant is not proposing any changes to the building footprint, orientation or height.
 - The proposed parking area and landscaping will be reviewed in detail through the Site Plan Control process.

and/or review from published sources for justification. Furthermore, this study can include changes/measures from the developer that can be implemented to result in a decrease in parking demand on the site. Overall, the applicant must demonstrate through the parking study that reduced parking standards will not negatively impact the parking supply in the area or result in spill-over parking in adjacent areas.

Transportation Impact Study

If a new access is proposed onto an arterial road, or the traffic generated by the development is greater than 100 trips based on the Transportation department's calculations, or the traffic generated from the development is anticipated to result in an intersection or driveway turning movement becoming critical or will make it worse, then a Transportation Impact Study will be required. Please see Transportation Impact Study Scope attached.

[Siddharth Dhiman - Transportation Planner I]

Comments to Stage 2: Planning Consultation Application (PC-101/24)

Transportation Planning Memo (January 17, 2025)

....Transportation Planning received and reviewed the Traffic Impact / Parking Study conducted by RRC Spencer Associates Inc. file number 24-1603 dated July 2024. Transportation Planning has no comment on Traffic Impact Study part.

Document available upon request

Transportation Planning Memo (February 5, 2025)

Document available upon request

Transportation Planning Memo (February 7, 2025)

Document available upon request

Email accompanying Transportation Planning Memo

To summarize, Transportation Planning rejected the parking study as it did not prove that the proposed number of parking will be sufficient for the future development nor provided any alternates to compensate the reduction. However, we agree on the parking reduction as it will not affect the neighbourhood. There is no need to revise the parking study.

[Elara Mehrilou- Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided



Debly Law

Former City of Windsor Prosecutor

City Council
Monday, April 28, 2025
Item 8.15 - Written Submission

Anthony G. Debly, B.A., M.A., LL.B.
Barrister, Solicitor, and Notary Public

Heather E. Debly
Licensed Paralegal, and Notary Public

April 28, 2025

Windsor City Council
Windsor City Hall
350 City Hall Square West
Windsor, Ontario N9A 6S1

**Re: Item 8.15 – Official Plan Amendment and Zoning By-law Amendment Applications
for 0 Wellington Avenue & 673 Wellington Avenue, Z-005/25 [ZNG-7284] & OPA 195
[OPA-7285], Ward 3**

Dear Sirs,

I am counsel for Buu Quoc Tran. His company owns the building located at 1165 Wyandotte Street West, Windsor. Currently, a grocery store known as Ugarit Market operates there.

Since City Council has approved only 42 parking spaces rather than the required 79 parking spaces, it is logical that there will be overflow parking onto the street. As the proposed use is a community grocery store, there will be many residents of the area travelling by foot to purchase groceries. It must be noted that there are no sidewalks on either side of Wellington Avenue, so the customers will have to walk on Wellington Avenue on their way to and from the store.

With the influx of pedestrian traffic, along with vehicular traffic, there is a real possibility that there will be an increase in vehicle-pedestrian accidents. By allowing such variances to the parking requirements and the zoning requirements, the City is, in effect, permitting a rise in the number of accidents, and is setting a precedent for non-application of its laws to satisfy a particular Applicant.

Although time constraints limit our ability to verify information, it has come to our attention that the Applicant will be using the services of London Quality Halal Meats as a supply source. The owner of that business is Muayad Abualhayja, one of the Applicants in this matter. The London Free Press posted an article about that business on July 4, 2018. The headline reads, “City weak on enforcement, abattoir neighbours charge”. A true copy of the article is attached hereto as Exhibit “1”.

The article says that their slaughterhouse in southwest London has not yet obeyed city demands it clean up its business as it continues to operate. The article goes on to say, “the rezoning that was approved by the city and provincial review body also comes with requirements that London Quality Halal Meats on Longwoods Road comply with a host of standards for health and safety, cleanliness, and food preparation — and it has not done so, neighbours said.”

The neighbours articulated that “[w]e have no support from the city. He has been helped and we have been told, ‘Here is the door.’ Furthermore, “[T]hey are thumbing their nose at council. It’s three years later and they are doing the same thing.”

This is the same company that is identified as delivering meat to the current location. Attached hereto as Exhibit "2" is a true copy of the company logo of the that business. You will note that London Quality Halal Meats is on Longwoods Road in London, which is the same business being complained of in the newspaper.

It is hoped that Windsor City Council learn from the experiences of London City Council by noting a level of non-compliance with City by-laws; such non-compliance as was evidenced in the delegation package to the Development & Heritage Standing Committee. The owner of the grocery store where the Applicant's business, Ugarit Market, currently operates, received numerous Notices by the City of Windsor to clean up the site. All of the infractions were caused by the commercial grocery store tenants, and compliance still remains outstanding to this date, as the owner of the property is still receiving Repeat Offender Invoices from the City. Attached to this correspondence as Exhibit "3" is a redacted true copy of the Notice pursuant to the Yard Maintenance and Anti-Littering By-Law, along with a redacted true copy of the Repeat Offender Invoice, all dated April 2, 2025.

It is respectfully submitted that it is not an ideal solution to move the problem business from one location to another. Again, respectfully, approval by City Council ought to be considered in those cases where the Applicant has not shown a history of non-compliance. The Applicant has proven, time and time again, that the Applicant has no intention of complying with the applicable laws, and that it takes years to convince them to be compliant. This is not the type of Applicant that the City ought to support.

We would also suggest that the money generated from their illegal business in London is helping to support their illegal business here in the City of Windsor, and presenting problems to the City of Windsor and its residents that ought not to occur.

We would respectfully request that City Council further investigate the Applicants and their businesses prior to coming to a determination that approval ought not to be given.

Thank you.

Sincerely,

Debly Law

Anthony Debly

Anthony G. Debly, B.A., M.A., LL.B.
Barrister, Solicitor and Notary Public

AGD/asm

Encl.

EXHIBIT “1”



This advertisement has not loaded yet, but your article continues below.



Local News

City weak on enforcement, abattoir neighbours charge

Norman De Bono

Published Jul 04, 2018 • 3 minute read

[Join the conversation](#)

Rick Burt's back yard looks over the new abattoir planned for Longwoods Road just west of Lambeth in London. Burt says the business should be out in the country, where they could have more land to give less negative impacts to neighbours like himself. (Mike Hensen/The London Free Press)

A slaughterhouse in southwest London has not yet obeyed city demands it clean up its business as it continues to operate, frustrated neighbours charged Tuesday.

Longwoods Road residents have been fighting a halal abattoir in their community for more than a year, losing an appeal to the Ontario Municipal Board and seeing the slaughterhouse approved by city council.

STORY CONTINUES BELOW

This advertisement has not loaded yet, but your article continues below.

But the rezoning that was approved by the city and provincial review body also comes with requirements that London Quality Halal Meats on Longwoods Road comply with a host of standards for health and safety, cleanliness, and food preparation — and it has not done so, neighbours said.

“There are provisions that need to be met and it has not been done,” said Jacqueline Caranci, a neighbour who has lead opposition to the slaughterhouse.

“We have no support from the city. He has been helped and we have been told, ‘Here is the door.’”



Muayad Abualhayja. (Mike Hensen, The London Free Press)

Although the city agreed to rezone the site for the abattoir, the owner, Mike Abualhayja, has to comply with “withholding provisions” before being allowed to operate his business.

Those provisions are numerous, dealing with food handling and safety, cleanliness and one of them demanding a “nutrient management system.” Neighbours last year complained the smell and flies from the slaughterhouse kept them inside. Millar Berry Farm and a nearby restaurant were concerned about its impact on their businesses.

Homes in London

For buyers, sellers, renters and dreamers — London's complex, fascinating real estate market is brought into focus and into context with this newsletter.

Sign Up

By signing up, you consent to receive the above newsletter from Postmedia Network Inc.

Interested in more newsletters? [Browse here.](#)

STORY CONTINUES BELOW

This advertisement has not loaded yet, but your article continues below.

“There are now animals on site. I hear animals, they have them in the barn. They are breaking the bylaw that does not allow animals on site,” said Rick Burt, a neighbour.

He contacted city officials in planning and bylaw enforcement, and nothing has been done, he said.

“They are thumbing their nose at council. It’s three years later and they are doing the same thing.”

The city is not ignoring the issue, but already have laid charges related to zoning infractions on this business, won a conviction and the sentence was suspended, said Orest Katolyk, city hall’s bylaw boss.

“We do not enforce the bylaw when someone has gone through the process, been successful, and is in the planning process,” said Katolyk.

“They have a site plan application and are going through this.”

The city is awaiting site plan application from the abattoir, and it has not yet complied with the demands of the city, said Michael Tomazincic, a city hall planner.

“Nothing has been done. There are no animals allowed until the zoning gets approved,” said Tomazincic, adding enforcing the bylaw is not the job of planning staff.

STORY CONTINUES BELOW

This advertisement has not loaded yet, but your article continues below.

Alan Patton, a lawyer representing the owner at the OMB hearings, declined comment Tuesday, referring questions to Abualhaya. Abualhaya could not be reached for comment.

Burt charged that politicians are afraid of being seen as anti-Islam if they crack down on the business, he said.

“There is an underlying issue here. They are afraid of the politics. They are dealing with this with kid gloves. They are afraid. They don’t want to ruffle feathers. They don’t care about neighbours.”

As for the flies and smell, they have been reduced this summer as manure is being removed promptly, said Burt.

They are thumbing their nose at council. It's three years later and they are doing the same thing.

RICK BURT

Coun. Anna Hopkins said she will take up the issue with the planning department to see whether the abattoir is meeting demands.

“I hope he is following through the holding provisions, with the site plan, to bring the property into conformity,” said Hopkins.

“It is important to find out where the process is with the abattoir. I will be following up.”



COMMENTS

You must be logged in to join the discussion or read more comments.

Sign in

Create an Account

JOIN THE CONVERSATION

Postmedia is committed to maintaining a lively but civil forum for discussion. Please keep comments relevant and respectful. Comments may take up to an hour to appear on the site. You will receive an email if there is a reply to your comment, an update to a thread you follow or if a user you follow comments. Visit our [Community Guidelines](#) for more information.

READ NEXT

EXHIBIT “2”



EXHIBIT “3”



THE CORPORATION OF THE CITY OF WINDSOR
NOTICE PURSUANT TO BY- LAW 3 - 2006
Yard Maintenance and Anti-Littering By-Law

NOTICE

A minimum \$215.00 administrative fee will be applied for the enforcement of this Notice and \$215.00 per hour thereafter.

By-Law Number 3-2006 is a By-Law that establishes standards for the maintenance of Lands in a clean and clear condition.

ATTENTION

Failure to comply with this Notice could result in prosecution in the Ontario Court of Justice and a fine upon conviction AND all expenses incurred by the City of Windsor for the cleanup plus administrative fees being added to the PROPERTY TAXES.

Repeat work orders are subject to an administrative fee of \$215 per order

TO: BUI QUOC TRAN

TAKE NOTICE that the property, owned and/or occupied by you,

Situated at 1165 WYANDOTTE ST. W. Lot 322 TO 324 Plan 404
does not conform to the standards set forth in By-Law Number 3-2006.

THE INSPECTION REPORT BELOW, AS WELL AS EXCERPTS FROM RELEVANT BY-LAW 3-2006 ON REVERSE SPECIFIES:

- (i) The standards required for the maintenance of lands in a clean and clear condition; and
- (ii) By-Law Enforcement Officer's comments on description of existing site conditions that do not conform to the standards set forth in the said By-Law; and
- (iii) The work required for compliance to maintain lands in a clean and clear condition.

COMPLIANCE: YOU ARE HEREBY REQUIRED to comply with this Notice by within seven (7) days of the notice being served, failing which the City of Windsor may carry out the work and add the costs and administrative fees to the property taxes AND commence a prosecution against you in the Ontario Court of Justice for failing to comply with the Yard Maintenance and Anti-Littering By-Law. *Please be advised that this notice is deemed to have been served on the fifth day after mailing.*

(1) BY-LAW ENFORCEMENT OFFICER'S COMMENTS (description of existing site conditions)

SCATTERED REFUSE/DEBRIS AROUND GARRAGE BUILDING ON EAST SIDE OF BUILDING AND ALONG FENCE ON OPPOSITE SIDE OF ALLEY

(2) MAINTAIN PROPERTY TO CONFORM TO STANDARDS

Pursuant to site conditions indicated in (1), which are not in compliance, re: standards for the maintenance of lands in a clean and clear condition.

YOU ARE HEREBY REQUIRED TO COMPLY WITH THE FOLLOWING PARTS OF BY-LAW 3-2006:

(3) Part 3

- (a) To keep the yard free of refuse ☒
- (b) To trim or cut grass and/or ground cover to a height of 31 centimetres (12 inches) or less and ensure weeds are removed or destroyed..... ☐
- (c) Ensure that the hedges, plantings, trees and other landscaping on a property shall be maintained in a healthy condition, acceptable to the Officer..... ☐
- (d) To remove standing water..... ☐

Part 6

To ensure that the untraveled portion of highway abutting your property be kept free of refuse and that grass and ground cover is trimmed or cut to a height of 31 centimetres (12 inches) or less and ensure weeds are removed... ☐

Part 7

To maintain that portion of the alley or land which abuts upon such land, up to the middle of the alley or

Part 5 Every owner shall remove or secure the door on large appliances.

Part 6 Every owner shall ensure that the untravelled portion of highway abutting their property be kept free of refuse and that grass and ground cover be trimmed or cut to a height of 31 centimetres (12 inches) or less and shall ensure that weeds are removed or destroyed.

Part 7 No person shall throw, place or deposit refuse or debris on private property without the written authority of the owner or occupant of the property.

7.3 Every owner or occupant of land in the City of Windsor shall keep and maintain that portion of the alley or land which abuts upon such land, up to the middle of the alley or lane, free and clear of weeds, ashes, paper, building material, rubbish and other refuse.

Part 8

8.1 No person shall keep inoperative motor vehicles or parts thereof upon a yard. Vehicles lacking current valid licence plates shall be parked or stored only within a private garage or other building.

8.2 All properties including vacant lots and every yard shall be kept clean and free from unusable, wrecked, dismantled, discarded or partially dismantled or abandoned appliances, machinery, boats, vehicles, trailers or parts thereof, except as provided in subsection (8.4) of this Section.

8.3 No person shall use any land in the City for storing inoperative motor vehicles for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or other disposal including for the purposes of repairing other vehicles.

Part 10

10.1 Notice to Comply:

The Director or an Officer may, by notice delivered by personal service to the owner or property, or by a notice sent by prepaid mail to the owner of property, or by a notice posted on the property, or by a notice published once in a local newspaper of general circulation, or by any combination of the above as the Director or Officer deems necessary, require the owner or occupant, as the case may be, within the time specified.

- (a) to clean, clear or remove from the property or yard any refuse;
- (b) to cease using the property for the dumping or disposing of refuse;
- (c) to cover, screen, shield or enclose any refuse, in the manner specified in the Notice;
- (d) to remove any standing water from the property;
- (e) to remove any inoperative motor vehicles from the property;
- (f) to remove, trim or cut grass or ground cover to a height of 31 centimetres (12 inches) or less;
- (g) to remove weeds;
- (h) to take any action the Director or Officer deems necessary to bring the property into compliance with this By-Law;
- (i) to remove weeds, ashes, paper, building material, rubbish or other refuse from an alley or lane;
- (j) to maintain hedges, plantings, trees and other landscaping on property;
- (k) to remove all dead, diseased or decaying hedges, plantings, trees or other landscaping which may be a hazard.

NOTE:

- (1) A photocopy of this document may be offered as evidence against you should you fail to comply with this Notice and a prosecution commenced against you in the Ontario Court of Justice. A copy of this document may be obtained or examined at the By-Law Enforcement Division, Unit, 350 City Hall Square E, Suite 106, Monday to Friday (holidays excepted) between 8:30am and 4:30pm.
- (2) If such property maintenance or clearance is not done within the time specified in this Notice, the Corporation may carry out the work, at the expense of the owner.
- (3) This Notice is pursuant to the Municipal Act, 2001, S.O. 2001, c.25 as amended, s.127.
- (4) An administrative fee will also be added to the property taxes from the Finance Department for all property cleanups.

REPEAT OFFENDER INVOICE

City of Windsor By-Law Enforcement 350 City Hall Square West, Suite 106 Windsor, ON N9A 6S1 Phone 519-255-6100	BILL # 467430 BILLING DATE: Wednesday, April 02, 2025 FOLDER DY 25 016779 PAYMENT DUE DATE: Thursday, May 08, 2025
To: BUU QUOC TRAN 	Please Remit Payment To: CITY OF WINDSOR – LICENSING DEPARTMENT 350 City Hall Sq W, 1st Floor Windsor, ON N9A-6S1
COMMENTS OR SPECIAL INSTRUCTIONS: RE: By-Law Repeat Offender Fee(s) – Dirty Yard – 1165 WYANDOTTE ST W Invoice is pursuant to a work order issued on: Wednesday, April 02, 2025 FEES NOT PAID BY PAYMENT DUE DATE WILL BE ADDED TO THE PROPERTY OWNER'S TAX BILL ALONG WITH AN ADMINISTRATIVE FEE.	

DESCRIPTION	FEES
BYLAW #3-2006, Dirty Yard 1 - Repeat Offender	215.00
TOTAL DUE:	215.00

PAYMENT OPTIONS:

- Pay Online:** **NEW** (thru MyWindsor) – see instructions on next page
- In-Person:** At the Licensing Department in 350 City Hall Square West, Suite 110, Windsor, ON. Hours of operation are 8:30am-4:30pm, Monday to Friday (except holidays).
Acceptable Payments: VISA, Mastercard, Debit, Cash, Cheque or Money Order.
Credit Card payments over the telephone will not be accepted.
- Mail:** Mail your invoice (or copy of invoice) along with payment to the remittance address on the top right corner of page 1 (CITY OF WINDSOR – LICENSING DEPARTMENT. 350 City Hall Sq W, Suite 110. Windsor, ON. N9A 6S1. Payments: Cheque or Money Order.

PLEASE RETURN A COPY OF THIS INVOICE WITH YOUR PAYMENT
SEE BACK FOR MORE DETAILS

REPEAT OFFENDER INVOICE

QUESTIONS AND INQUIRIES:

To find out more about the Repeat Offender Invoice, questions regarding clean up, or any other Bylaw Enforcement questions or concerns, you may call the office Monday through Friday between 8:30am – 4:30pm at 519-255-6100 ext. 6600. Alternatively, you may email your questions or concerns to bylaw.enforcement@citywindsor.ca

DISPUTES:

By-Law Enforcement charges added to Tax bills can only be reversed where the Corporation of Windsor has made an error in regards to your clean up or an administrative error. To dispute fees, you may e-mail bylaw.enforcement@citywindsor.ca with details of your name, bill, and location. Please allow up to 3 business days to be contacted.

NOTES:

If this bill is not paid by the payment due date listed in the top right hand corner of page 1, the fee of \$215, plus an additional \$60 administration fee will be added to your Property Tax bill, for a total of \$275. Additionally, there may be charges for clean up(s) performed on your property.

WHAT IS A REPEAT OFFENCE INVOICE?

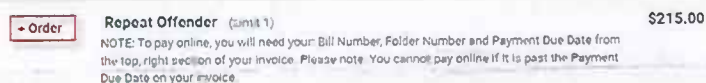
In May 2019, City Council passed an initiative to increase administrative fees, along with creating a new fee called the repeat offence fee under the 'full-cost recovery program'. A repeat offence invoice is automatically generated when more than one work order has already been written for the property location. When an additional work order(s) are written, a repeat offence invoice is attached. **Complying with the work order does not exempt the repeat offender fee invoice.**

HOW TO PAY YOUR REPEAT OFFENDER INVOICE ONLINE (please follow steps below):

- 1) Access the MyWindsor online service at <https://www.citywindsor.ca/EServices/Pages/Online-Payment-Options.aspx>
- 2) The MyWindsor service will prompt you to 'log in' or 'create a new account'.
- 3) Once logged in, click '+Create New Application' 
- 4) In the Bylaw Enforcement area, select '+Create New' 
- 5) Review 'Requestors Information Page' and proceed through the steps by clicking "Next Step"
- 6) On the "Your Cart" page click +Add a property.
- 7) On the 'Requested Property' window click "Find Property"



- 8) Enter the property address related to your Repeat Offender invoice and press 'Add to Cart'
- 9) Select + Add to Order and click '+Order' in the 'Repeat Offender' section



Repeat Offender (until 1)

NOTE: To pay online, you will need your Bill Number, Folder Number and Payment Due Date from the top, right section of your invoice. Please note: You cannot pay online if it is past the Payment Due Date on your invoice.

\$215.00

- 10) Enter the 'Bill Number', 'Folder' and 'Payment Due Date' from your Repeat Offender invoice (found at the top right-hand corner of page 1) in the 'Invoice Entries' fields online and click Save



Invoice Entries

Bill Number *
Enter the Bill Number from your Repeat Offender Invoice
455214

Folder Number *
Enter the Folder Number from your Repeat Offender Invoice
DY 24 037091

Payment Due Date *
Select the Payment Due Date from your Repeat Offender Invoice
09/29/2024 3:00 PM

- 11) Verify the values you entered and press 'Done'
- 12) Press 'Pay' and continue to follow the instructions provided to complete your payment.

NOTE: You cannot pay online if it is past the PAYMENT DUE DATE on your invoice. Invoices not paid before the payment due date WILL BE ADDED TO THE PROPERTY OWNER'S TAX BILL ALONG WITH AN ADMINISTRATIVE FEE.

Once payment is submitted, a receipt will be sent to the email provided during registration.

From: Clara Deck <>

Sent: April 22, 2025 2:24 PM

To: clerks <clerks@citywindsor.ca>

Subject: Council Meeting - Item 8.19 – Sandwich CIP, 420 Rosedale Avenue; Owner: Wei Li; Ward 2

Clara Deck, taxpaying citizen, homeowner

Asking for a fence on the south side of backyard of new structure because of parking.

I am a lifelong resident of Sandwich and a homeowner for 30+ years on Rosedale. Backyard parking is unusual in this neighbourhood. I see that paved backyard parking is called for in the design plans submitted for the site at 420 Rosedale.

I feel that a lot here will negatively impact my quality of life as I am an avid gardener and spend much time outside at my residence located two houses from the planned development. Already we are impacted by the frequent comings-and goings of our young neighbours on this street with driveways very close by houses. Idling cars, fumes and noise pollution!

I am in favour of increased density and housing options in my neighbourhood. The design looks pretty OK, and not too jarring a design, with a good setback. I think it's also fair to request a minor accommodation by the developer so that the negative impact of parking can be mitigated by a simple, solid fence.

Due to the late timing of my discovery of the proposal, I have not had time to locate the developer and ask kindly myself for this small accommodation of a solid, tall fence in the backyard.

Thanks for your assistance,

Clara Deck

Appendix 3

TRAFFIC MEMO

TO: Planning Department, City of Windsor
 Development Engineering Department, City of Windsor
 Transportation Planning Department, City of Windsor

FROM: Shurjeel Tunio, P. Eng., Lead Engineer, Baird AE

Project: 6th Concession Road Development – Baird AE Prj. No. 21-150

DATE: March 05, 2025

SUBJECT: Proposed 6th Concession Road Access Road Consideration
 4170 AND 4190 6th Concession Road (City File Nos. SDN-001/24 [SDN/7194]
 AND Z-012/24 [ZNG/7195])

The purpose of this memo is to satisfy City of Windsor, based on Council Resolution 378/2024, on September 9, 2024, wherein further investigation into the possibility for adding site access and site generated traffic to 6th Concession Road, as further detailed in the City Letter, dated October 17, 2024, for the subject lands illustrated in Figure 1 below.

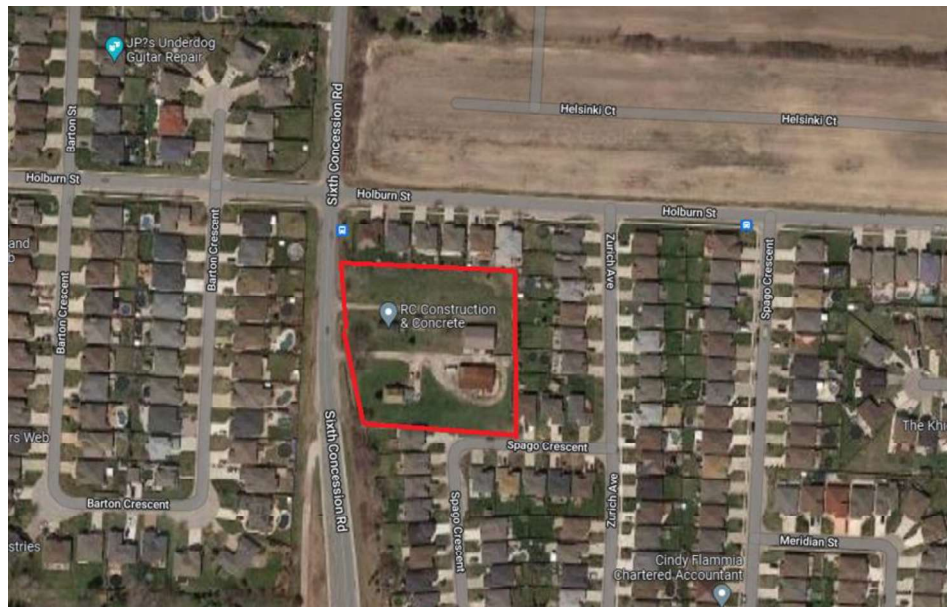


Figure 1 - Location Plan

As a result of consideration of 6th Concession Road access, a conceptual plan has been prepared, as illustrated within the existing neighbourhood in Figure 2 below. The proposed development would be comprised of twenty-five townhouses, a roadway, and a stormwater facility/landscape area. The new Street of the proposed development would be a cul-de-sac, so that there is no road right-of-way connection to Spago Crescent to the south. A 4-plex townhouse would have site access from the existing street to the south, Spago Crescent, which connects into Zurich Avenue to the east. The proposed development will generate a total of 248 daily, 20 morning and 26 evening peak traffic.

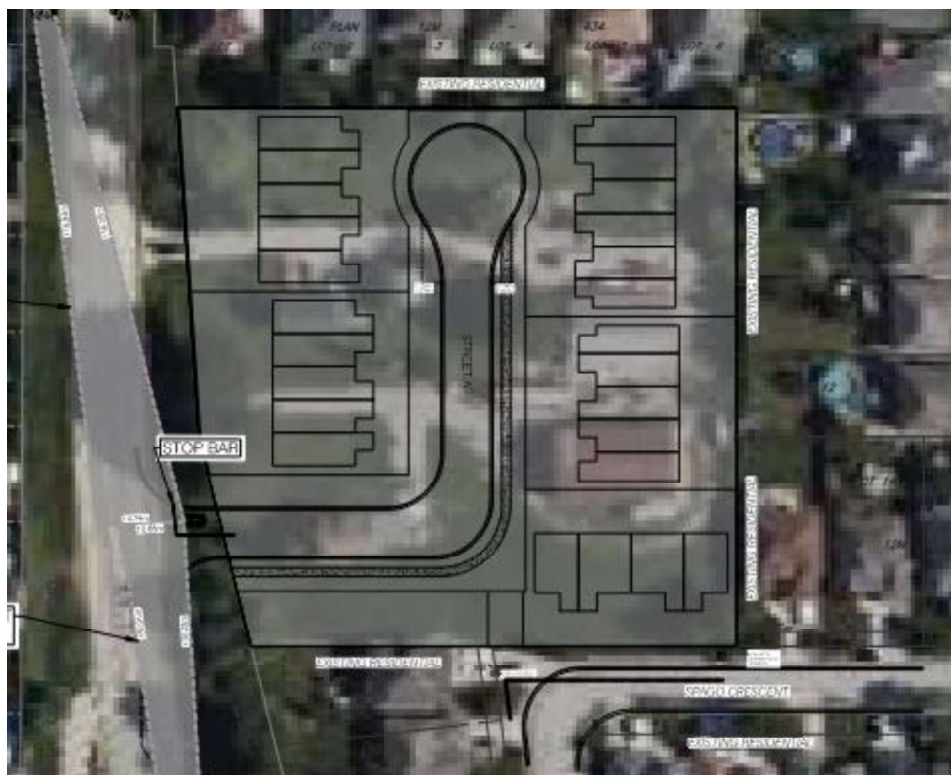


Figure 2 – Development Fabric

TRAFFIC DATA COLLECTION

New turning movement counts were obtained by sub-consultant Pyramid Inc. on Tuesday, November 26, 2024 for the unsignalized intersection of 6th Concession Road and Holburn Street. Turning movement counts are provided in the Appendix A.

DEVELOPMENT ACCESS

Access to the development is provided from 6th Concession Road and Spago Crescent. The developments' concept plan is provided in Appendix A; and the new street intersection would have the following configuration:

6th Concession Road and Access Road 1

- Westbound approach has left-right shared lane.
- Southbound approach has one through-left shared lane.
- Northbound approach has one through-right shared lane.

TRAFFIC GENERATION AND DISTRIBUTION

Trip generation for the proposed development was estimated from the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition). ITE Land Use Code 210 -single-family houses is the most appropriate code for this use, as it is the worst-case scenario, with more people per unit than a townhouse. As a result, it is estimated that the proposed development will generate 20 trips during the AM peak hour (5 entering and 15 exiting), and 26 trips during the PM peak hour (16 entering and 10 exiting). The details of the trip generation analysis are contained in Appendix B.

Description of Land use, ITE codes, unit sizes, trip generation rate and trip generation for daily and peak hours are provided in Table 1. Appendix B provides detailed calculations and all relevant charts.

Table 1: Trip Generation

Use	ITE	UNITS	AADT	Trip Generated			
				AM Hour		PM Hour	
				In	Out	In	Out
Proposed Development							
Single Family Detached House	210	25	248	5	15	16	10
Total Trips			248	5	15	16	10

The proposed development traffic trip is based on shortest route to reach City Central Business District). The proposed traffic distribution is shown below and in figures 1.2, 2.2 and 3.2 (see Appendix B).

GROWTH RATE AND INTERSECTION OPERATIONS

The analysis was carried out assuming full build-out in year 2025 and projected horizon years of 2030 (5 year horizon) and 2035 (10 year horizon). It is assumed that background traffic was increased by 3% per year for the 2025, 2030 and 2035 horizon forecasts, which provides for conservative increases to background traffic when compounded annually. Site generated traffic was distributed to and from the proposed site access in accordance with origin-destination matrices derived from the turning movement counts.

The forecasted 2025, 2030 and 2035 traffic volumes for the study intersections are evaluated using the Synchro/Sim Traffic software, which automates the procedures contained in the Highway Capacity Manual 2010.

The future peak hours analysis results are included in Table 2, 3 and 4, and corresponding worksheets in Appendix C.

Table 2: 2025 Traffic Condition – Level of Service

Intersection	A.M. Peak Hour			P.M. Peak Hour		
	LOS	v/c	Delay (sec)	LOS	v/c	Delay (sec)
Holburn Street and 6th Concession Rd (Unsignalized)						
EB LTR	A	0.15	9.7	B	0.16	11.1
WB LTR	B	0.49	14.0	B	0.47	14.9
NB LTR	B	0.56	14.5	C	0.75	22.7
SB LTR	B	0.22	10.4	B	0.51	14.9
Overall LOS	A			B		
6th Concession Rd and Access Road (Unsignalized)						
WB LR	B	0.05	13.5	B	0.03	13
NB TR	A	0.29	0.0	A	0.29	0.0
SB LT	A	0.00	0.1	A	0.01	0.4
Overall LOS	A			A		

Note: NB – Northbound SB – Southbound EB – Eastbound WB – Westbound; LTR – Left/Through/Right turn

Table 3: 2030 Traffic Condition – Level of Service

Intersection	A.M. Peak Hour			P.M. Peak Hour		
	LOS	v/c	Delay (sec)	LOS	v/c	Delay (sec)
Holburn Street and 6th Concession Rd (Unsignalized)						
EB LTR	B	0.19	10.6	B	0.20	12.5
WB LTR	C	0.59	17.5	C	0.58	19.3
NB LTR	C	0.68	19.3	E	0.93	44.7
SB LTR	B	0.27	11.5	C	0.63	20.1
Overall LOS	B			B		
6th Concession Rd and Access Road (Unsignalized)						
WB LR	B	0.05	13.2	C	0.05	18.5
NB TR	A	0.26	0.0	A	0.33	0.0
SB LT	A	0.00	0.1	A	0.01	0.4
Overall LOS	A			A		

Table 4: 2035 Traffic Condition – Level of Service

Intersection	A.M. Peak Hour			P.M. Peak Hour		
	LOS	v/c	Delay (sec)	LOS	v/c	Delay (sec)
Holburn Street and 6th Concession Rd (Unsignalized)						
EB LTR	B	0.23	11.8	B	0.24	13.5
WB LTR	C	0.71	23.6	C	0.68	24.1
NB LTR	D	0.81	29.3	F	1.11	95.9
SB LTR	B	0.33	13.0	D	0.74	26.
Overall LOS	B			C		
6th Concession Rd and Access Road (Unsignalized)						
WB LR	B	0.06	14.2	C	0.04	15.6
NB TR	A	0.29	0.0	A	0.37	0.0
SB LT	A	0.0	0.1	A	0.01	0.0
Overall LOS	A			A		

Under 2025, 2030 and 2035 future conditions, the intersections are projected to operate at an acceptable LOS during peak hours, save and except for northbound turning traffic operates at LOS E during 2030 and at LOS F during 2035 P.M. Peak Hour conditions. Hence,

mitigation measures are required. Warrant analysis was completed and details are provided in the section below.

WARRANT ANALYSIS

Right Turn Lane

The right turn warrant analysis was carried out for the intersection of 6th Concession Road and Holburn Street. Based on MTO guidelines (Geometric Design Standards for Ontario Highways), if right-turning vehicles are more than 60 vehicles per hour or right turning vehicles create a traffic hazard or reduce capacity at the intersection, right-turn lane warrants are needed.

Based on forecasted total traffic counts, an exclusive northbound right turn lane is needed for the 2030 condition, based on the LOS F above.

Signal Warrant

Traffic signal warrant analysis was undertaken for the intersections of 6th Concession Road with Holburn Street. The analysis was based on the Transportation Association of Canada (TAC) traffic signal procedure which requires 100 warrant points to trigger a signal at the intersection.

Based on 2025 total traffic volumes, signals are warranted. Detailed calculations are provided in Appendix C.

FUTURE INTERSECTION IMPROVEMENTS

A Class Environmental Assessment (EA) study was initiated by City of Windsor prepared by Dillion Consulting dated April 2016. The EA's study area limits include Sixth Concession Road from Division Road to North Talbot Road. Based on the EA, a full-size single lane roundabout is proposed during 2035 condition at the Sixth Concession Road and Holburn Road.

Future Intersection Analysis

Based on the roundabout analysis, the intersection operates at acceptable level of service during the 10-year horizon, being the 2035 future ultimate condition (future background

traffic, plus development traffic). The output results are provided in Table 5 below; and details are in Appendix C.

Table 5: 2035 Traffic Condition – Level of Service

Intersection	A.M. Peak Hour			P.M. Peak Hour		
	LOS	v/c	Delay (sec)	LOS	v/c	Delay (sec)
Holburn Street and 6th Concession Rd (Roundabout)						
EB	A	0.179	7.5	A	0.177	8.1
WB	B	0.501	11.5	B	0.435	10.5
NB	A	0.484	9.1	B	0.650	13.6
SB	A	0.235	7.4	B	0.498	11.6
Overall LOS	A			B		

SIGHT LINE ANALYSIS

A sight line analysis was completed for the proposed site access. The analysis was completed in accordance with the TAC Geometric Design Guide for Canadian Roads (2017). The speed limit on 6th Concession Road is assumed to be 50 km/h (based on signed and posted maximum speed limit), so the analysis was completed for a 60 km/h design speed (10 km/h above the signed and posted speed). As detailed in Appendix A, the intersection sight distance from the new street of the subdivision, is determined to be 125m (TAC Ch. 9 table 9.9.4) for the “worst-case” left turn egress maneuver (to head southbound on 6th Concession Road). Intersection sight distance for a right egress maneuver (to head northbound on 6th Concession Road) is determined to be 108m.

Based on the sight lines illustrated on Figure 2, the roadway vertical profile for egressing motorists is deemed “safe” for continued public use of the proposed access, due to the existing overpass for the Dougall Parkway, south of the Site. The required sight lines required as per TAC manual is 85m for egress maneuvering from the new street of the subdivision.

To achieve the TAC sight line distances, it causes Street A to no longer bisect the property, as the sight line distance would fail for egressing for right-turn sight triangle as the distance is less than 108m. As a result, Street A would have to be on the southern portion of the Site; and TAC criteria is achieved, as shown in Figure 2 (Appendix A).

Safety Concern and Speed Sight Line Issues

Egress and Ingress Traffic

The current design of the 6th Concession Road does not provide adequate access for vehicles entering and exiting the future access road (i.e. Street A). The current design poses significant safety risks to both motorists and pedestrians, particularly during peak traffic hours. The narrow travel lanes make it further challenging for drivers to safely merge onto or off from 6th Concession Road and Street A, whereas vehicles utilizing the intersection of 6th Concession and Holburn Street, have an all-way stop in the current design.

Sight Lines

The sight lines for motorists on the Street A are obstructed by speedy vehicles on 6th Concession Road. Based on the historical speed data, the 85 percentile of vehicles travels at about 63km/h north of the Dougall Parkway to the Site. Hence, the sight line analysis was completed for 70km/h (20 km/h above the signed and posted speed). Based on TAC sight line distances, it causes Street A to fail for egressing for left-turn sight triangle as the distance is less than required 130m; and the left-turn sight triangle would still pass at 150 metres, (TAC Ch. 9 table 9.9.6). The newly proposed roundabout at 6th Concession and Holburn Street, will reduce the visibility of oncoming southbound 6th Concession traffic, increasing the likelihood of accidents. It is crucial to ensure that sight lines achieve the required TAC criteria to enhance driver and pedestrian safety.

The left turn from Street A onto the 6th Concession Road is particularly hazardous due to the slope on the 6th Concession Road over the Dougall Parkway, with speedy motorists. This incline makes it difficult for drivers to safely navigate the turn or stop, especially during adverse weather conditions that further limit sight lines. The risk of vehicles losing control or skidding is heightened, posing a danger to both drivers and pedestrians. This is also posed with northbound 6th Concession Road traffic, making a right turn into Street A, introducing a point of conflict prior to the 6th Concession and Holburn intersection.

Lack of Transportation Facilities:

The absence of essential transportation facilities such as sidewalks and bike lanes is a major concern. Pedestrians and cyclists are forced to share the road with vehicles, which is highly

unsafe. Providing dedicated sidewalks and bike lanes would greatly enhance the safety and accessibility of the area. The 6th Concession Class EA study (dated April 2016) completed by Dillon proposes sidewalks and bike lanes, as shown below.



Figure 3 – 6th Concession Road Class EA at Holburn Street

The access point (i.e., Street A) from 6th Concession Road further complicates the situation. Drivers face multiple conflicting points, including vehicles, pedestrians, and bikes, making it difficult to navigate safely. This intersection requires careful consideration to minimize conflicts and enhance safety.

City Planning Policy

The City of Windsor’s Official Plan of November 2012, Volume II, Chapter 3 – North Roseland Planning Area, references the F.R. Berry & Associates North Roseland Phase 2 Traffic Impact Study dated June 1997 (Berry TIS, 1997) Section 3.7.7.9 of the North Roseland Planning Area – Phase 2 requires that no additional local roads shall be permitted to exist onto Sixth Concession Road from the east side., recognizing that the road’s function which provides for traffic movement and limited land access..

Based on the Berry TIS, 1997, the intent was that there is lots of access points to Sixth Concession Road on the east side; and order for it to function well as a higher-order collector road, limited-access needed to be considered.

Based on the above points, the current design of Street A is not favorable for both drivers and pedestrians. Therefore, we recommend that Street A access to/from 6th Concession Road should not proceed, as it lacks the necessary safety measures for all road users.

SUMMARY AND CONCLUSIONS

A 25-unit low-rise residential development has been proposed for lands situated at 6th Concession Road, in City of Windsor, Ontario. The proposed development is located near the southeast corner of the intersection of 6th Concession Road at Holburn Street; this intersection is currently stop- sign-controlled on all the approaches. The intersection of Holburn Street at Zurich Avenue is currently stop-controlled on Zurich Avenue. The developer is proposing an on-site road access at 6th Concession Road and a 4-plex of the proposed development would access the existing Spago Crescent.

Applying the best available trip generation and distribution data and methodologies, an analysis was completed to measure the potential impact of the development on area traffic operations. After modelling the traffic network and extracting the relevant traffic operations metrics, it was concluded that:

- The intersection of 6th Concession Road at the Site Access will operate favourably post-development; a shared left-right westbound egress lane will sufficiently accommodate the proposed development. No left turn is required from the southbound approach on 6th Concession Road;
- The intersection of 6th Concession Road at Holburn Street will be nominally affected by the distribution of site generated traffic; it will continue to operate at a favourable level of service except northbound turning lane by the 5-year horizon, 2030. Intersection improvements are required;
- The intersection of Holburn Street at Zurich Avenue will be nominally affected by the distribution of the site generated traffic; it will continue to operate at favourable level of service;
- Traffic volumes at intersection of 6th Concession Road and Holburn Street within the study area requires warrants for right-turn lane; signalization is warranted in 2030;
- EA study completed by Dillion Consulting in 2016 recommends a single-lane roundabout in 2035 future background condition. The analysis results show intersection operate at acceptable level of service;

- A northbound vehicle stopped at the proposed 6th Concession Road site access (Street A) should have adequate and unobstructed sight lines to safely egress from the proposed development. The concept plan and sight line analysis, contained in Appendix A, is in compliance with the TAC guidelines.
- Based on the historical speed data, the 85 percentile of vehicles travels at about 63km/h north of Dougall Parkway. Hence, the sight line analysis was completed for 70km/h. As per TAC sight line distances, it causes Street A to fail for egressing for right-turn sight triangle as the distance is less than required 130m.

Based on above findings, this development will not have an adverse impact on area *traffic operations*. The 6th Concession has the capacity to accept the additional generated traffic from new developments; levels of service at the peripheral intersections are expected to be largely unaffected by the proposed development. No matter the concept of development of the site, the future vehicular traffic conditions of 6th Concession Road background traffic will continue to grow reaching a critical point in level of service, in which the City of Windsor has capital improvement opportunities for traffic mitigation measures, such as the planned roundabout called for in the 2016 EA process. However, the additional access point (such as Street A) from 6th Concession Road further complicates the situation by introducing multiple conflicting points for drivers, including interactions with vehicles, pedestrians, and cyclists. This complexity makes it challenging to navigate safely. The intersection at Street A or any new intersections requires careful consideration to minimize these conflicts and enhance overall safety. Based on our engineering opinion, Street A is not favorable for both drivers and pedestrians. Therefore, we strongly recommend that access from 6th Concession Road should not proceed, as it lacks the necessary safety measures for all road users. Instead, we propose that the development access should be exclusively from Spago Crescent to ensure a safer and more efficient traffic flow, as outlined in the TIS, dated February 20, 2024.

All of which is respectfully submitted,

BAIRD AE INC.
27 PRINCESS STREET,
UNIT 102 LEAMINGTON, ONTARIO N8H 2X8

Kind Regards,



Shurjeel Tunio, P.Eng.
Lead Engineer

Appendix A

CONCEPTUAL SITE PLAN AND OTHER RELATED INFORMATION



BAIRDIAE
architecture + engineering

1800-363-2222
1800-363-2222

6TH CONCESSION DEVELOPMENT
4170 & 1180 6TH CONCESSION RD. CITY OF WINNIPEG, COUNTY OF ESSEX, ONTARIO

CONCEPTUAL SITE LAYOUT

REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMIT
2	ISSUED FOR PERMIT
3	ISSUED FOR PERMIT
4	ISSUED FOR PERMIT
5	ISSUED FOR PERMIT
6	ISSUED FOR PERMIT
7	ISSUED FOR PERMIT
8	ISSUED FOR PERMIT
9	ISSUED FOR PERMIT
10	ISSUED FOR PERMIT
11	ISSUED FOR PERMIT
12	ISSUED FOR PERMIT
13	ISSUED FOR PERMIT
14	ISSUED FOR PERMIT
15	ISSUED FOR PERMIT
16	ISSUED FOR PERMIT
17	ISSUED FOR PERMIT
18	ISSUED FOR PERMIT
19	ISSUED FOR PERMIT
20	ISSUED FOR PERMIT
21	ISSUED FOR PERMIT
22	ISSUED FOR PERMIT
23	ISSUED FOR PERMIT
24	ISSUED FOR PERMIT
25	ISSUED FOR PERMIT
26	ISSUED FOR PERMIT
27	ISSUED FOR PERMIT
28	ISSUED FOR PERMIT
29	ISSUED FOR PERMIT
30	ISSUED FOR PERMIT
31	ISSUED FOR PERMIT
32	ISSUED FOR PERMIT
33	ISSUED FOR PERMIT
34	ISSUED FOR PERMIT
35	ISSUED FOR PERMIT
36	ISSUED FOR PERMIT
37	ISSUED FOR PERMIT
38	ISSUED FOR PERMIT
39	ISSUED FOR PERMIT
40	ISSUED FOR PERMIT
41	ISSUED FOR PERMIT
42	ISSUED FOR PERMIT
43	ISSUED FOR PERMIT
44	ISSUED FOR PERMIT
45	ISSUED FOR PERMIT
46	ISSUED FOR PERMIT
47	ISSUED FOR PERMIT
48	ISSUED FOR PERMIT
49	ISSUED FOR PERMIT
50	ISSUED FOR PERMIT
51	ISSUED FOR PERMIT
52	ISSUED FOR PERMIT
53	ISSUED FOR PERMIT
54	ISSUED FOR PERMIT
55	ISSUED FOR PERMIT
56	ISSUED FOR PERMIT
57	ISSUED FOR PERMIT
58	ISSUED FOR PERMIT
59	ISSUED FOR PERMIT
60	ISSUED FOR PERMIT
61	ISSUED FOR PERMIT
62	ISSUED FOR PERMIT
63	ISSUED FOR PERMIT
64	ISSUED FOR PERMIT
65	ISSUED FOR PERMIT
66	ISSUED FOR PERMIT
67	ISSUED FOR PERMIT
68	ISSUED FOR PERMIT
69	ISSUED FOR PERMIT
70	ISSUED FOR PERMIT
71	ISSUED FOR PERMIT
72	ISSUED FOR PERMIT
73	ISSUED FOR PERMIT
74	ISSUED FOR PERMIT
75	ISSUED FOR PERMIT
76	ISSUED FOR PERMIT
77	ISSUED FOR PERMIT
78	ISSUED FOR PERMIT
79	ISSUED FOR PERMIT
80	ISSUED FOR PERMIT
81	ISSUED FOR PERMIT
82	ISSUED FOR PERMIT
83	ISSUED FOR PERMIT
84	ISSUED FOR PERMIT
85	ISSUED FOR PERMIT
86	ISSUED FOR PERMIT
87	ISSUED FOR PERMIT
88	ISSUED FOR PERMIT
89	ISSUED FOR PERMIT
90	ISSUED FOR PERMIT
91	ISSUED FOR PERMIT
92	ISSUED FOR PERMIT
93	ISSUED FOR PERMIT
94	ISSUED FOR PERMIT
95	ISSUED FOR PERMIT
96	ISSUED FOR PERMIT
97	ISSUED FOR PERMIT
98	ISSUED FOR PERMIT
99	ISSUED FOR PERMIT
100	ISSUED FOR PERMIT

DATE: JULY 27, 2023

SCALE: 1" = 100'

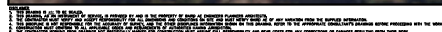
DRAWN BY: J. B. B.

CHECKED BY: J. B. B.

APPROVED BY: J. B. B.

PROJECT NO: 21-158

SHEET NUMBER: 21-158



Appendix B

TRAFFIC DATA INFORMATION, FUTURE AND TOTAL TRAFFIC VOLUMES, AND ITE GENERATION MANUAL

Sixth Concession Rd @ Holburn St

Morning Peak Diagram

Specified Period

From: 7:00:00

To: 9:00:00

One Hour Peak

From: 8:00:00

To: 9:00:00

Municipality: Windsor

Site #: 0000000001

Intersection: Sixth Concession Rd & Holburn St

TFR File #: 1

Count date: 26-Nov-2024

Weather conditions:

Clear/Dry

Person(s) who counted:

Pyramid Traffic Inc

** Non-Signalized Intersection **

Major Road: Sixth Concession Rd runs N/S

North Leg Total: 333

North Entering: 114

North Peds: 1

Peds Cross: \times

Heavys	2	2	0	4
Trucks	0	1	0	1
Cars	5	96	8	109
Totals	7	99	8	

Heavys	7
Trucks	1
Cars	211
Totals	219

East Leg Total: 422

East Entering: 263

East Peds: 1

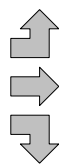
Peds Cross: \times

Heavys	Trucks	Cars	Totals
3	1	30	34

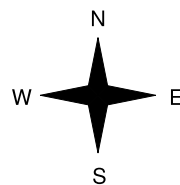


Holburn St

Heavys	Trucks	Cars	Totals
3	0	22	25
0	0	11	11
1	0	42	43
4	0	75	



Sixth Concession Rd



Cars	Trucks	Heavys	Totals
23	0	1	24
12	1	1	14
220	0	5	225
255	1	7	



Holburn St

Cars	Trucks	Heavys	Totals
152	0	7	159

Cars

Trucks

Heavys

Totals

Peds Cross: \times

West Peds: 0

West Entering: 79

West Leg Total: 113

Cars	358	Cars	13	166	133	312
Trucks	1	Trucks	0	1	0	1
Heavys	8	Heavys	0	3	7	10
Totals	367	Totals	13	170	140	



Peds Cross: \times

South Peds: 3

South Entering: 323

South Leg Total: 690

Comments

Sixth Concession Rd @ Holburn St

Mid-day Peak Diagram

Specified Period

From: 11:00:00

To: 14:00:00

One Hour Peak

From: 11:45:00

To: 12:45:00

Municipality: Windsor

Site #: 0000000001

Intersection: Sixth Concession Rd & Holburn St

TFR File #: 1

Count date: 26-Nov-2024

Weather conditions:

Clear/Dry

Person(s) who counted:

Pyramid Traffic Inc

** Non-Signalized Intersection **

Major Road: Sixth Concession Rd runs N/S

North Leg Total: 315

North Entering: 174

North Peds: 0

Peds Cross: \nlessgtr

Heavys	0	0	0	0
Trucks	0	0	0	0
Cars	17	135	22	174
Totals	17	135	22	



Heavys	0
Trucks	0
Cars	141
Totals	141

East Leg Total: 258

East Entering: 135

East Peds: 0

Peds Cross: \nlessgtr

Heavys	0
Trucks	1
Cars	45
Totals	46

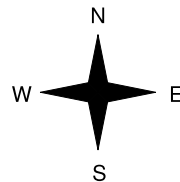


Holburn St

Heavys	0
Trucks	0
Cars	10
Totals	10
Heavys	0
Trucks	0
Cars	19
Totals	19
Heavys	0
Trucks	0
Cars	27
Totals	27
Heavys	0
Trucks	0
Cars	56
Totals	56



Sixth Concession Rd



Cars	13
Trucks	0
Heavys	0
Totals	13
Cars	9
Trucks	0
Heavys	0
Totals	9
Cars	112
Trucks	1
Heavys	0
Totals	113
Cars	134
Trucks	1
Heavys	0
Totals	

Holburn St



Cars	121
Trucks	0
Heavys	2
Totals	123

Peds Cross: \nlessgtr

West Peds: 0

West Entering: 56

West Leg Total: 102

Cars	274
Trucks	1
Heavys	0
Totals	275
Cars	19
Trucks	1
Heavys	0
Totals	20
Cars	118
Trucks	0
Heavys	2
Totals	118
Cars	80
Trucks	0
Heavys	0
Totals	82
Cars	217
Trucks	1
Heavys	2
Totals	



Peds Cross: \nlessgtr

South Peds: 0

South Entering: 220

South Leg Total: 495

Comments

Sixth Concession Rd @ Holburn St

Afternoon Peak Diagram

Specified Period

From: 15:00:00

To: 18:00:00

One Hour Peak

From: 15:00:00

To: 16:00:00

Municipality: Windsor

Site #: 0000000001

Intersection: Sixth Concession Rd & Holburn St

TFR File #: 1

Count date: 26-Nov-2024

Weather conditions:

Clear/Dry

Person(s) who counted:

Pyramid Traffic Inc

** Non-Signalized Intersection **

Major Road: Sixth Concession Rd runs N/S

North Leg Total: 473

North Entering: 247

North Peds: 2

Peds Cross: \times

Heavys	1	1	1	3
Trucks	1	2	0	3
Cars	22	176	43	241
Totals	24	179	44	



Heavys	6
Trucks	0
Cars	220
Totals	226

East Leg Total: 483

East Entering: 220

East Peds: 1

Peds Cross: \times

Heavys	Trucks	Cars	Totals
1	1	98	100

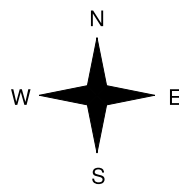


Holburn St

Heavys	Trucks	Cars	Totals
1	0	24	25
2	1	15	18
0	0	28	28
3	1	67	



Sixth Concession Rd



Cars	Trucks	Heavys	Totals
31	0	3	34
32	0	0	32
147	0	7	154
210	0	10	



Holburn St



Cars	Trucks	Heavys	Totals
253	2	8	263

Peds Cross: \times

West Peds: 3

West Entering: 71

West Leg Total: 171

Cars	351	Cars	44	165	195	404
Trucks	2	Trucks	0	0	1	1
Heavys	8	Heavys	0	2	5	7
Totals	361	Totals	44	167	201	



Peds Cross: \times

South Peds: 5

South Entering: 412

South Leg Total: 773

Comments

Sixth Concession Rd @ Holburn St

Total Count Diagram

Municipality: Windsor
Site #: 0000000001
Intersection: Sixth Concession Rd & Holburn St
TFR File #: 1
Count date: 26-Nov-2024

Weather conditions:
Clear/Dry
Person(s) who counted:
Pyramid Traffic Inc

**** Non-Signalized Intersection ****

Major Road: Sixth Concession Rd runs N/S

North Leg Total: 2908
North Entering: 1466
North Peds: 21
Peds Cross: \nlessgtr

	Heavys	Trucks	Cars	Totals
North	6	1	152	159
East	5	7	1107	1119
South	2	2	184	188
West	13	10	1443	1466



	Heavys	Trucks	Cars	Totals
North	16	5	1421	1442
East	0	3	1034	1037
South	6	3	127	136
West	24	15	164	203

East Leg Total: 2577
East Entering: 1343
East Peds: 7
Peds Cross: \nlessgtr

	Heavys	Trucks	Cars	Totals
North	11	6	474	491

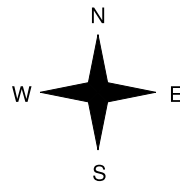


Holburn St

	Heavys	Trucks	Cars	Totals
North	5	0	158	163
East	2	2	113	117
South	2	1	235	238
West	9	3	506	518



Sixth Concession Rd



	Cars	Trucks	Heavys	Totals
North	158	0	6	164
East	121	3	3	127
South	1034	3	15	1052
West	1313	6	24	1343

Holburn St



	Cars	Trucks	Heavys	Totals
North	1196	8	30	1234

Peds Cross: \nlessgtr
West Peds: 4
West Entering: 518
West Leg Total: 1009

	Cars	Trucks	Heavys	Totals
North	2376	11	22	2409
East	201	2	2	205
South	1105	5	5	1115
West	899	4	26	929



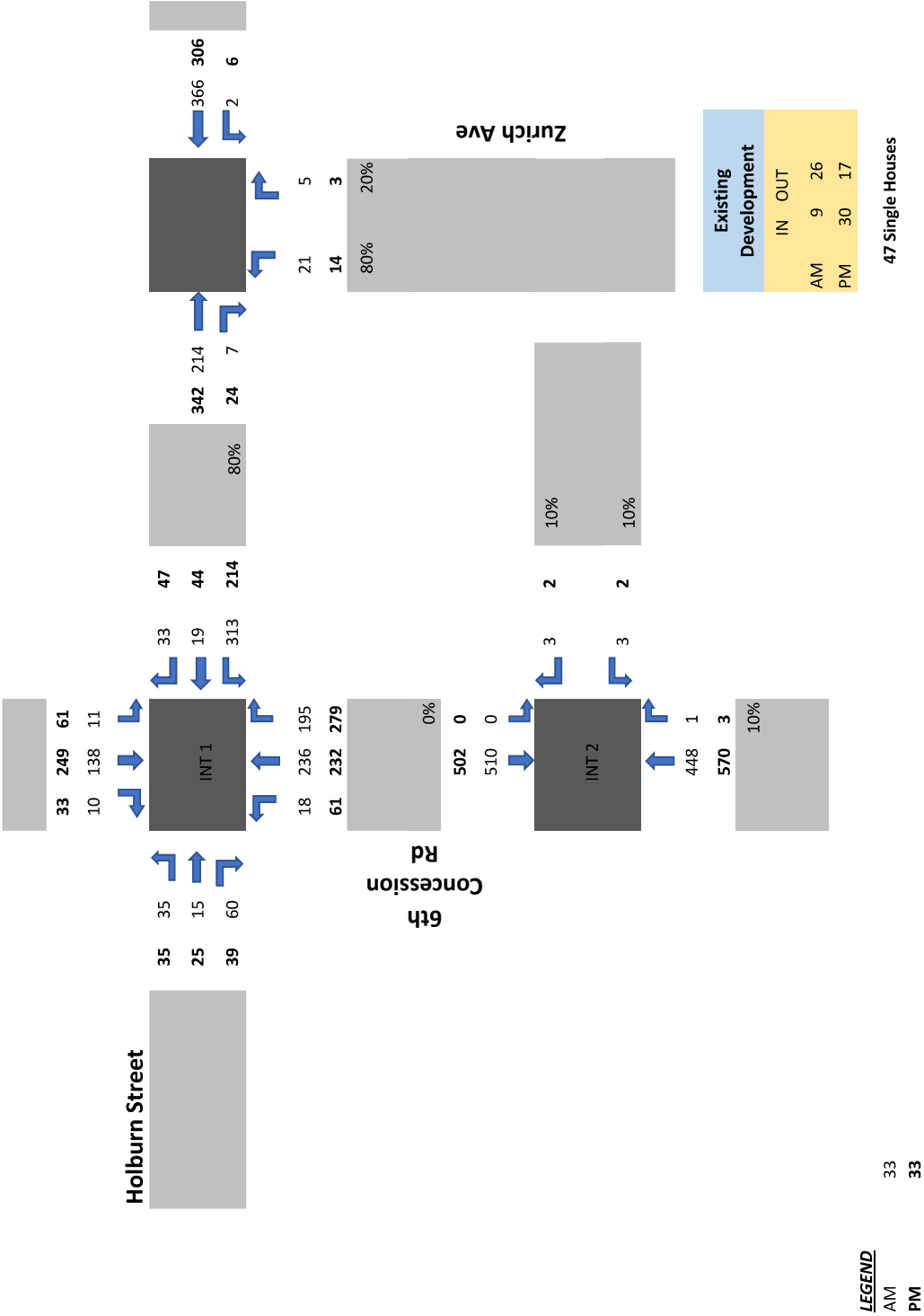
Peds Cross: \nlessgtr
South Peds: 24
South Entering: 2249
South Leg Total: 4658

Comments

Appendix B

TRAFFIC DATA INFORMATION, FUTURE AND TOTAL TRAFFIC VOLUMES, AND ITE GENERATION MANUAL

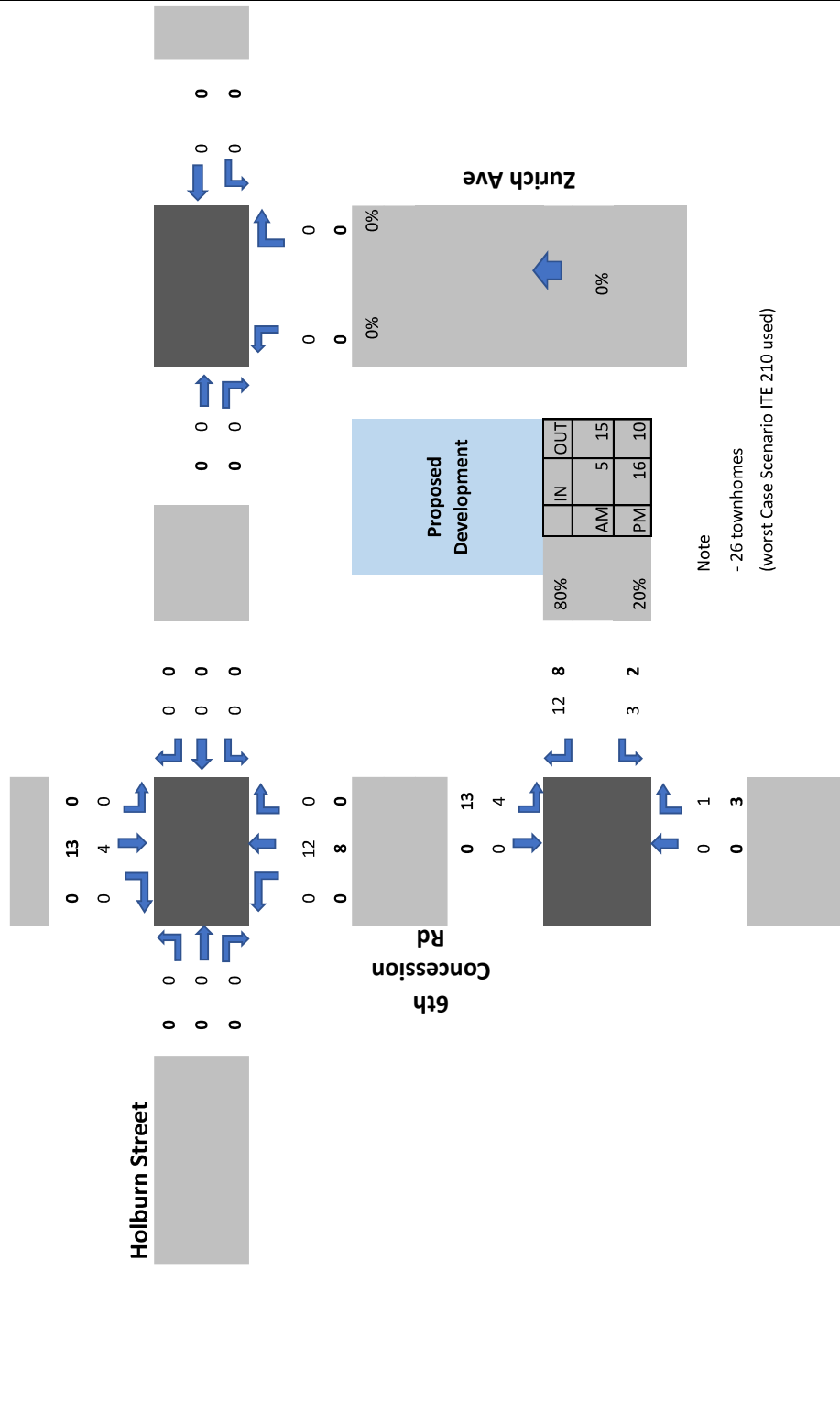
RESIDENTIAL DEVELOPMENT



PROJECT NAME	6TH Concession Development	DATE:	18-Dec-24
SHEET TITLE	2035 BACKGROUND TRAFFIC	PROJECT NO:	21-150
		FIGURE NO:	Figure 3.1



RESIDENTIAL DEVELOPMENT



LEGEND

AM

PM

PROJECT NAME 6TH Concession Development

SHEET TITLE 2035 DEVELOPMENT TRAFFIC

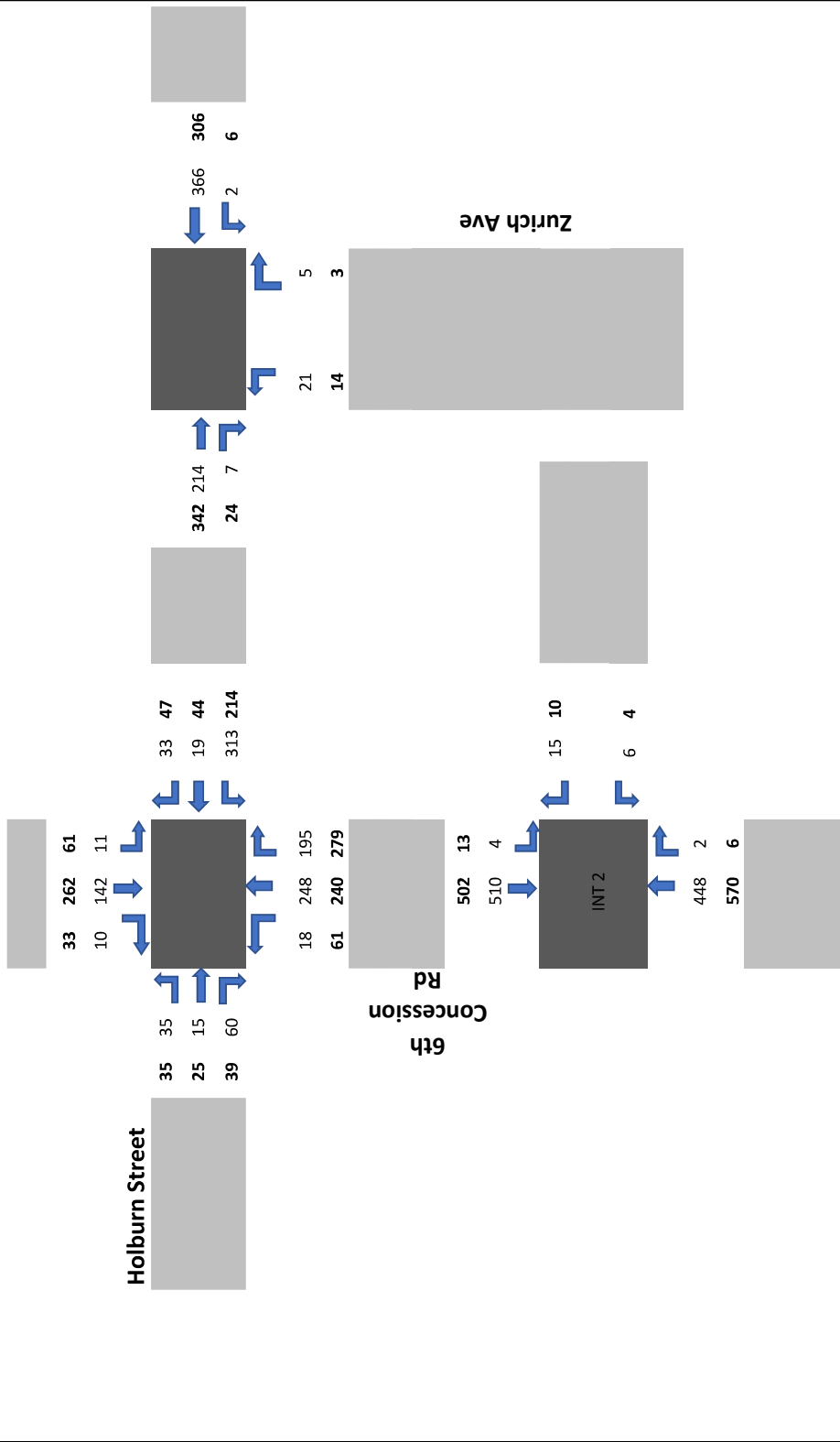


DATE: 18-Dec-24

PROJECT NO: 21-150

FIGURE NO: Figure 3.2

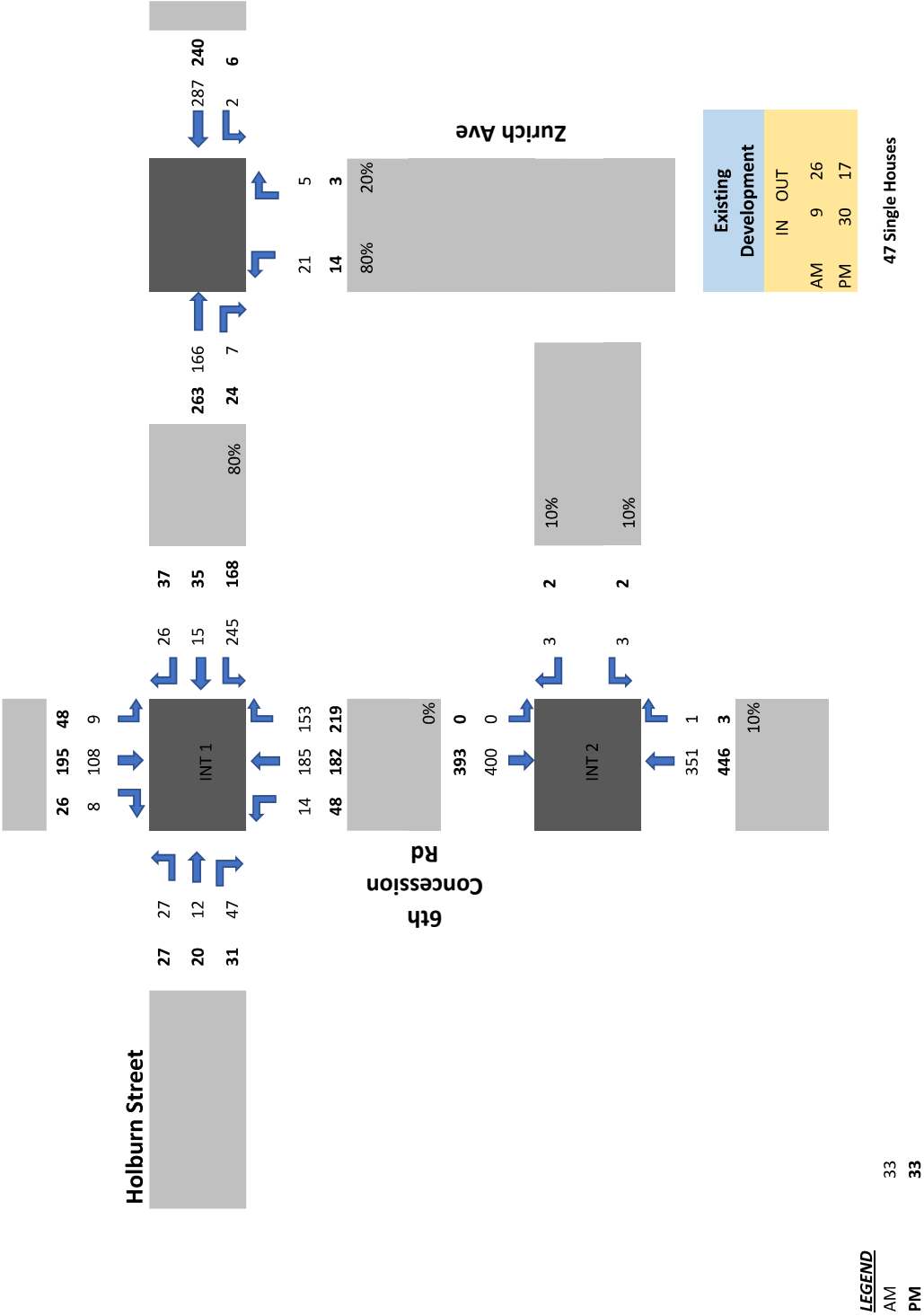
RESIDENTIAL DEVELOPMENT



PROJECT NAME	6TH Concession Development	DATE:	18-Dec-24
SHEET TITLE	2035 TOTAL TRAFFIC	PROJECT NO:	21-150
		FIGURE NO:	Figure 3.3



RESIDENTIAL DEVELOPMENT



PROJECT NAME 6TH Concession Development

SHEET TITLE 2025 BACKGROUND TRAFFIC

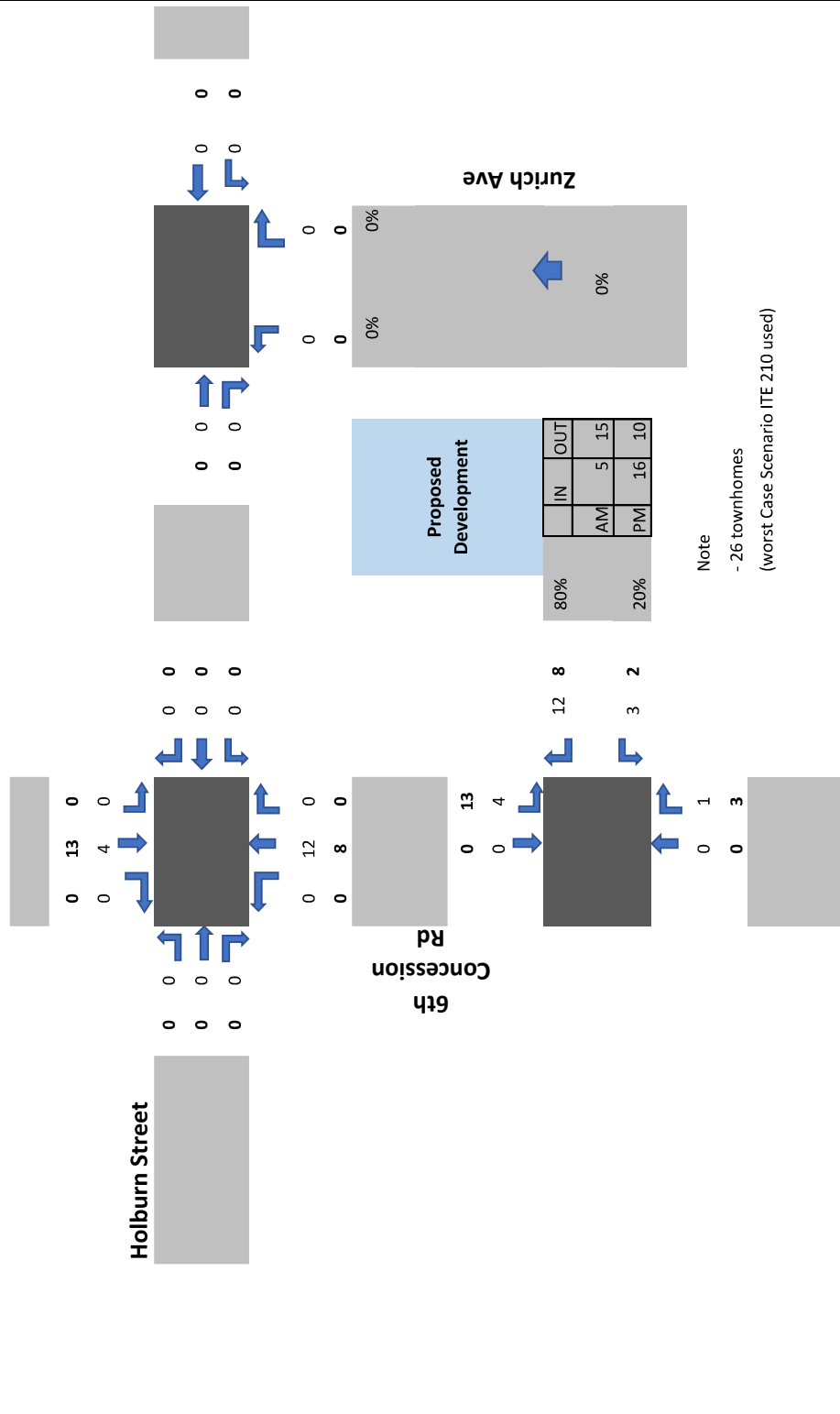


DATE: 18-Dec-24

PROJECT NO: 21-150

FIGURE NO: Figure 1.1

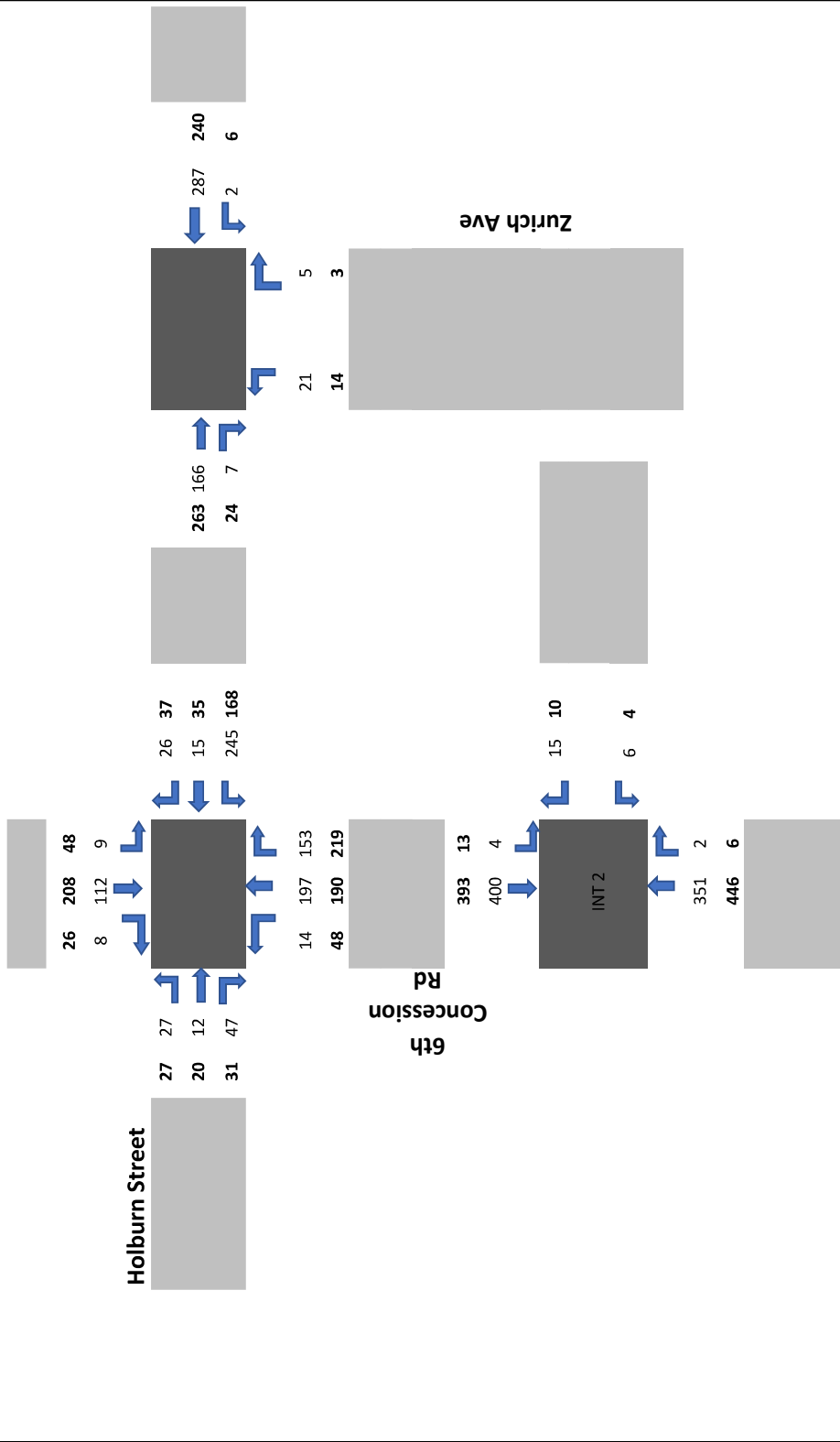
RESIDENTIAL DEVELOPMENT



PROJECT NAME	6TH Concession Development	DATE:	18-Dec-24
SHEET TITLE	2025 DEVELOPMENT TRAFFIC	PROJECT NO:	21-150
		FIGURE NO:	Figure 1.2



RESIDENTIAL DEVELOPMENT



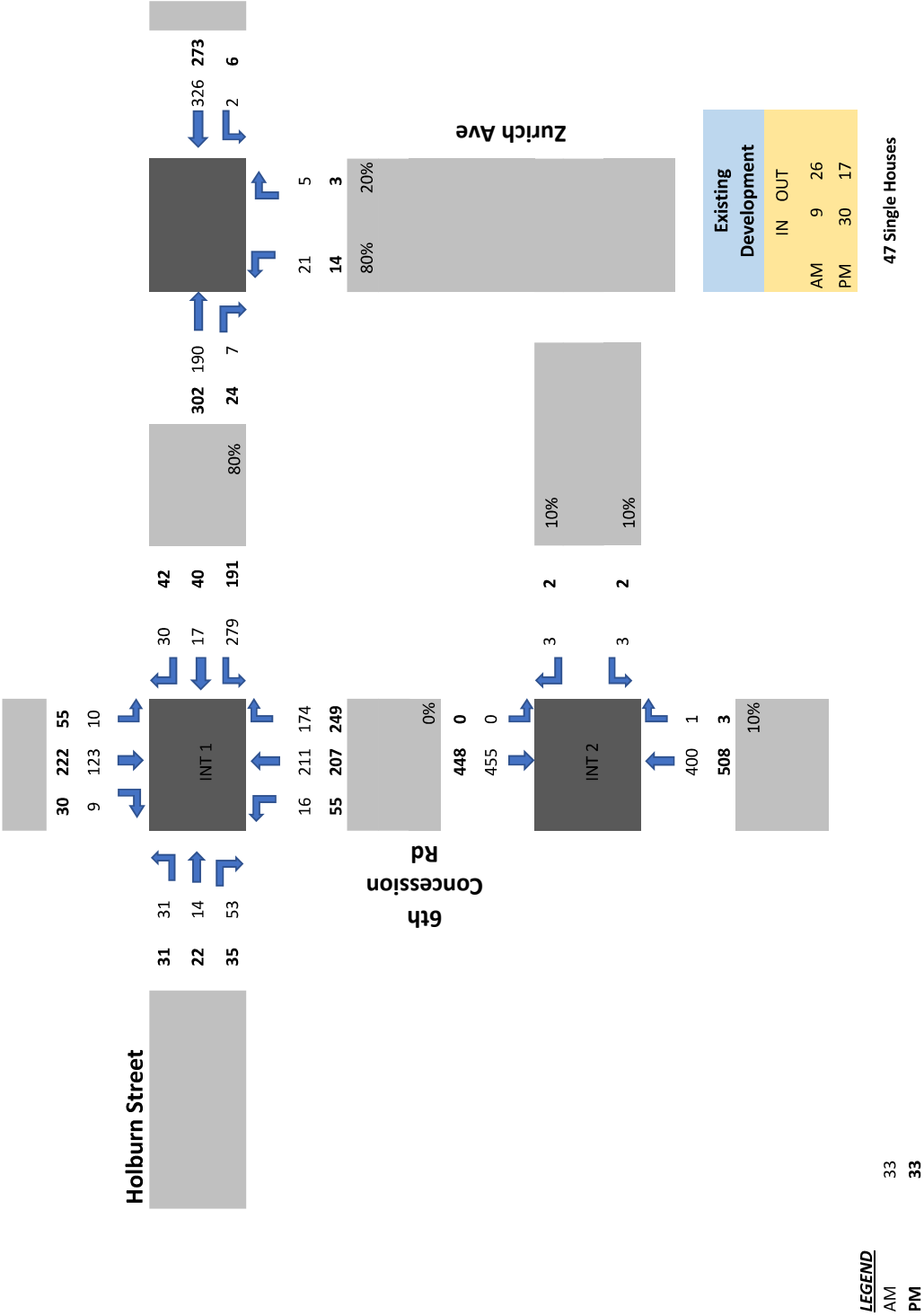
33
33

PROJECT NAME 6TH Concession Development
SHEET TITLE 2025 TOTAL TRAFFIC



DATE: 18-Dec-24
PROJECT NO: 21-150
FIGURE NO: Figure 1.3

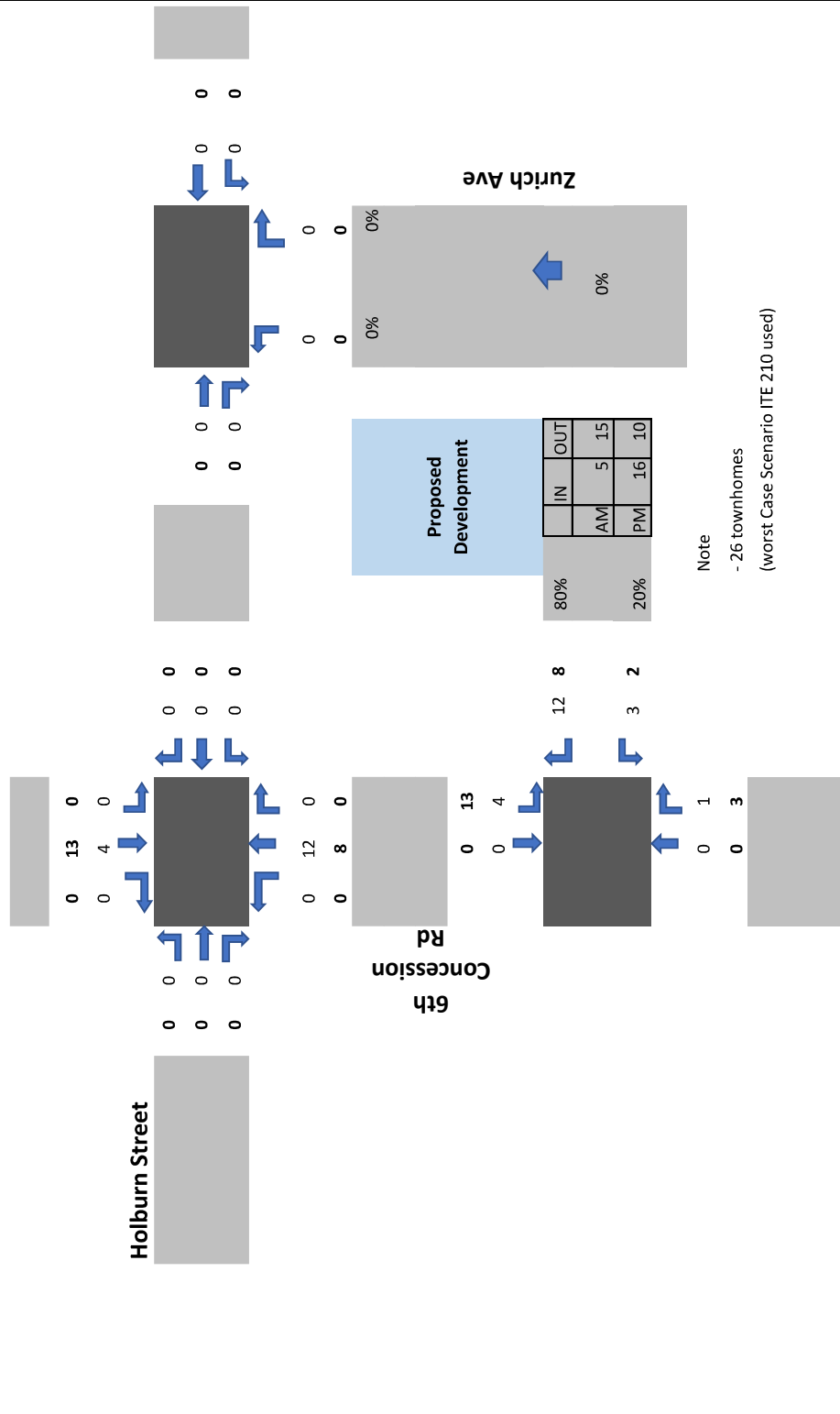
RESIDENTIAL DEVELOPMENT



PROJECT NAME	6TH Concession Development	DATE:	18-Dec-24
SHEET TITLE	2030 BACKGROUND TRAFFIC	PROJECT NO:	21-150
		FIGURE NO:	Figure 2.1



RESIDENTIAL DEVELOPMENT



LEGEND

AM 33

PM 33

PROJECT NAME 6TH Concession Development

SHEET TITLE 2030 DEVELOPMENT TRAFFIC

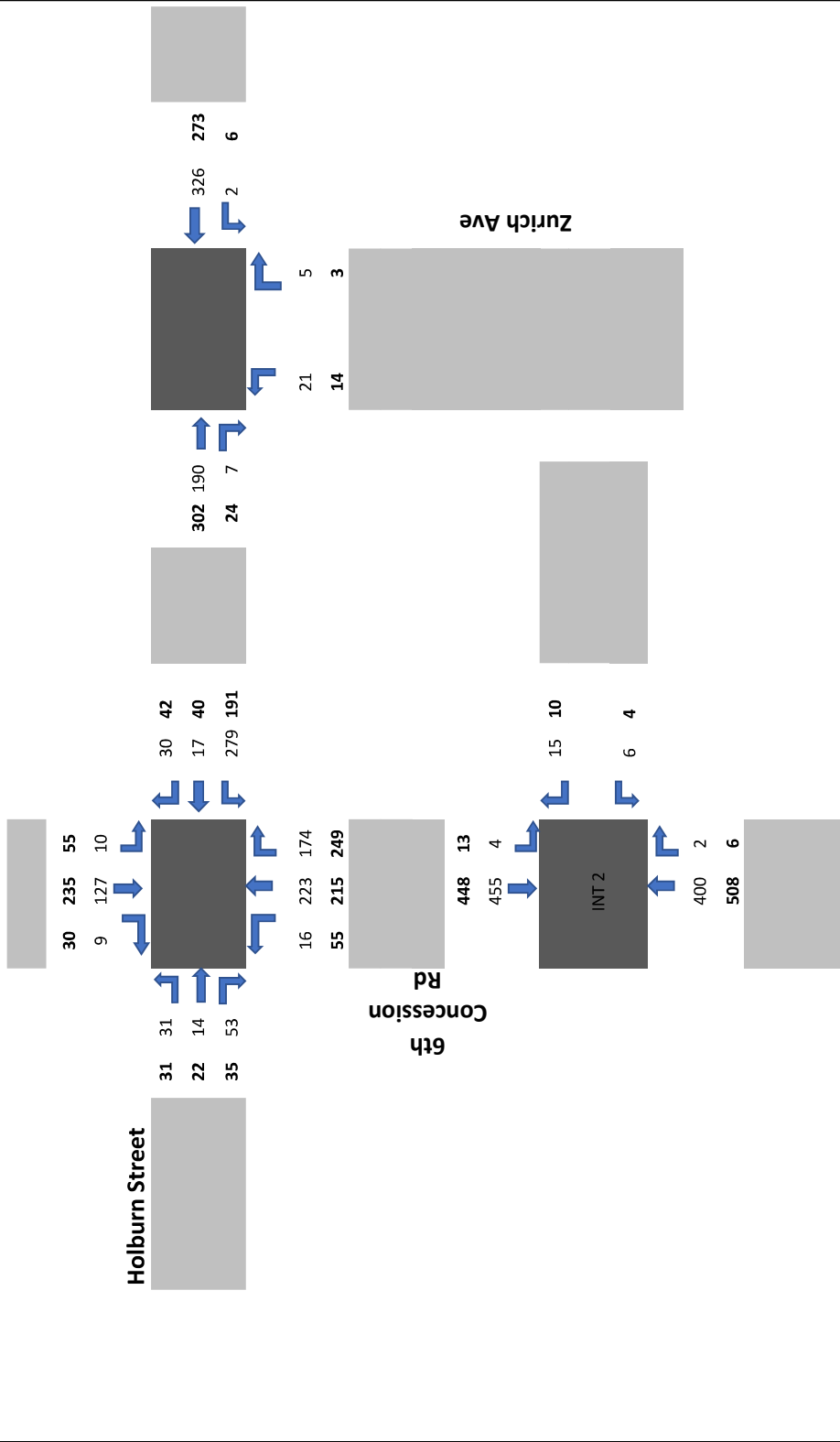


DATE: 18-Dec-24

PROJECT NO: 21-150

FIGURE NO: Figure 2.2

RESIDENTIAL DEVELOPMENT



LEGEND
AM 33
PM 33

PROJECT NAME 6TH Concession Development
SHEET TITLE 2030 TOTAL TRAFFIC



DATE: 18-Dec-24
PROJECT NO: 21-150
FIGURE NO: Figure 2.3

Appendix C

















CAPCITY ANALYSIS AND WARRANT ANALYSIS

HCM Unsignalized Intersection Capacity Analysis

2: 6th Concession Rd & Holburn St

2035 TOTAL AM TRAFFIC

12-12-2024










												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	35	15	60	313	19	33	18	248	195	11	142	10
Future Volume (vph)	35	15	60	313	19	33	18	248	195	11	142	10
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	38	16	65	340	21	36	20	270	212	12	154	11
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total (vph)	119	397	502	177								
Volume Left (vph)	38	340	20	12								
Volume Right (vph)	65	36	212	11								
Hadj (s)	-0.23	0.15	-0.21	0.01								
Departure Headway (s)	6.8	6.4	5.8	6.7								
Degree Utilization, x	0.23	0.71	0.81	0.33								
Capacity (veh/h)	457	533	598	478								
Control Delay (s)	11.8	23.6	29.3	13.0								
Approach Delay (s)	11.8	23.6	29.3	13.0								
Approach LOS	B	C	D	B								
Intersection Summary												
Delay			23.3									
Level of Service			C									
Intersection Capacity Utilization			63.9%	ICU Level of Service					B			
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

14: 6th Concession Rd

2035 TOTAL AM TRAFFIC

12-12-2024

















						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	6	15	448	2	4	510
Future Volume (Veh/h)	6	15	448	2	4	510
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	7	16	487	2	4	554
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (m)			224			
pX, platoon unblocked						
vC, conflicting volume	1050	488			489	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1050	488			489	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	97	97			100	
cM capacity (veh/h)	251	580			1074	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	23	489	558			
Volume Left	7	0	4			
Volume Right	16	2	0			
cSH	414	1700	1074			
Volume to Capacity	0.06	0.29	0.00			
Queue Length 95th (m)	1.4	0.0	0.1			
Control Delay (s)	14.2	0.0	0.1			
Lane LOS	B		A			
Approach Delay (s)	14.2	0.0	0.1			
Approach LOS	B					
Intersection Summary						
Average Delay		0.4				
Intersection Capacity Utilization		40.0%		ICU Level of Service		A
Analysis Period (min)		15				

HCM Unsignalized Intersection Capacity Analysis

2: 6th Concession Rd & Holburn St

2035 TOTAL PM TRAFFIC

12-12-2024










												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	35	25	39	216	44	47	61	240	279	61	262	33
Future Volume (vph)	35	25	39	216	44	47	61	240	279	61	262	33
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	38	27	42	235	48	51	66	261	303	66	285	36
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total (vph)	107	334	630	387								
Volume Left (vph)	38	235	66	66								
Volume Right (vph)	42	51	303	36								
Hadj (s)	-0.13	0.08	-0.23	0.01								
Departure Headway (s)	8.0	7.3	6.3	6.9								
Degree Utilization, x	0.24	0.68	1.11	0.74								
Capacity (veh/h)	388	478	570	510								
Control Delay (s)	13.5	24.1	95.9	26.7								
Approach Delay (s)	13.5	24.1	95.9	26.7								
Approach LOS	B	C	F	D								
Intersection Summary												
Delay			55.0									
Level of Service			F									
Intersection Capacity Utilization			69.8%		ICU Level of Service						C	
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

14: 6th Concession Rd

2035 TOTAL PM TRAFFIC

12-12-2024

















						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	4	10	570	6	13	502
Future Volume (Veh/h)	4	10	570	6	13	502
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	4	11	620	7	14	546
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (m)			224			
pX, platoon unblocked						
vC, conflicting volume	1198	624			627	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1198	624			627	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	98			99	
cM capacity (veh/h)	202	486			955	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	15	627	560			
Volume Left	4	0	14			
Volume Right	11	7	0			
cSH	354	1700	955			
Volume to Capacity	0.04	0.37	0.01			
Queue Length 95th (m)	1.1	0.0	0.4			
Control Delay (s)	15.6	0.0	0.4			
Lane LOS	C		A			
Approach Delay (s)	15.6	0.0	0.4			
Approach LOS	C					
Intersection Summary						
Average Delay		0.4				
Intersection Capacity Utilization		46.9%		ICU Level of Service		A
Analysis Period (min)		15				

HCM Unsignalized Intersection Capacity Analysis

2: 6th Concession Rd & Holburn St

2025 TOTAL AM TRAFFIC

12-18-2024










												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	27	12	47	245	15	26	14	197	153	9	112	8
Future Volume (vph)	27	12	47	245	15	26	14	197	153	9	112	8
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	29	13	51	266	16	28	15	214	166	10	122	9
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total (vph)	93	310	395	141								
Volume Left (vph)	29	266	15	10								
Volume Right (vph)	51	28	166	9								
Hadj (s)	-0.23	0.15	-0.21	0.01								
Departure Headway (s)	5.7	5.7	5.1	5.7								
Degree Utilization, x	0.15	0.49	0.56	0.22								
Capacity (veh/h)	539	593	663	562								
Control Delay (s)	9.7	14.0	14.5	10.4								
Approach Delay (s)	9.7	14.0	14.5	10.4								
Approach LOS	A	B	B	B								
Intersection Summary												
Delay				13.2								
Level of Service				B								
Intersection Capacity Utilization				53.0%	ICU Level of Service	A						
Analysis Period (min)				15								

HCM Unsignalized Intersection Capacity Analysis

14: 6th Concession Rd

2025 TOTAL AM TRAFFIC

12-18-2024

















						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	6	15	446	6	4	400
Future Volume (Veh/h)	6	15	446	6	4	400
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	7	16	485	7	4	435
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (m)			224			
pX, platoon unblocked						
vC, conflicting volume	932	488			492	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	932	488			492	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	97			100	
cM capacity (veh/h)	295	579			1071	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	23	492	439			
Volume Left	7	0	4			
Volume Right	16	7	0			
cSH	448	1700	1071			
Volume to Capacity	0.05	0.29	0.00			
Queue Length 95th (m)	1.3	0.0	0.1			
Control Delay (s)	13.5	0.0	0.1			
Lane LOS	B		A			
Approach Delay (s)	13.5	0.0	0.1			
Approach LOS	B					
Intersection Summary						
Average Delay			0.4			
Intersection Capacity Utilization			34.2%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

2: 6th Concession Rd & Holburn St

2030 TOTAL PM TRAFFIC

12-12-2024










												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	31	22	35	191	40	42	55	215	249	55	235	30
Future Volume (vph)	31	22	35	191	40	42	55	215	249	55	235	30
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	34	24	38	208	43	46	60	234	271	60	255	33
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total (vph)	96	297	565	348								
Volume Left (vph)	34	208	60	60								
Volume Right (vph)	38	46	271	33								
Hadj (s)	-0.13	0.08	-0.23	0.01								
Departure Headway (s)	7.6	7.0	5.9	6.5								
Degree Utilization, x	0.20	0.58	0.93	0.63								
Capacity (veh/h)	413	491	599	527								
Control Delay (s)	12.5	19.3	44.7	20.1								
Approach Delay (s)	12.5	19.3	44.7	20.1								
Approach LOS	B	C	E	C								
Intersection Summary												
Delay			30.0									
Level of Service			D									
Intersection Capacity Utilization			63.8%	ICU Level of Service					B			
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

14: 6th Concession Rd

2030 TOTAL PM TRAFFIC

12-12-2024

















						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	10	4	508	6	13	448
Future Volume (Veh/h)	10	4	508	6	13	448
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	11	4	552	7	14	487
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (m)			224			
pX, platoon unblocked						
vC, conflicting volume	1070	556			559	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1070	556			559	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	95	99			99	
cM capacity (veh/h)	241	531			1012	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	15	559	501			
Volume Left	11	0	14			
Volume Right	4	7	0			
cSH	282	1700	1012			
Volume to Capacity	0.05	0.33	0.01			
Queue Length 95th (m)	1.3	0.0	0.3			
Control Delay (s)	18.5	0.0	0.4			
Lane LOS	C		A			
Approach Delay (s)	18.5	0.0	0.4			
Approach LOS	C					
Intersection Summary						
Average Delay		0.4				
Intersection Capacity Utilization		44.1%		ICU Level of Service		A
Analysis Period (min)		15				

HCM Unsignalized Intersection Capacity Analysis

2: 6th Concession Rd & Holburn St

2030 TOTAL AM TRAFFIC

12-12-2024










												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	31	14	53	279	17	30	16	223	174	10	127	9
Future Volume (vph)	31	14	53	279	17	30	16	223	174	10	127	9
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	34	15	58	303	18	33	17	242	189	11	138	10
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total (vph)	107	354	448	159								
Volume Left (vph)	34	303	17	11								
Volume Right (vph)	58	33	189	10								
Hadj (s)	-0.23	0.15	-0.21	0.01								
Departure Headway (s)	6.2	6.0	5.5	6.2								
Degree Utilization, x	0.19	0.59	0.68	0.27								
Capacity (veh/h)	480	563	631	508								
Control Delay (s)	10.6	17.5	19.3	11.5								
Approach Delay (s)	10.6	17.5	19.3	11.5								
Approach LOS	B	C	C	B								
Intersection Summary												
Delay			16.6									
Level of Service			C									
Intersection Capacity Utilization			58.5%	ICU Level of Service					B			
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

14: 6th Concession Rd

2030 TOTAL AM TRAFFIC

12-12-2024

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	6	15	400	2	4	455
Future Volume (Veh/h)	6	15	400	2	4	455
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	7	16	435	2	4	495
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (m)			224			
pX, platoon unblocked						
vC, conflicting volume	939	436			437	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	939	436			437	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	97			100	
cM capacity (veh/h)	292	620			1123	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	23	437	499			
Volume Left	7	0	4			
Volume Right	16	2	0			
cSH	462	1700	1123			
Volume to Capacity	0.05	0.26	0.00			
Queue Length 95th (m)	1.3	0.0	0.1			
Control Delay (s)	13.2	0.0	0.1			
Lane LOS	B		A			
Approach Delay (s)	13.2	0.0	0.1			
Approach LOS	B					
Intersection Summary						
Average Delay		0.4				
Intersection Capacity Utilization		37.1%		ICU Level of Service		A
Analysis Period (min)		15				

Intersection				
Intersection Delay, s/veh	11.9			
Intersection LOS	B			
Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	107	332	630	387
Demand Flow Rate, veh/h	110	339	642	395
Vehicles Circulating, veh/h	596	372	134	354
Vehicles Exiting, veh/h	153	404	572	357
Follow-Up Headway, s	3.186	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	0	0	0
Ped Cap Adj	1.000	1.000	1.000	1.000
Approach Delay, s/veh	8.1	10.5	13.6	11.6
Approach LOS	A	B	B	B
Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193	5.193
Entry Flow, veh/h	110	339	642	395
Cap Entry Lane, veh/h	623	779	988	793
Entry HV Adj Factor	0.977	0.979	0.981	0.980
Flow Entry, veh/h	107	332	630	387
Cap Entry, veh/h	608	763	969	778
V/C Ratio	0.177	0.435	0.650	0.498
Control Delay, s/veh	8.1	10.5	13.6	11.6
LOS	A	B	B	B
95th %tile Queue, veh	1	2	5	3

Intersection				
Intersection Delay, s/veh	9.5			
Intersection LOS	A			
Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	119	397	502	177
Demand Flow Rate, veh/h	121	405	511	180
Vehicles Circulating, veh/h	516	334	67	388
Vehicles Exiting, veh/h	52	244	570	351
Follow-Up Headway, s	3.186	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	0	0	0
Ped Cap Adj	1.000	1.000	1.000	1.000
Approach Delay, s/veh	7.5	11.5	9.1	7.4
Approach LOS	A	B	A	A
Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193	5.193
Entry Flow, veh/h	121	405	511	180
Cap Entry Lane, veh/h	674	809	1057	767
Entry HV Adj Factor	0.981	0.979	0.982	0.983
Flow Entry, veh/h	119	397	502	177
Cap Entry, veh/h	662	792	1037	753
V/C Ratio	0.179	0.501	0.484	0.235
Control Delay, s/veh	7.5	11.5	9.1	7.4
LOS	A	B	A	A
95th %tile Queue, veh	1	3	3	1

Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd

Why I am Against the approval of the Proposal Plan



Presented by : O. Ragheb

Focus Points for rejection

**1- Traffic Impact Assessment Deficiencies ,
information missing and recommendations**

2- Violation to the City By- Laws

**3- Violation to City Development Manual and
Engineering Standards**

**4- Violation to City of Windsor Intensification Guide
(mandated by Notice of Adoption for official plan
amendment No 159)**



9/4/2024

2

1- Traffic Impact Assessment Deficiencies , information missing and recommendations :

1- Traffic Impact Studies:

1.1 Traffic Impact Assessment Deficiencies

a) Traffic impact assessment did not include for the following intersections:

- i) new local road with Spago crescent
 - ii) Spago crescent and Zurich Avenue (two intersections)
 - III) Spago Crescent and Holburn Street (main exit to Talbot trail School, Durcharme street, Walker Road and 401)
- b) Traffic count was performed in a non-high peak period (after school year and during travel season) not reflecting actual conditions+ more than 2 years old.
- c) The study did not take into account on going development and similar application in the area.
- d) Study does not report the address the effect of the subject traffic on Spago crescent two directions

1.2 Studies Conclusions / recommendations was not included in project scope

- a) Study is based on changing part of spago crescent to a full access road – This means increased road width.(Spago west leg)
- b) New Stop Control intersection will be implemented at Zurich and Spago Crescent
- c) Improvement of Holburn and 6 concession (westbound turning)
- d) Improvement of Holburn and Zurich (right – turn lane)

9/4/2024



3

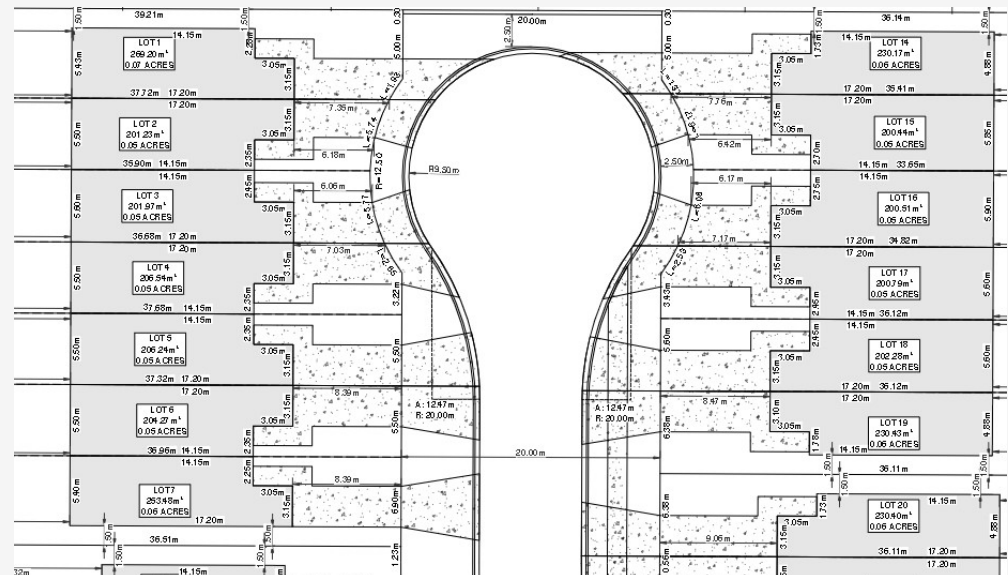
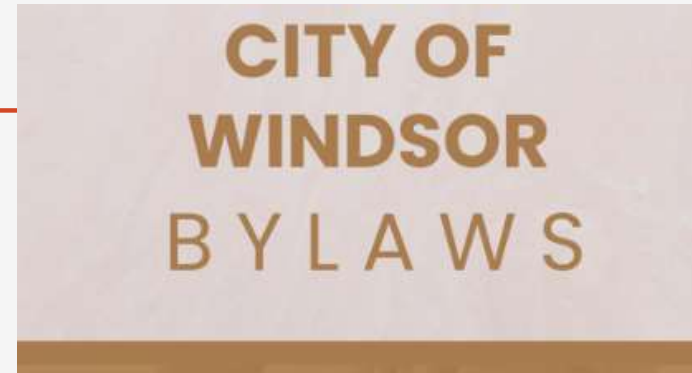
2- Violation to the City By- Laws

a) **Parking spaces Not Met** : shall be 1.25 per unit for townhome without attached garage/carport (table 24.20.5.1 of By law -8600)- note that multiple dwelling is only allowed in Zone RD2.5

b) **Visitor parking** shall be 15% of parking spacing (By -Law 8600 – section 24.22.1)

c) Section 20 of By Law 8600 addressing Site specific provisions for specific zoning exceptions in certain areas – subsection 1 – item 75 – b requires **maximum coverage of 35% for zones RD2.3** on Zoning district map 13 , proposal has more than 35% , lot 13 and 15 and 16 has more than 45%

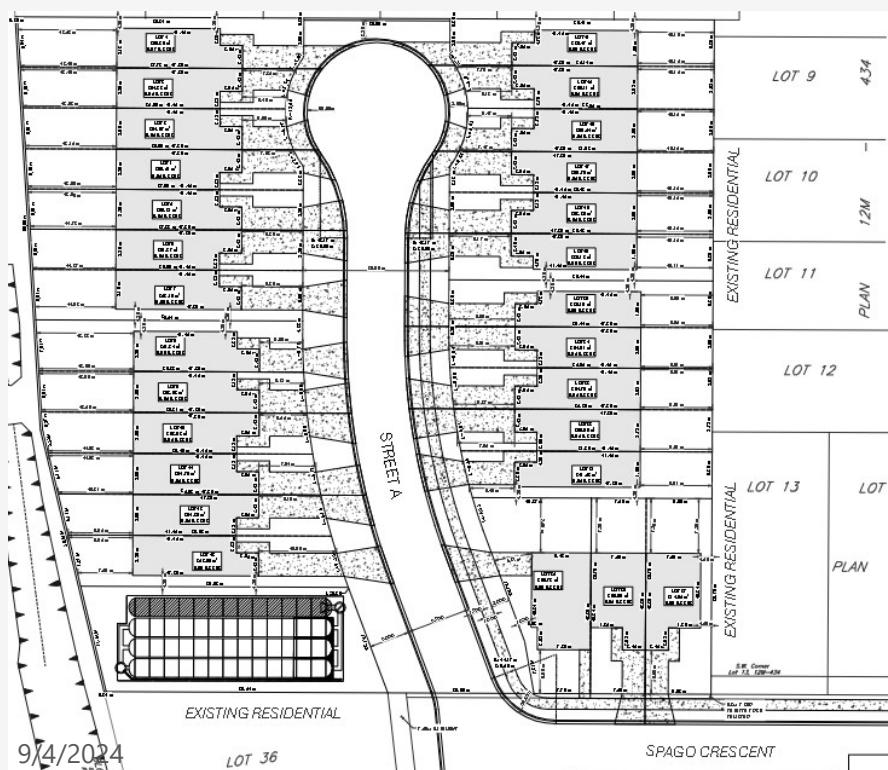
d) Front yard paving for Lot 2 is not complying with **maximum front yard paving**



9/4/2024

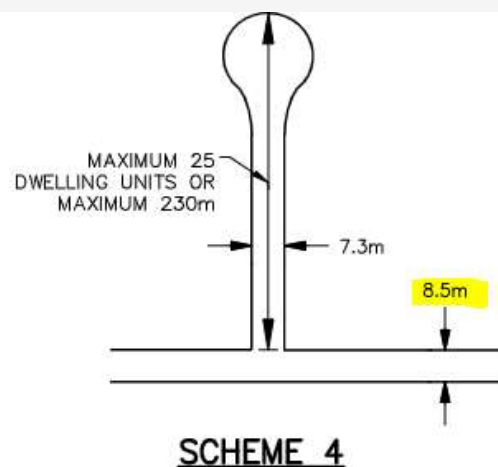
3- Violation to City Development Manual and Engineering Standards

3.1 The new cul-da-sacs is connecting to existing Spago Crescent (7.4m width) which is does not the minimum width per Windsor Standard drawing AS-228 –QUESTION : Why the City is not allowing access through the collector Road (6th Concession Rd.) (section 6.1.2 of development manual allows it) ?? Would the developer pays for widening the roads (City of Windsor Development Manual section 16.3 asks for that) ? Or the Standards are meant to be violated ?!!



The minimum pavement width (face-to-face) for various street classifications shall be as follows:

- | | |
|---|-------------|
| a) Cul-de-sacs and crescents with minimum lengths as shown on Standard Drawing AS-228 | 7.4 metres |
| b) Local Roads | 8.6 metres |
| c) Collector Roads | 10.4 metres |
| d) Arterial Roads | 14.6 metres |



CITY OF WINDSOR ENGINEERING DEPARTMENT	
VARIOUS STREET ALIGNMENTS PERMITTING THE USAGE OF 7.3m WIDE PAVEMENTS	
DR'N BY: SCL, AZ	DATE: NOV, 1973
REV. DATE: JUN, 2024	CH'KD BY (ENG): FM, JH
CH'KD BY (GEO/OPS): PJJ, AL	PASSED BY: FM
Winterton Digitally signed by Mark Winterton AS-228	

3- Violation to City Development Manual and Engineering Standards - Continue

Related discussions to item 3.1 and the Planning Rationale Report

1) It states the following : **"It is also noted, that although the subject parcels driveway accesses are currently provided from Sixth Concession Road, no access / egress points serving the proposed residential development are either proposed, or permitted by the City to Sixth Concession Road. "**

We as a residents in Spago crescent would like to ask:

- a- How come the planning department just identified that the subject land has a violating access to 6th concession after all these years? Any one accountable?
- b- if the parcel 4190 has no approved access to 6th concession, does it has an approved access to Spago Crescent?
- c- How Parcel 4170 has no approved access to 6th concession, if it has no shared border with spago crescent or any other street access?

2)) **Developer has responded the following when asked about that street access shall be from 6th concession : " existing Windsor Official Plan policies prohibit a connection point onto Sixth Concession Road."**

- a- We were not able to identify the clause or the reference that prevent access to 6th concession Roads.
- b_ **City of Windsor Development Manual –section 6.1.2 allow direct property access from/to all collector roads.**
- c- The subject parcels are existing parcel with already established access, it is historically proven and known, that the City of Windsor does not withdraw plans or approval of access if they are existing!. There are many properties already connected to 6th Concession Rd. This one is not any different.
- d- The referenced plan identify the 6th concession road as a collector Road, However, in reality it is a local road that is not meeting collector road requirements in terms of width, and existing ditch.

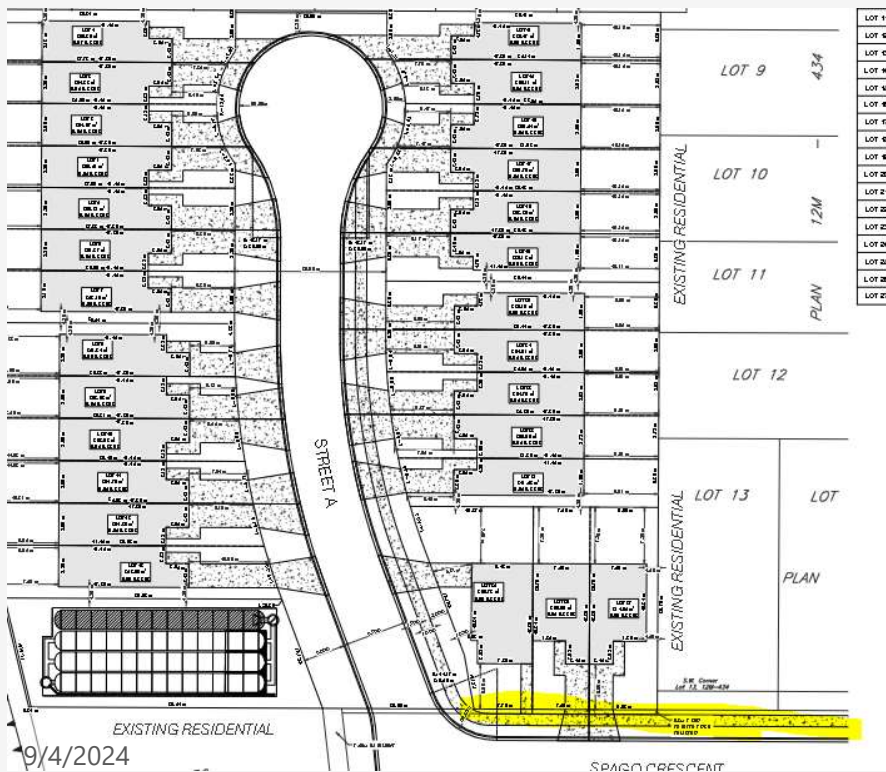
3) **Developer has responded the following when asked about home value devaluation: "property (de)valuation is attributed to many factors, however in the long term, dwelling density and types have not proven to quantifiably reduce property values."**

- a) Developer is dismissing the fact that the by changing the access to Spago crescent, the Crescent need to be a local road (both branches to Zurch and to Holborn). This will downgrade all house in Spago Crescent to Normal local road (it is proven that the price of a real state in a Crescent is higher than a real state located in a local road)



3- Violation to City Development Manual & Standards -Continue

3.2 The Plan shows a continuation of pedestrian walkways to a non-existing walkway!! While the Windsor Development manual calls for the need for transportation impact study and consultation with transport planning to ensure no negative effect, where is that??!! Will Developer pays for the non-existing pedestrian network!? Or safety is not a concern?!



16.2 REZONING APPLICATIONS

The Engineering & Corporate Projects Department comments on the servicing requirements for any property, which is the subject of a rezoning application. If servicing is deficient, recommendations will be made with respect to the installation of sufficient services. In addition, servicing costs outstanding as a condition of rezoning are noted along with permit requirements.

The Transportation Planning Division of the Operations Department is responsible for commenting on transportation requirements for re-zoning applications. Specifically this department may comment upon:

- a) Pedestrian access.
- b) Bicycle access.
- c) Vehicular access.
- d) Parking.
- e) Protection of the road network.

The Transportation Planning Division may require a completion of Transportation Impact Studies and Statements on sites where the proposed use may have a negative effect on the adjacent transportation network. It is recommended that the Developer consult with the Transportation Planning Division prior to the rezoning to ensure that the Developer is aware of all issues pertaining to Operations Department requirements.

3- Violation to City Development Manual and Engineering Standards - Continue

Related discussions to item 3.2 and the Planning Rationale Report

1) When Developer was asked about transportation and services It states the following : **"no publicly funded upgrades to either the transit or servicing systems are anticipated or required."**

a) There are no evidence of consultation with Transportation planning department to meet the City of Windsor Development Manual. Developer need to meet the City Development Manual Requirements.

2)When Developer was following development standard , it stated: **"the proposal calls to develop existing under-utilized urban parcels for multiple dwelling units for residential purposes without requiring upgrades to the existing public service facilities."**

a) The statement by the developer is a clear statement of non-compliance to City of Windsor Development Manual which emphasize the responsibility of the developer in maintaining City standard – refer to section 16.3 as an example for the requirements that the developer shall be responsible for required upgraded required as a result of the intensification and rezoning.

b) Does the acceptance of Developer response constitute an acceptance to waive developer obligations under the standards?

4- Violation to City of Windsor Intensification Guide (mandated by Notice of Adoption for official plan amendment No 159)

4.1 Compatibility Issues:

The Windsor Intensification Guide define Compatible Development as follows (refer to section 1.7 of the guide): ***“Compatible development means development that may not necessarily be the same or similar to the existing buildings in the vicinity, but, nonetheless, enhances an established community and coexists with existing development without causing any undue adverse impact on surrounding properties.”*** ***“Coexistence without undue, adverse impact on surrounding properties - this is quite an onerous test, usually related to easily identifiable/quantifiable impacts like***

**** shadow, >> 4462 Spago Crescent is raised Ranch House that will be 3m away from the two story Building -shadowed***

• privacy, >> 4462 Spago Crescent privacy is compromised by Lot 27, 24 and 25

****traffic, and parking problems. >> Unsafe pedestrian movement, study did not include Spago crescent and neighbors roads AND intersections was not studied /addressed***

In some instances, the concept of “visual impact” may be established as an important development review criteria.

>> Lot 25, 26 and 27 is completely visually non-compatible in height or width with 4462 Spago and the neighborhood in general

All Lots do not have Garages while all neighborhood has garages

2.2.1 Site Orientation

The relationship between buildings through placement on the lot is important to ensure a consistent neighbourhood ‘feel’ and to define and frame the street while imparting the sense of openness and enclosure.



9/4/2024

9



Summary & Conclusions -1/2



STUDIES AND CONSULTATION ARE NOT COMPLETE:



Traffic study does not include latest information and does not include neighboring Spago crescent, road and intersections



No evidence for **consultation with transportation planning Division** or consideration for requirements



PROPOSAL IS IN VIOLATION OF THE CITY ENGINEERING STANDARDS, DEVELOPMENT MANUAL AND CITY BY-LAWS



ACCESS : Road Design and Access is not in compliance with City of Windsor Standards and Manual – Access shall be maintained per status quo from 6th Concession or Widening of Spago crescent to comply with Standards > > **Residents want access from 6th concession**



PARKING : Current Design is not compatible intensification neither in compliant with standard for parking, as unit garages are not confirmed, driveway parking is adopted and number of parking not meeting the requirements of 1.25xNo. Units (table 24.20.5.1 of By law -8600)- in Addition no 15% visitor parking is met per



BY-LAWS REQUIREMENTS ARE NOT MET : Maximum Front Yard Paving and Maximum coverage exceed By-laws limits



Summary & Conclusions -2/2



INTENSIFICATION GUIDE REQUIREMENTS NOT MET:



PRIVACY AND SHADOWING ISSUES with 4462 Spago crescent



VISUAL IMPACT ISSUES DUE TO INCOMPATIBILITY IN GARAGE EXISTANCE, HEIGHT AND WIDTH W/ all neighborhood



TRAFFIC & PARKING PROBLEM (NO PEDESTRAIN TRAFFIC NETWORK EXISTS & CLOSE BY INTERSECTIONS WAS NOT STUDIED& CRESCENT ROAD USED AS A LOCAL ROAD WITHOUT MEETING WIDTH REQUIREMENTS



IMPACT OF THE DEVELOPMENT TO COMMUNITY



NO CLEAR COMMITMENT OR APPROVAL CONDITION EXISTS TO DEAL WITH IMPACTS BY CITY OR DEVELOPER



PROPOSAL COMPROMISE SAFETY AND WELL BEING OF NEIGHBORING COMMUNITY & EXPOSES THE CITY TO POSSIBLE CLAIMS DUE TO COMPROMISE OF RESIDENTS INTERESTS, SAFETY, AND IMPOSING HARM TO RESIDENT- NOT MEETING CONDITIONS OF ZONING AMMENDMENT.

To City Council

4170 & 4190 Sixth Concession Road

Applicant: Storey Samways Planning Ltd.

File No: SDN-001/24 (SDN/7194); Z-012/24 (ZNG/7195)

Thank you for this opportunity to once again speak to this issue that pushes bylaw amendments to the limit.

This plan for a new subdivision was brought forward by a private investor and vetted by city planners and our Ward 9 Councillor Kieran McKenzie long before residents living beyond the 120-metre requirement became aware. We have had 2 months to prepare for today after neighbours raised many issues at the July 2nd Development Heritage Standing Committee meeting.

Regrettably there were several of the 10 members who could not attend and the proposal that is now before you passed with a 4 to 2 vote. The takeaway is that the **location of the development** is wrong and does not 'make sense'. Especially a new road will have to be built exiting out of this 'new subdivision' that will have 27 separate residences under five separate roofs flowing into Spago Crescent because it will be too dangerous to flow into Sixth Concession.

A **red flag** was raised as this new road empties into the existing **horseshoe crescent** that was designed using intentional traffic calming strategies that are still problematic. Traffic flow already winds through side streets to get to the major collector roads. The width is only 24 feet wide in places that have blind spots at the curves. Lack of sidewalks for pedestrian safety or cycling supports already force people to weave in between vehicles or when cars or trucks travel at excessive speeds without realizing potential danger.

Speed humps or bumps will not solve this problem as suggested by Kieran McKenzie. **On-street resident parking** is already maximized and will be even more problematic if the new subdivision owners take advantage of the Additional Dwelling Unit provision. As Justina, the city's planner, has already said at the Development and Heritage meeting - once this amendment goes through the 27 units can potentially expand to 81. Whether this happens or not, this raises another **red flag** - What is going to happen when additional cars and people are brought into the picture?

Numerous **real-life stories** about the near fatal misses have already been shared with the councillors who physically came to the site and saw for themselves how dangerous this street design already is. If approved, developers and owners are no longer constrained in their efforts to maximize profits at the expense of people's safety.

Especially concerning is the **traffic study** used for this proposal was completed outside the area I am talking about. It is located at the intersection of collector roads Holburn and the Sixth Concession. The numbers do not reflect the magnitude of the increased burden at **peak traveling**

times that will be generated by this oversized development. Undoubtedly there will be a disruption to the safety and integrity of our established neighbourhood community.

Every person who attended the initial public meeting more than 2 years ago and every person who emailed or signed the 300 petitions sent to you have expressed their valid concerns, which have not been resolved.

At every encounter with our Ward 9 Councillor, the planners, and some of those on the committee raised counter arguments against the residents' concerns by relying on supposedly reliable data compiled for a bureaucratic checklist. This was very discouraging, and frustrating to hear.

To me and every person I have talked to, the 'process' appears **predetermined**. **Trust** in our representatives who we look up to because they are supposed to protect us is wavering. Please listen to the citizens who will be directly affected and must live with the outcome for years to come.

Mayor Dilkens has made a statement that is relevant to **ALL** housing proposals during this time of need: "City Council remains committed to vital public consultation to help ensure that any development undertaken throughout this process is complementary to and **respectful of the integrity of established neighbourhoods and the quality of life for residents.**"

At the end of the day, if City Council is truly "committed to vital public consultation" then lived experience and the knowledge being presented for your consideration today at this meeting will have to be taken seriously and not dismissed or ignored before a final decision to amend the bylaw or grant special privilege for this new subdivision at this location.

Thank you
Daniela Fraley

[Quote from Mayor Dilkens website March 5, 2024]

<https://www.mayordrewdilken.ca/2024/03/05/housing-solutions-made-for-windsor/>

April 24, 2025

Dear Mayor Drew Dilkens and City of Windsor Councillors

My name is Kathleen Towne and I am a resident and renter of ward 2 where the Residential Licensing study took place. I also have several years experience in Property Management. Upon reading the Residential Rental Licensing Pilot Study Preliminary Results - Wards 1 & 2, as a renter with my experience, I would strongly encourage City Council to choose option number 1.

As presented in the findings, it is clear that the City of Windsor requires some sort of Licensing Program. The number of Residences that required smoke detectors/CO's is unacceptable. We've had one too many deaths in our city related to fire. Not to mention the other findings. As a renter and as a Property Manager, I've seen too much in my days to let this go.

By choosing option number 1, the City can revise the program and feel confident that they won't be back in court again. By repealing this by-law, if the City wanted to review this in a few years, they could risk being back in court again, which we all know is very expensive and time consuming.

I would suggest that we lean on other cities who have Residential Licensing in place. Reviewing their requirements, costs etc. Upon reviewing what was expected from the City of Windsor Residential Licensing Pilot Project, it was very overwhelming. I believe the City needs to find a way to simplify the process. I'm not sure what that would look like, but as a Property Manager my first thought was I don't want to manage any properties that need a Residential Licensing. If there was a simpler process, possibly online, I believe more Landlords would participate. Why do we require a criminal background check? These people own these homes, regardless of their criminal background.

I understand the Cities position when it comes to funding for the staff. Are there grants the City of Windsor can apply for to help get this project off the ground? Once the project is off the ground it will eventually start paying for itself. We just need that initial injection to get started. I understand that a space for staffing is an issue, can we have people work from home, now I know the city is not favourable to that, but instead of incurring more cost to rent space, have them work from home with a weekly summary sent to their manager about what they accomplished.

This program could work, given the findings of the pilot study we need to get this program to work. I believe the pilot project only gives a small sample of what is really happening in our city, due to the battling court case that took 2 years to resolve, the same amount of time as the pilot project.

Please consider option 1 for the Residential Licensing Program. We have invested far too much to let it all go now.

Thank you -

Kathleen Towne

Dear City Councilor

I am writing regarding Monday's Council Report on the Residential Rental Licensing Pilot Study.

I strongly encourage you to vote AGAINST the recommendations AND FOR AN ADDITIONAL TWO YEAR PILOT STUDY WITH ENFORCEMENT for the following reasons:

1. The recommendations of the report's author run contrary to the observations and statistical evidence within the report. This is at least the second time this has happened with the Residential Rental Licenses reports to Council.
2. The By-law has been supported by Court BUT was only upheld for 10 DAYS from the last Court of Appeal to the end of the original two year pilot study (February 3, 2025 to February 13, 2025).
3. Because of the now quashed court challenges only voluntary compliance was experienced.
4. Without mandatory compliance and **ENFORCEMENT**, the bad actor landlords that distort the market, exploit tenants, and degrade neighbourhoods remain unaccountable and unabated.
5. Now that the Bylaw has received the support of law, the City may be held liable for predictable tragedies like the death of Andrew Kraayenbrink. On October 26, 2016 Andrew died at age 19 in a house fire on the 200 block of Rankin. The Ontario Fire Marshal's office concluded that "if there were smoke detectors in the required positions then, most likely, everyone would have escaped alive". (This paraphrase, known by the Mayor, is from the third paragraph of the OFM's report but was NOT read out by Windsor's Chief of Fire Prevention at the City Council meeting while in debate. Now you know.)
6. Even though the past pilot study was done on a voluntary basis without legal enforcement, there were a significant number of infractions caught and corrected. Note, especially the data in Table C-4 on page 15 of the report. Each of these deficiencies put vulnerable (sleeping) tenants at risk.
7. Creative operational options have not been entertained by City Administration to help manage the workload. For example, licensing deadlines can be spread out throughout the year based on address or subsections of Ward 1 and 2. In the future, on a city-wide basis, the same could be applied for all the Wards. Or, for example, the requirement for a Police Clearance could be waived. This is one of the requirements that good landlords and citizens found a nuisance, and it prevents none of the deficiencies that are of concern.
8. The budgets for the various proposals are biased toward inefficiencies including the lack of enforcement fine revenues.

Inconclusion, I ask you to give the Residential Rental License a chance to prove itself as intended with mandatory licensing and enforcement.

Respectfully submitted,

Mike Cardinal

Ward 2 Resident

Ward 2 Business Owner

former multi-home landlord

former appointed member of Windsor's Town and Gown Committee

From: Philippa von Ziegenweidt <>

Sent: April 24, 2025 6:54 PM

To: clerks <clerks@citywindsor.ca>; Francis, Fred <fFrancis@citywindsor.ca>; Costante, Fabio <fcostante@citywindsor.ca>; Agostino, Renaldo <ragostino@citywindsor.ca>; McKenzie, Mark <mmckenzie@citywindsor.ca>; Sleiman, Ed <esleiman@citywindsor.ca>; Gignac, Jo-Anne (Councillor) <joagignac@citywindsor.ca>; Marignani, Angelo <amarignani@citywindsor.ca>; McKenzie, Kieran <kmckenzie@citywindsor.ca>; Morrison, Jim <jmorrison@citywindsor.ca>

Subject: RE: C 36/2025 RESIDENTIAL RENTAL LICENCING PILOT

Dear Councillors,

I am writing to ask that you vote **AGAINST** the recommendations in **Council Report 36/2025** AND **FOR AN ADDITIONAL TWO YEAR PILOT STUDY WITH ENFORCEMENT**.

As the Council Report notes, the pilot study ended just 10 days after the Court of Appeal dismissed the appeal. That it would run for such a short period of time was never Council's intention.

The report notes that issues relating to smoke and carbon monoxide alarms were more frequent than other problems. From page 4:

Major defects related to expired, defective, or absent smoke alarms or CO (carbon monoxide) alarms were found most frequently, followed by minor building condition defects. Rates of observed defects were slightly higher in Ward 2 for most issues, but rates of major defects related to smoke and CO alarms were higher in Ward 1.

Because of this, I was shocked to read that the report's author sees no significant risks to repealing the bylaw. From page 8:

Option 2: Repeal the by-law

There are no significant risks identified with this option. Administration will revert to the previous status quo, investigating and enforcing property maintenance, garbage preparation, and related by-laws on a complaint basis.

This entire matter came to a head because a student died in a fire in a student rental at a time when enforcement was on a complaint basis!

As the parent of two young people who spent their university years in student rental housing, I know first hand that fire safety is not top of mind for most students, that the quality of student housing is often deficient, and that many landlords are not as diligent as they should be.

The difficulty of finding housing in the first place is also a barrier to reporting unsafe situations, if that might result in the tenant losing their rental.

It is naïve to believe otherwise.

It is absurd to see no significant risks to repealing the RRL bylaw.

This is why I am asking that you let the pilot run for the full two year period that Council originally envisioned.

Philippa von Ziegenweidt
Ward 6

Letter of Support

Nicolas Lamoureux / Ben Goodchild

Architect and Ward 3 Resident / Ward 4 Resident

April 28th, 2025

April 28 City Council Meeting – Council Report: C36/2025

As home ownership continues to be further and further out of reach for citizens of Windsor, finding a safe and affordable rental home is a growing and fundamentally necessary part of our urban residential landscape. Regardless of a person's socioeconomic situation, everyone should feel safe in their homes, and know that their rental units are at minimum, abiding by Ontario Building Code laws and local by-laws. The current economic climate, will create situations where people are desperate for housing options and this should not be an excuse for building and home owners to take advantage of people's desperation by providing unsafe and unhealthy living spaces. It is abundantly clear from this report that regulation and enforcement is necessary to ensure that these dwellings are legal and safe.

I am writing in support of Option 1 and that administration work to make the Residential Rental Licensing (RRL) a city-wide program with several caveats:

1. Rental protection by-laws follow suit in parallel with RRL to protect renters from taking on any costs associated with the RRL program fees and any required renovations from the RRL inspections.
 - a. The city of Hamilton's Rental Protection By-Law (By-law No. 24-109) is a perfect example of this.
 - i. Permit Conditions: "Financial assistance requirements to reduce hardship to tenants, such as rent gap payments."
2. Rental protection by-laws follow suit in parallel with RRL to protect renters from being "renovicted" because of renovations required from the RRL inspections.
 - a. Again, look at the city of Hamilton's Rental Protection By-Law (By-law No. 24-109)
 - i. Permit Conditions: "Requirements securing tenants' right to return to replacement units at similar rents."
3. That in the pursuit of alternative models, the city works to incentivize voluntary compliance as a stop-gap from now until some future model is created.
 - a. What that incentive might be (beyond the good feeling of just being a decent human), I do not know, but landlords should not feel further entitled to create unsafe housing conditions while the by-law is in abeyance.
4. In looking towards a city-wide by-law and with an overall increase in safety of dwelling units, this program could be used to further incentivize best practices for rental units and further incentivize the construction of new rental units through monetary recouperation of fees.
 - a. A proposed annual license fee on page 9 of 11 in the Financial Matters section of \$625 could be raised to \$1,000 with licensees getting portions of the fee back every year, with an increase in returns for longer terms of compliance.
 - b. Alternatively, other incentives could be reviewed like property tax rate adjustments, incentives to make it easier for compliant landlords to increase density through additions and ADUs, a preferred landlord program that tells renters who is compliant and who isn't (a good thing for compliant landlords and renters).

- c. Make compliance a positive standard to be looked favourably on, rather than penalizing non-compliance as a negative to avoid.

The moral and ethical obligations of landlords should be sufficient enough to provide equitable, affordable, safe, and healthy dwellings but unfortunately that alone is not enough to make sure that all Windsorites have, at minimum, adequate and legal places to call home. Yes, this program is asking a lot of the administration and the city, but it is something that will truly make Windsor a better place to live in for all. The 38% of renters in Windsor are clearly vulnerable to abuse, and should be adequately protected by the law.