

**City Council Meeting Agenda**

**Date:** Monday, May 26, 2025

**Time:** 10:30 o'clock a.m.

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

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

**MEMBERS:**

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 - Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison



## ORDER OF BUSINESS

Item #	Item Description
1.	<b>ORDER OF BUSINESS</b>

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

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

3.	<b>DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF</b>
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4.	<b>ADOPTION OF THE MINUTES</b>
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5.	<b>NOTICE OF PROCLAMATIONS</b>
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6.	<b>COMMITTEE OF THE WHOLE</b>
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7.	<b>COMMUNICATIONS INFORMATION PACKAGE</b> (This includes both Correspondence and Communication Reports)
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7.1.	Correspondence 7.1.1. through 7.1.3. <b>(CMC 8/2025)</b>
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7.2.	The Role of an Audit Committee - A Municipal Framework - City Wide <b>(C 54/2025)</b>
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8.	<b>CONSENT AGENDA</b>
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CONSENT COMMITTEE REPORTS

8.1.	Minutes of the Transit Windsor Working Group of its meeting held March 26, 2025 <b>(SCM 131/2025) (SCM 99/2025)</b>
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- 8.2. Passing of New By-Law to Regulate Nuisance Indoor and Outdoor Illumination in the City of Windsor - City Wide (CQ 17-2024) **(SCM 132/2025) (S 46/2025)**
- 8.3. South National St (Pillette Rd to Jefferson Blvd) Traffic Calming/Multiuse Path Upgrades, Cyclist Crossing and Railway Pedestrian Crossover - Ward 8 **(SCM 133/2025) (S 48/2025)**
- 8.4. Response to CQ 41-2024 - Lower Risk Encroachments - City Wide **(SCM 134/2025) (S 49/2025)**  
**Clerk's Note:** Administration is providing the *attached* additional information memo **(AI 12/2025)**
- 8.5. Response to CQ 52-2024: Right-of-Way Digital Signage - City Wide **(SCM 135/2025) (S 50/2025)**
- 8.6. Sewer Master Plan Implementation and Disaster Mitigation Adaptation Fund Program (DMAF 1 & DMAF 4) Update - City Wide **(SCM136/2025) (S 51/2025)**
- 8.7. Open Air Burning **(SCM 137/2025) (C 58/2025)**
- 8.8. OPA & Rezoning – 593067 Ontario Ltd - 960 Hanna Street East -OPA 193 OPA/7277 Z-004/25 ZNG/7276 – Ward 4 **(SCM 139/2025) (S 44/2025)**
- 8.9. Proposed Official Plan Residential Corridor Land Use Designation - City Wide **(SCM 140/2025) (S 15/2025)**  
**Clerk's Note:** Administration is providing the *attached* additional information memo **(AI 10/2025)**
- 8.10. Walkerville Heritage Conservation District Study – Results and Findings (Ward 4) **(SCM 141/2025) (S 6/2025)**  
**Clerk's Note:** Appendix A available at [www.citywindsor.ca](http://www.citywindsor.ca) due to size.
- 8.11. Windsor Municipal Heritage Register – Updates about Bill 23 Strategies (City-wide) **(SCM 143/2025) (S 7/2025)**
- 8.12. Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4) **(SCM 142/2025) (S 57/2025)**
- 8.13. 357-359 Indian Road (Sandwich HCD) – Request for Heritage Permit for Alteration (Ward 2) **(SCM 144/2025) (S 56/2025)**
- 8.14. University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset Avenue (Ward 2) **(SCM 145/2025) (S 37/2025)**  
**Clerk's Note:** Administration is providing the *attached* additional information memo **(AI 8/2025)**
- 8.15. Amendment to CR399/2024 & CR69/2025 for Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133 **(SCM 147/2025) (S 43/2025)**



- 8.16. Economic Revitalization CIP (Community Improvement Plan application submitted by Minth Canada Holding Inc 5000 Cabana Rd E (formerly known as County Rd 42) - Ward 9 **(SCM 148/2025) (S 53/2025)**
- 8.17. Sandwich CIP, 357-359 Indian Road; Owner: Bruno and Maurizio Mantovan; Ward 2 **(SCM 149/2025) (S 54/2025)**
- 8.18. Main Street CIP Application for 1801 Wyandotte Street E., Owner: 2798315 Ontario Inc. (C/O: Tony Rosati), Ward 4 **(SCM 150/2025) (S 55/2025)**
- 8.19. Part Closure of Walker Road R.O.W. at Tecumseh Road East, and Amendment to Public Highway Dedication By-Law 4205, Ward 4 **(SCM 151/2025) (S 58/2025)**
- 8.20. Part Closure of open north/south alley located north of Seminole Street, Ward 5, SAA-7091 **(SCM 146/2025) (S 59/2025)**
- 8.21. Part Closure of east/west alleys located between Thompson Boulevard and Prado Place, Ward 6, SAA-7244 **(SCM 152/2025) (S 60/2025)**
- 8.22. Annual Progress Report of the Windsor Essex Regional Community Safety & Well-Being Plan and Next Steps - City Wide **(SCM 153/2025) (S 61/2025)**
- 8.23. Minutes of the Age Friendly Windsor Working Group of its meeting held January 31, 2025 **(SCM 154/2025) (SCM 70/2025)**
- 8.24. Minutes of the Windsor Accessibility Advisory Committee of its meeting held March 13, 2025 **(SCM 155/2025) (SCM 85/2025)**
- 8.25. Minutes of the Committee of Management for Huron Lodge of its meeting held March 4, 2025 **(SCM156/2025) (SCM 100/2025)**
- 8.26. Minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table of its meeting held December 11, 2024. **(SCM 157/2025) (SCM 121/2025)**
- 8.27. Emergency Shelter Winter Planning Update and One Time Funding for Encampment Responses **(SCM 158/2025) (S 62/2025)**
- 8.28. Response to CR 433/2023 re: Homelessness Outreach Updates - City Wide **(SCM 159/2025) (S 63/2025)**  
**Clerk's Note:** Administration is providing the corrected version of Appendix B *attached*.
- 8.29. Response to Directive on Dog Park Policy - City Wide **(SCM 160/2025) (S 45/2025)**
- 8.30. Response to CQ 43- 2024 Barron Bowl Fundraising Update - Ward 2 **(SCM 161/2025) (S 25/2025)**

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



**10. PRESENTATIONS AND DELEGATIONS (15 minutes)**

**10.1. Auditor General Work Plan Status (SCM 167/2025)**

**Clerk's Note:** Appendix A is available at [www.citywindsor.ca](http://www.citywindsor.ca) due to size.

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

**11.1. Municipal Flag Policy Update - City Wide (C 78/2025)**

**11.2. Award of Proposal 91-24 - Appointment of Drainage Engineer - 6th Concession Drain - Ward 9 (C 70/2025)**

**11.3. Lou Romano Water Reclamation Plant (LRWRP) Conveyor Room Floor Steel Repairs (C 72/2025)**

**11.4. Local Improvement (City Initiated) - Proposed Storm Sewer and Curb on Jarvis Avenue from Riverside Drive East to Little River Boulevard - Petition Results - Ward 7 (C 73/2024)**

**11.5. Repeal of By-Law 9-2019 and 140-2020, Passing of New By-Law to Establish Standards for the Maintenance and Occupancy of All Property in the City of Windsor – City Wide (SCM 332/2024) (S 133/2024)**

**Clerk's Note:** Administration is providing the *attached* additional information memo (AI 13/2025)

**11.6. Declaration of Surplus and Sale-formerly known as Whittaker Avenue – Ward 2 (C 60/2025)**

**11.7. RFP Update - Jackson Park Feasibility Study - Ward 3 (C 22/2025)**

**Clerk's Note:** Administration is providing the *attached* additional information memo (AI 11/2025)

**11.8. Response to Instructional Memo TWB 13/2025 Transit Windsor Governance Structure, Roles and Responsibilities - City Wide (SCM 138/2025) (S 52/2025)**

**12. CONSIDERATION OF COMMITTEE REPORTS**

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



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

- 13.1. **By-law 89-2025** - A BY-LAW TO AMEND BY-LAW NUMBER 149-2024, BEING A BY-LAW TO ESTABLISH THE POSITION OF THE CHIEF ADMINISTRATIVE OFFICER FOR THE CORPORATION OF THE CITY OF WINDSOR, authorized by CR198/2025, dated May 12, 2025.
- 13.2. **By-law 90-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF WINDSOR, authorized by CAO 67-2025, dated April 10, 2025, and CAO 90-2025, dated April 30, 2025.
- 13.3. **By-law 91-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR423/2023, dated October 16, 2023.
- 13.4. **By-law 92-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR170/2025, dated April 28, 2025.
- 13.5. **By-law 93-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by Section 95, Zoning Bylaw 8600, amended by by-law 52-2024, dated April 22, 2024.
- 13.6. **By-law 94-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 85-18 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR169/2025, dated April 28, 2025.
- 13.7. **By-law 95-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR169, dated April 28, 2025.
- 13.8. **By-law 96-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR166/2025, dated April 28, 2025.
- 13.9. **By-law 97-2025** - A BY-LAW TO ADOPT AMENDMENT NO. 189 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR168/2025, dated April 28, 2025.
- 13.10. **By-law 98-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR168/2025, dated April 28, 2025.
- 13.11. **By-law 99-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THAT PORTION OF THE E. C. ROW AVENUE EAST RIGHT-OF-WAY, WEST OF ESSEX COUNTY ROAD NO. 22 AND BANWELL ROAD, DESIGNATED AS PARTS 12, 13, 15 & 26 ON PLAN 12R-29361, AND PART 1 ON PLAN 12R-30111, CITY OF WINDSOR, authorized by CR141/2023, dated March 20, 2023, as amended by CR173/2025, dated April 28, 2025.



- 13.12. **By-law 100-2025** - A BY-LAW TO CLOSE, STOP UP AND RETAIN THAT PORTION OF THE E. C. ROW AVENUE EAST RIGHT-OF-WAY WEST OF ESSEX COUNTY ROAD NO. 22 AND BANWELL ROAD, DESIGNATED AS PARTS 12, 13, 15 & 26 ON PLAN 12R-29361, AND PART 1 ON PLAN 12R-30111, CITY OF WINDSOR, authorized by CR141/2023, dated March 20,2023, as amended by CR173/2025, dated April 28, 2025.
- 13.13. **By-law 101-2025** - A BY-LAW TO AMEND BY-LAW NUMBER 70-2025, BEING 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 CR49/2023, dated January 30, 2023.
- 13.14. **By-law 102-2025** - A BY-LAW TO AUTHORIZE THE CONSTRUCTION OF A STORM SEWER, SIDEWALK AND PRIVATE DRAIN CONNECTIONS ON JARVIS AVENUE, FROM CASTLE HILL ROAD TO LITTLE RIVER BOULEVARD, IN THE CITY OF WINDSOR, AS A LOCAL IMPROVEMENT, see item 11.4.
- 13.15. **By-law 103-2025** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 26TH DAY OF MAY, 2025
14. **MOVE BACK INTO FORMAL SESSION**
15. **NOTICES OF MOTION**
16. **THIRD AND FINAL READING OF THE BY-LAWS**  
By-law 89-2025 through 103-2025 inclusive
17. **PETITIONS**
18. **QUESTION PERIOD**
19. **STATEMENTS BY MEMBERS**



## **20. UPCOMING MEETINGS**

Windsor Licensing Commission

Wednesday, May 21, 2025

9:30 a.m., Room 522a, 350 City Hall Square West

International Relations Committee

Wednesday, May 21, 2025

3:30 p.m., Room 522a, 350 City Hall Square West

Environment & Climate Change Advisory Committee

Thursday, May 22, 2025

5:30 p.m., Room 204, 350 City Hall Square West

Transit Windsor Working Group

Tuesday, May 27, 2025

2:30 p.m., Room 522b, 350 City Hall Square West

Environment, Transportation, and Public Safety Standing Committee

Wednesday, May 28, 2025

4:30 p.m., Council Chambers

Environment, Transportation, and Public Safety Standing Committee

Sitting as the Transit Windsor Board of Directors

Wednesday, May 28, 2025

Immediately following the Environment, Transportation & Public Safety Standing Committee meeting, Room 139, 350 City Hall Square West

Development & Heritage Standing Committee

Monday, June 2, 2025

4:30 p.m., Council Chambers

Community Services Standing Committee

Wednesday, June 4, 2025

9:00 a.m., Council Chambers

City Council Meeting

Monday, June 9, 2025

10:00 a.m., Council Chambers

## **21. ADJOURNMENT**





## Correspondence Report: CMC 8/2025

### ATTACHMENTS

#### Subject: Correspondence for Monday, May 26, 2025 City Council Meeting

No.	Sender	Subject
7.1.1	CIMA+ and Windsor Utilities Commission and Union Water Supply System Inc.	Notice of Public Information Session #1 for the Municipal Class Environmental Assessment for Union-WUC Water System Interconnection.  Commissioner, Infrastructure Services & City Engineer (A) Executive Director Pollution Control Executive Director of Public Works Operations EI2025 Note & File
7.1.2	City Planner / Executive Director	Application for Zoning By-law Amendment, Luigi Voza, 3880 Matchett Road, to construct one semi- detached dwelling with a building height of 8.5m over two floors and a basement, and containing a total of two dwelling units and two parking spaces located within the front yard.  Z/14570 Note & File
7.1.3	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/ Consent Authority, Thursday, May 29, 2025.  Z2025 Note & File





# Notice of Public Information Centre #1

**Project:** Municipal Class Environmental Assessment for Union-WUC Water System Interconnection

The Union Water Supply System (UWSS) owns and operates the water system servicing the Town of Kingsville, Town of Essex, Municipality of Leamington and Municipality of Lakeshore. The Windsor Utilities Commission (WUC) operates the water system servicing the City of Windsor, the Town of LaSalle and the Town of Tecumseh.

Currently, these two independent water systems each have one supply source. The UWSS and WUC have identified an opportunity to improve supply resilience by connecting the two systems. Water supply resiliency is important for water utility emergency preparedness as climate change introduces more uncertainty in supply quality and quantity. We are conducting an environmental assessment to identify strategy alternatives, evaluate potential environmental impacts, and gather input from the public and other interested parties.

Figure 1 shows a map of the areas serviced by the two water systems to be connected.

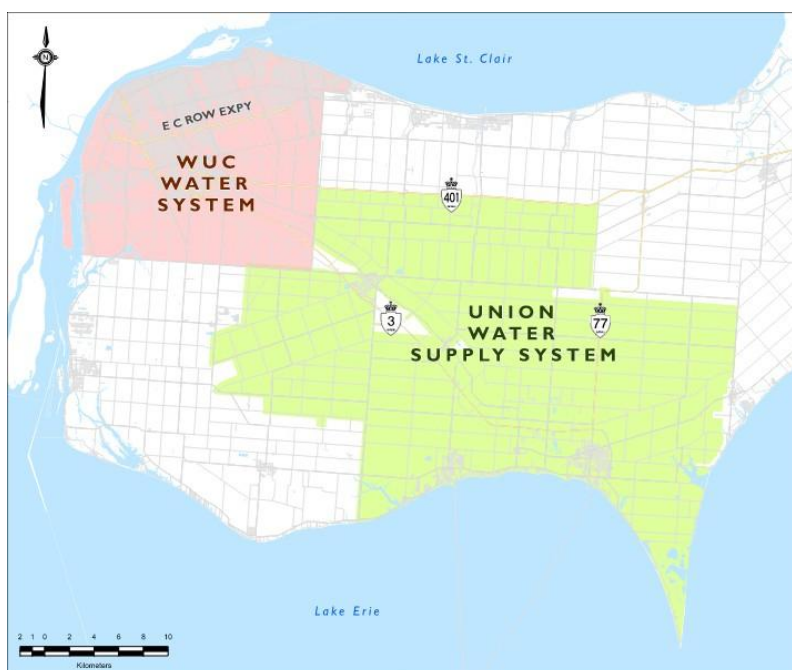


Figure 1: Service Areas of the WUC and Union Water Supply Systems

This project is subject to the Municipal Class Environmental Assessment process in accordance with requirements under the Ontario *Environmental Assessment Act*. The project is anticipated to be classified as Schedule B.



The first Public Information Centre (PIC) is being held to present the project objectives, existing conditions, preliminary solution alternatives and evaluation criteria. The PIC will have an open-house format, with project information presented on display boards and members of the project team present to answer questions and discuss project-related issues. Feedback from attendees will be used to inform the detailed evaluation of solution alternatives. A second PIC will be held later to present the details of the evaluation and the preferred solution alternative. Similar advance notice will be provided.

PIC #1	Union Location	Windsor Location
Date & Time:	Mon, June 2, 2025, 6 p.m. to 8 p.m.	Tues, June 3, 2025, 6 p.m. to 8 p.m.
Location:	Essex Arena 60 Fairview Ave W, Essex, ON	Ciociaro Club 3745 North Talbot Rd., Oldcastle, ON

Questions relating to the PIC and requests to be added to the project contact list can be directed to the following project team members:

Consultant Project Manager - CIMA+ - Matt Phillips, [matt.phillips@cima.ca](mailto:matt.phillips@cima.ca) 226-338-2367  
900-101 Frederick St, Kitchener, ON, N2H 6R2

Union Water Supply System (UWSS) - Andrew Plancke, [aplancke@unionwater.ca](mailto:aplancke@unionwater.ca)  
1615 Union Ave, Box 340, Ruthven, ON, N0P 2G0

ENWIN Utilities, on behalf of WUC - Christopher Manzoni, [cmanzon@enwin.com](mailto:cmanzon@enwin.com)  
4545 Rhodes Drive, P.O. Box 1625 Station A, Windsor, Ontario, N8W 5T1

The project webpage, which can be accessed at the link below, provides a publicly accessible repository for project information. Content from PIC #1 will be made available on the webpage following the event. A channel for the public to submit comments will be provided.

[cima.planlocal.ca/union-windsor-water-connection](http://cima.planlocal.ca/union-windsor-water-connection)

## Notice of Collection

All personal information included in a submission or request – such as name, address, telephone number and property location – is collected under the authority of section 30 of the *Environmental Assessment Act* and is collected and maintained for the purpose of creating a record that is available to the general public, as well as for consultation about the Schedule “B” Class Environmental Assessment described herein. As this information is collected for the purpose of a public record, the protection of personal information provided in the Freedom of Information and Protection of Privacy Act (FIPPA) does not apply (s.37). Personal information you submit will become part of a public record that is available to the public unless you request that your personal information remain confidential.

Notice issued on May 13, 2025



**PLANNING AND DEVELOPMENT SERVICES**

**Memo**

**To:** City Clerk  
**From:** City Planner/Executive Director  
**Date:** May 2, 2025  
**Subject:** TRANSMITTAL OF NEW FILE  
**Our File Number:** Z-007/25 [ZNG/7292]  
**RE:** Application For: (X) Zoning Amendment ( ) Official Plan Amendment  
( ) Part Lot Control ( ) Draft Plan of Subdivision/Condominium

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**Applicant:** LUIGI VOZZA

**Location:** 3880 MATCHETT ROAD

**Description:** Applicant is requesting an amendment to Zoning By-law 8600 to change the zoning from Residential District 1.2 (RD1.2) to Residential District 2.2 (RD2.2) and a Zoning Exception to construct one semi-detached dwelling with a building height of 8.5 m over two floors and a basement and containing a total of two dwelling units and two parking spaces located within the front yard. The applicant is requesting relief from the maximum gross floor area of 400 m<sup>2</sup> to 413.6 m<sup>2</sup>. The semi-detached dwelling will be severed along the common wall of the dwelling into two separate lots.

The development as proposed is not subject to Site Plan Control.

The ZONING BY-LAW AMENDMENT application submitted on MARCH 29, 2025, by LUIGI VOZZA for 3880 MATCHETT ROAD was deemed complete on APRIL 29, 2025.

**Enclosures:**

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



Neil Robertson, MCIP, RPP  
City Planner/Executive Director

NR/as/nm



## **ZONING BY-LAW AMENDMENT APPLICATION**

### **INSTRUCTIONS**

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Verify that you are using the most current application form.

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

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

Do not email the application and documents to a staff planner.

### **CONTACT INFORMATION**

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

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



May 2, 2025

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

Dear Ms. Pillon-Abbs,

**Re: ZONING BY-LAW AMENDMENT APPLICATION**


**APPLICANT: LUIGI VOZZA**  
**LOCATION: 3880 MATCHETT RD.**  
**FILE NO.: Z-007/25 [ZNG/7292]**

I acknowledge receipt of a Zoning By-law Amendment Application. Per the delegation authority in By-Law 139-2013, the City Planner deemed the application complete on April 29, 2025.

The City of Windsor will advise you prior to the Development & Heritage Standing Committee (DHSC) and Council meetings regarding the position of Planning & Development Services on the application and the dates, times, and locations of all public meetings.

If you have any questions, email me at [aszymczak@citywindsor.ca](mailto:aszymczak@citywindsor.ca).

Sincerely,



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Adam Szymczak  
Senior Planner – Development

AS/nm



# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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

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

## CONTACT INFORMATION

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

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



# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PLANNING CONSULTATION – Completion of Stage 2

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

Has the Planning Consultation Stage 2 Application been completed? NO ☐ YES ☒ File Number: PC-029/25

*Staff Use Only*

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

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

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

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

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

*Staff Use Only*

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



## ZONING BY-LAW AMENDMENT APPLICATION

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

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

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

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

#### Applicant

Name: Luigi Vozza Contact: Luigi Vozza  
Name of Contact Person  
Address: 1157 Erie St. East  
Address: Windsor, ON Postal Code: N9A 3Z4  
Phone: 519-796-7197 Fax: \_\_\_\_\_  
Email: lou@buildboulder.ca

#### Registered Owner ☒ Same as Applicant

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

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

Name: Pillon Abbs Inc. Contact: Tracey Pillon-Abbs, RPP  
Name of Contact Person  
Address: 23669 Prince Albert Road  
Address: Chatham, ON Postal Code: N7M 5J7  
Phone: 226-340-1232 Fax: \_\_\_\_\_  
Email: tracey@pillonabbs.ca

### 4. COMPANION APPLICATIONS

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

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

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



# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address	3880 Matchett Road
Legal Description	LT 53 PL 656 TOWN OF SANDWICH; PT LT 54 PL 656 TOWN OF SANDWICH AS IN R162794; WINDSOR
Assessment Roll Number	050-480-04200

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

Frontage (m) 15.8 m Depth (m) 36.3 m Area (sq m) 574.8 m2

Official Plan Designation 'Residential', as shown on Schedule D: Land Use

Current Zoning Residential District 1.2 (RD1.2) category, as shown on Map 4

Existing Uses Existing residential use (single detached dwelling)

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

Previous Uses Previous residential use

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

N/A

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

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

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

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

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

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

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



# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: Residential District 1.2 (RD1.2)  
to: site specific Residential District 2.2 (RD2.2 - S.20(1)(XXX))  
Proposed uses of subject land: Proposed to use the subject land for residential

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

It is proposed to construct one new 1-storey (with unfinished basement) semi-detached dwelling  
containing a total of 2 residential dwelling units.

A total of 2 parking spaces located on private driveways within the front yard with access  
from Matchett Road are proposed.

Why is this amendment or these amendments being requested?

The purpose of the amendment is to provide a new housing choice and support  
infilling and intensification goals set out in the PPS.

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report

☐ See Official Plan Amendment

✓



ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

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

Existing building to be demolished.

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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

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



# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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

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

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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

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

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

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

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

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

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



# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

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

## 12. APPLICATION FEE & OTHER FEES

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

Fees are subject to change. Payment options will be provided when the application is ready to be deemed complete. If the Applicant has chosen to not complete both stages of the Planning Consultation process, the Base Fee below is doubled.

### APPLICATION FEE

Amendment Type	Code	<input checked="" type="checkbox"/> Minor Rezoning	<input type="checkbox"/> Major Rezoning
Base Fee	53001	\$2,323.50	\$3,120.10
GIS Fee	63024	+ \$50.00	+ \$50.00
E-Permitting Fee	25164	+ \$40.00	+ \$40.00
<b>Total City of Windsor Fees</b>		<b>= \$2,413.50</b>	<b>= \$3,210.10</b>

### Essex Region Conservation Authority (ERCA) Fee Code 53023

If the subject land is in the Limit of Regulated Area, an ERCA fee based on type of application will be added to the Total City of Windsor Fees above. The ERCA fee is separate from any fees for a permit or clearance required by ERCA. The ERCA Fee Schedule is available [here](#).

**OTHER FEES** - The following fees are not due at this time but may be charged in the future:

**Renotification Fee** Code 53016 \$2,644.60

Required when an applicant requests a deferral after notice of a public meeting has been given.

**Legal Fee - Servicing Agreement** Code 63002 \$709.52.64 plus \$50 per unit, lot, or block

Required when the preparation of a servicing agreement is a condition of approval.



# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

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

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

☒ Open House

☒ Website

☐ Other

an informal electronic public open house was held with area residents and property owners on Wednesday, February 12, 2025, from 6:00 pm to 7:00 pm via Zoom.

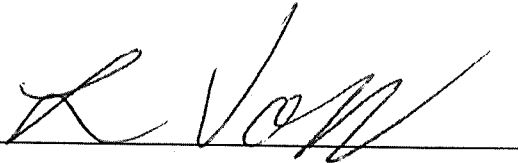
## 14. SWORN DECLARATION OF APPLICANT

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

I, Luigi Vozza

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

X



Signature of Applicant

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

City of Windsor

Location of Applicant at time of declaration

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

Declared before me  at the Municipality of Chatham-Kent

*Signature of Commissioner*

*Location of Commissioner*

this 26th day of March, 2025  
*day month year*

PLACE AN IMPRINT OF YOUR STAMP BELOW

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

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



# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

---

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

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

I, Luigi Vozza, am the registered owner of the land that is  
*Name of Registered Owner*

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

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

X   
Signature of Registered Owner

March 26, 2025

Date

If Corporation - I have authority to bind the corporation

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

I, Luigi Vozza,  
*Name of Registered Owner*

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

X   
Signature of Registered Owner

March 26, 2025

Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**



# ZONING BY-LAW AMENDMENT APPLICATION

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

### A3. Acknowledgements

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

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

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

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

#### Species at Risk

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

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

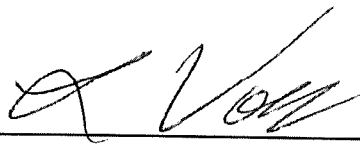
Additional information can be found at:

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

or by contacting MECP at SAROntario@ontario.ca

#### Acknowledgement

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

X   
\_\_\_\_\_  
Signature of Applicant or Agent

March 26, 2025  
\_\_\_\_\_  
Date

END OF SCHEDULE A  
COMPLETE SCHEDULE E ON NEXT PAGE



# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

### Previous Use of Property

- ☒ Residential      ☐ Industrial      ☐ Commercial      ☐ Institutional  
☐ Agricultural      ☐ Parkland      ☐ Vacant      ☐ Other \_\_\_\_\_

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

SCHEDULE E CONTINUES ON NEXT PAGE



# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

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

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

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

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

Luigi Vozza

Name of Applicant (print)

X

Signature of Applicant

March 26, 2025

Date

Tracey Pilon-Abbs

Name of Agent (print)

Signature of Agent

March 26, 2025

Date

END OF SCHEDULE E

THIS IS THE LAST PAGE OF THE APPLICATION FORM



## COMMITTEE OF ADJUSTMENT/CONSENT AUTHORITY AGENDA RECORD

PLEASE BE ADVISED THIS MEETING IS CONDUCTED ELECTRONICALLY.

The following applications are scheduled to be heard by the Committee of Adjustment/Consent Authority on Thursday, May 29, 2025 in the order stated below.

LOCATION: Via Electronic Participation

ITEM	TIME	ROLL #	FILE #	APPLICANT	LOCATION	REQUEST	RESULT
1	3:30 PM	3739070230166000000	A-038/25	SAHER PETROS	3237 TURNER RD	<b>RELIEF:</b> New lot creation with reduced minimum lot width and area for the retained and severed lots.	
2	3:30 PM	3739070230166000000	B-032/25	SAHER PETROS	3237 TURNER RD	<b>CONSENT:</b> Create a New Lot.	
3	3:30 PM	3739030510049000000	A-037/25	2559793 ONTARIO INC	2194 HOWARD AVE	<b>RELIEF:</b> The construction of an additional dwelling unit (ADU) with increased maximum GFA for any accessory building.	
4	3:30 PM	3739040190060000000	A-039/25	BIAGIO PIGNANELLI, MARIE ROSE PIGNANELLI	137-143 CAMERON AVE	<b>RELIEF:</b> Enlargement of a legal non-conforming use building with increased maximum lot coverage, main building height, and GFA for the main building.	
5	3:30 PM	3739070340023000000	A-040/25	TRENT SOVRAN	2429 ALEXIS RD	<b>RELIEF:</b> New lot creation with reduced minimum lot area for the proposed retained lot and reduced minimum lot width and area for the proposed severed lot.	
6	3:30 PM	3739070340023000000	B-033/25	TRENT SOVRAN	2429 ALEXIS RD	<b>CONSENT:</b> Create a New Lot.	
7	3:30 PM	3739050040081000000	A-041/25	KAREN ROSEMARIE MCGOWAN, WAYNE MCGOWAN, CARLENE SOPHIA MITCHELL	361 CAMPBELL AVE	<b>RELIEF:</b> New lot creation with reduced minimum side yard width for both lots.	
8	3:30 PM	3739050040081000000	B-034/25	KAREN ROSEMARIE MCGOWAN, WAYNE MCGOWAN, CARLENE SOPHIA MITCHELL	361 CAMPBELL AVE	<b>CONSENT:</b> Create a New Lot.	



9	3:30 PM	3739050030015020000	A-042/25	AHMAD EL-RIFAI	489 MCEWAN AVE	<b>RELIEF:</b> Proposed detached workshop at the rear of the property with increased maximum lot coverage and for all accessory buildings.
10	3:30 PM	37390100900087000000	A-043/25	GARY DANIELS WILLIAMS, LISA WILLIAMS, LEON WILLIAMS	2662 RICHMOND ST	<b>RELIEF:</b> Restoration of a fire-damaged duplex with increased maximum lot coverage and reduced minimum side yard width
11	3:30 PM	3739070050109000000	A-044/25	CASTLEPLEX HOLDINGS LIMITED	543 VANIER ST	<b>RELIEF:</b> Proposed detached additional dwelling unit at the rear of the property, with increased maximum lot coverage for all accessory buildings.
12	3:30 PM	3739080830225050000	A-045/25	1998308 ONTARIO INC	1561 ARMANDA ST	<b>RELIEF:</b> The creation of two new Lots with reduced minimum lot width and area.
13	3:30 PM	3739080830225050000	B-035/25	1998308 ONTARIO INC	1561 ARMANDA ST	<b>CONSENT:</b> Create a new Lot.
14	3:30 PM	3739080830225050000	B-036/25	1998308 ONTARIO INC	1561 ARMANDA ST	<b>CONSENT:</b> Create a new Lot.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

In addition, if you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed applications, you must make a written request to the Committee of Adjustment at the address shown below with the specific file number please emails [COAdjustment@citywindsor.ca](mailto:COAdjustment@citywindsor.ca). **NOTE:** To access the Agenda Record, Comments for the upcoming meeting, and past Committee of Adjustment Minutes, please visit our website at: [Committee of Adjustment Meeting Agenda \(citywindsor.ca\)](http://Committee of Adjustment Meeting Agenda (citywindsor.ca))



**Subject: The Role of an Audit Committee - A Municipal Framework– City Wide****Reference:**

Date to Council: May 26, 2025

Author: Luigi Congi

Executive Initiatives Coordinator

519-255-6100 ext 6136

lcong@citywindsor.ca

City Treasurer

Report Date: 4/9/2025

Clerk's File #: AF/14508

To: Mayor and Members of City Council

**Recommendation:**

THAT City Council **RECEIVE** the report of the Executive Initiatives Coordinator dated April 9, 2025, entitled "The Role of an Audit Committee – A Municipal Framework-City Wide" for information.

**Executive Summary:**

N/A

**Background:**

The City of Windsor has utilized different approaches to internal audit oversight throughout the years. As far back as the early 2000's, an Audit Committee was in operation collaborating with the Finance department's Internal Audit Division. Over a short period of time thereafter, the Committees' responsibilities, along with the overall Internal Audit function structure was formulized through a series of Council directives. This ultimately led to a Standing Committee comprised of all members of Council serving as the Audit Committee. This Committee had its own charter which covered corporate governance, corporate control and financial reporting.

In parallel with these changes, was the establishment of a City Auditor reporting administratively to the City Manager and functionally to the Audit Committee. The responsibility for the review and approval of budgets, staffing and City Auditor performance rested with Council through the Audit Committee. It should be noted that over this time, the Audit Committee's composition transitioned from solely Administration personnel to a hybrid of Administration, Councillors, and external professionals. It was not until late October 2011, that City Council elected to disband



the Executive Committee sitting as the Audit Committee, ultimately outsourcing the Internal Audit function to PricewaterhouseCoopers (PwC) in the following year. While Internal Audit reported to the Executive Committee of Council, formal final reporting was made to City Council. Further, with the removal of the Executive Committee of Council, Internal Audit then reported directly to Council. On September 23, 2019, City Council appointed an Auditor General (AG) with the associated powers and responsibilities as per the Municipal Act. At this time, the Internal Audit function was designated to report into and be overseen by the Auditor General (the Office of the Auditor General). Subsequently, in 2022 the outsourced audit function was transferred to Risk Savvy Ltd. (Risk Savvy) where it resides today. The Finance department, under the City Treasurer, acts as a liaison between the Auditor General and Departments assisting in the co-ordination of meetings, payment of fees and facilitation of reports to Council.

At the meeting of City Council on February 24, 2025, and through CR102/2025 Recommendation VI, Council directed Administration;

...to report back to Council on a framework, terms of reference, and costs associated with the creation of an Audit Committee of Council, in consultation with appropriate stakeholders including the Auditor General.

The report provides City Council with the requested information.

## **Discussion:**

Over the past ten years Administration has fostered a strong relationship with the Office of the Auditor General (and the prior Internal Audit function) based on collaboration, mutual respect, and trust. The partnership has been the cornerstone of strong governance, transparency, and accountability, reflecting a shared commitment to continuous improvement. This has led to establishing an Internal Audit function that is not predicated on solely exposing weaknesses but rather with a strong focus to enhancing processes, improve efficiencies, and strengthen governance. The success of this is reflected in the review of over 270 internal audit findings, that have resulted in process optimizations and procedural refinements all of which have been completed. By working together to identify, investigate, and resolve Internal Audit reviews and Hotline Investigations, the Auditor General and Administration have established a model of cooperative oversight, ensuring the highest standards of financial and operational accountability for the municipality.

Equally important has been the role of City Council in ensuring effective governance and oversight. This has included overseeing the Internal Audit function and subsequently the Auditor General function, ensuring its operations are independent while ensuring strong governance, financial accountability and transparency to its residents. City Council's roles and responsibilities can be summarized by the following:

- Overseeing the Auditor General function and prior Internal Audit function, to ensure it operates independently and aligns with the organization's objectives.
- Approving the Auditor General charter to define the purpose, authority, and responsibility of the role as well as the function.



- Collaborating with the Auditor General and Administration to discuss the results of the Auditor General reviews and Hotline Investigations as well as the findings, management action plans, and the evidence of the action plan implementation.
- Ensuring that the Auditor General function has the necessary resources, competencies, and access to information.

By executing the above responsibilities, Council also ensures compliance with the latest Global Internal Audit Standards published by the Institute of Internal Auditors. This is important to note because of the emphasis the standards place on the role of the “board” – the highest-level body in charge of governance.

In terms of the development of a framework, City Administration conducted a provincial scan of municipalities with populations over 100,000 to determine the prevalence of Audit Committees. Appendix A provides a summary of Administration’s observations regarding the roles and responsibilities, composition, and meeting frequency of these committees

In summary (19) nineteen out of (27) twenty-seven municipalities or just over 70% have an Audit Committee. The most common composition of these committees ranges between (5) five to (7) seven members of Council, with just over a quarter including independent members. The most common meeting frequency ranges from (3) three to (5) five meetings annually. Responsibilities assigned to these audit committees extend beyond internal audit items. These responsibilities include, but or not limited to, external audit, audit planning and execution, review of financial statements, risk management, internal control oversight, and overall governance and compliance.

What follows is a list of observations that could serve as a framework for establishing an Audit Committee.

## 1. Purpose and Mandate

All the Audit Committees reviewed provided oversight that stretched beyond the Auditor General or internal audit functions. This consisted of financial accounting and reporting, risk management, internal controls as well as the external audit process.

## 2. Authority & Responsibilities

A common theme used to describe the Audit Committee’s responsibilities was to provide independent review and recommendations over the following areas:

- External and Internal Audit – involving the selection, performance, adequacy, findings, corrective action implementation, and internal and external and Auditor General work plans.
- Financial Reporting – involving the audit of financial statements in corresponding audit reports.
- Internal Controls – effectiveness of policies and procedures.



- Risk Management – financial and operational risk mitigation strategies.
- Compliance & Ethics – adherence to applicable laws and regulations.

### 3. Composition & Membership

As stated previously, the most common composition of the Audit Committees analyzed ranged from (5) five to (7) seven members of Council. Just over a quarter of these committees included independent members. Majority of the committees had a term of office concurrent with the term of Council.

### 4. Qualifications

Mandatory qualifications were established for members that were not Councillors. Although not specific, the requirements consisted of the ability to demonstrate knowledge or expertise in finance and accounting, audit principles, and risk management. This skill set would compliment knowledge and/or skills possessed among appointed members of Council.

### 5. Meeting and Reporting

The majority of the Audit Committees met between (3) three to (5) five times a year. All committees were given the ability to schedule additional meetings when required by the Chair. In addition to reviewing all audit reports, all audit work plans, and implementation of corrective action, some committees provided annual reports summarizing their accomplishment and findings. Majority of committee meetings took place in a public session, where meeting agendas, minutes and reports were made publicly available.

### 6. Relationship with External and Internal Auditors

Although the Chief Audit Executive/Auditor General reported directly to Council among all the cities analyzed, the Audit Committees were influential in guiding Council's decisions affected this individual. The Audit Committees were given the responsibility to oversee all audit matters. This included, but not limited to the following:

- Recommendation on the selection and dismissal of the internal and external auditor.
- Those with an Auditor General require Council votes regarding the dismissal of the Auditor General, others are appointed terms.
- Recommendation on the terms of the engagement, fees, and scope of the internal audit, external audit, and the Auditor General services.
- Review the scope and materiality limits of annual external audits, accounting principles, and reasonableness of external audit fees.
- Review audited financial statements and related external audit reports.



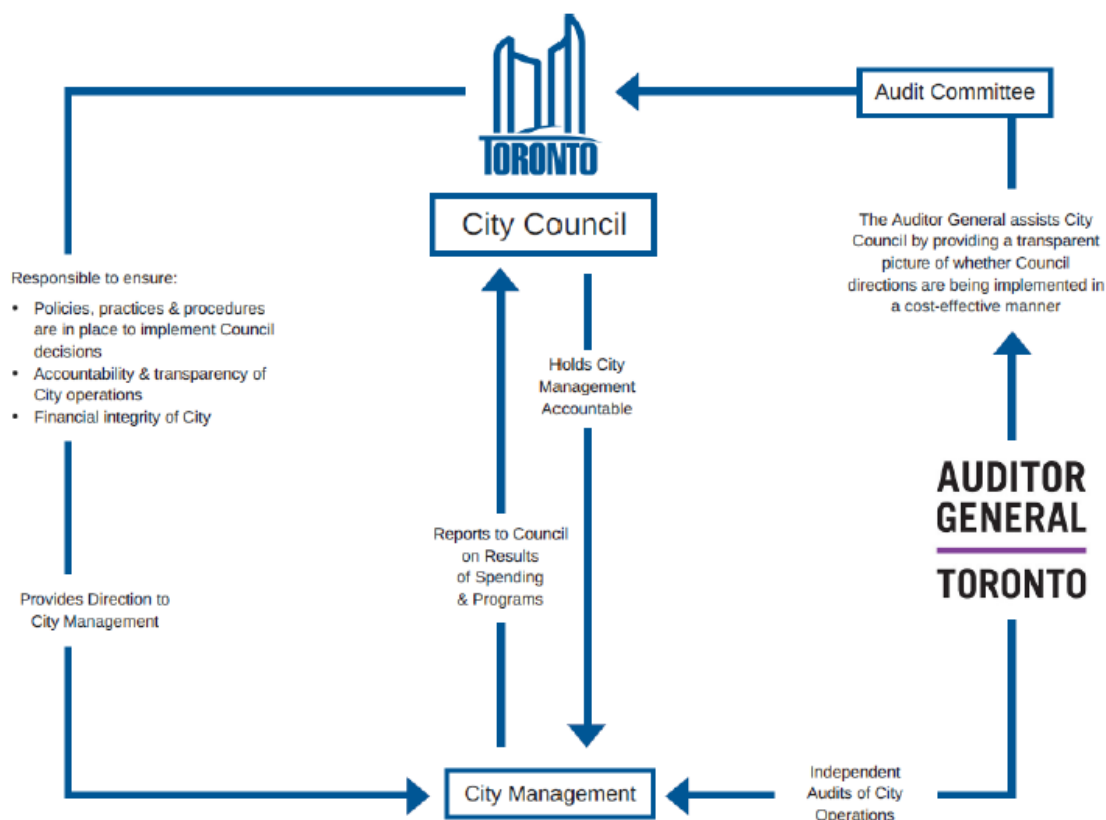
- Review the internal audit work plan, internal audit results, investigation findings and, implementation and adequacy of applicable corrective actions
- Manage the relationship between Administration and various auditors, as well as between the various auditors.
- Review and provide recommendations of the Audit Committee's charter and terms of reference and the Internal Audit charter and/or the Auditor General charter.

## 7. Evaluation and Continuous Improvement

According to the Global Internal Audit Standards published by the Institute of Internal Auditors; "The chief audit executive must develop a performance measurement methodology to assess progress toward achieving the function's objectives and to promote the continuous improvement of the internal audit function." Due to the responsibilities outlined above, any Audit Committee would need to ensure they are equally involved in this aspect. It is recommended that an Audit Committee through executing their mandate, would participate in a review to ensure alignment with municipal governance needs.

The following diagram (Figure 1) taken from the City of Toronto's Audit Committee report dated January 1, 2019, has been included to provide a visual representation of the interaction between an Audit Committee, Council and the Auditor General.

**Figure 1: How the Auditor General assists City Council**





The Auditor General has also prepared additional considerations which can be found in Appendix B – Auditor General Considerations regarding an Audit Committee.

### **Risk Analysis:**

It is important to consider the potential risks associated in transitioning to an Audit Committee of Council prior to initiating such a structural change in governance.

Traditionally elected officials provide direction by approving policies, programs, and budgets while Administration implements those decisions operationally. An Audit Committee of Council may introduce ambiguity among these separate lines of duty with their oversight of audit execution and implementation of audit recommendations. Furthermore, this given responsibility of audit approval and execution may provide exposure to perceived political biases, weakening the independence ideology of the Committee.

With over thirteen years of experience in managing the existing process, Administration has gained expertise and established a framework to respond quickly and effectively to potential risk and pivot accordingly to audit concerns in an efficient and cost affective manner. This may pose a challenge for an Audit Committee hindered by periodic meetings and dependencies inflicted by Council term cycles. Even if these obstacles could be overcome, committee members may find themselves lacking the knowledge and expertise in properly assessing and analyzing audit plans, internal controls, or risk management. This could lead to the overreliance on administration or consultative judgement, effectively diminishing the independence of the Committee. To address the potential skills gap, qualified independent professionals from the public sector can be added as committee members. Although ideal, dedicated effort, time and resources are needed for the recruitment and assessment process by both Council and Administration.

Establishing an Audit Committee to review internal and external audit findings represents a valuable step toward enhancing transparency, accountability, and oversight. However, it is important to note that introducing this additional layer into the decision-making process may initially result in some delays. These delays are expected as the Committee becomes familiar with its mandate, procedures, and the audit review cycle. That said, this learning curve is anticipated to be short-lived.

Conversely, operating without an Audit Committee may convey a missing layer of objectivity whereby Council may be perceived as having insufficient oversight over matters such as the appropriate authority, role, and responsibilities of the audit function. The absence of a formal communication channel with the Auditor General may increase the risk of missed opportunities in reviewing detailed audit findings, implications of risk exposure and the timeliness of audit recommendations implementation. It should be noted that Administration has taken precautions to minimize this risk by providing a transparent, unobstructed path for the Auditor General to engage with Council whenever requested.



## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

Should Council choose to establish an Audit Committee, it is important to consider the associated costs with establishing and supporting a new Committee of Council. The current approved annual budget for internal audit services is based on a fixed fee of \$300,000, plus HST, annually allocating 1,250 hours to the Auditor General's 2025 Audit Work Plan. This equates to an effective hourly rate of \$240.00 plus HST.

In collaboration with the Auditor General and based on the assumption of an Audit Committee meeting (4) four times per annum, plus Council reports and presentations/questions, the estimated impact on the Auditor General's efforts would result in an increase ranging from \$17,000.00 to \$30,500.00 per annum. This is dependent on the number of planned meetings and duration, as well as required prep time, file management and attendance at subsequent Council meetings. Also, internal staff time should be considered to support efforts dedicated to scheduling, creating agenda and meeting minutes, presentation and reporting efforts and technological support. The actual cost of these expenses will vary depending on the timing, duration, and nature of the meeting.

In addition to the cost implications previously stated, it is also important to consider the impact on how the Auditor General allocates their time. Specifically, time dedicated to supporting the Committee may reduce capacity needed in conducting audit investigations and responding to the Concerned Citizen and Employee Hotline, which has recently experienced an increase in call volume,

In addition, the 2024 revised Global Internal Audit Standards include enhanced requirements for internal auditors, particularly around independence, governance, and assurance functions. Meeting these updated standards may require increased time and resources, which should be factored into any future planning regarding oversight structures or changes to the current model.

### **Consultations:**

City Clerk – Steve Vlachodimos

Auditor General - Christopher O'Connor



**Conclusion:**

Should City Council wish to recommend the establishment of an Audit Committee, direction should be given to the City Clerk in accordance with the Section 21.4.1 of Procedure By-law 98-2011 as amended, to bring this forward as part of the 2026-2030 Council's process for determining which committees will be established for the term. In addition, City Council should also provide direction to the City Treasurer to include an increase in funding as part of the 2027 Budget development process.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Janice Guthrie	Commissioner Finance/City Treasurer
Ray Mensour	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A – Audit Committee Comparison Review
2. Appendix B – Auditor General Considerations regarding an Audit Committee Structure



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Sudbury	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management	5 to 7 members of council with option to appoint an external advisor (currently 5 members of council)	Quarterly	Office of the Auditor General	<ul style="list-style-type: none"><li>•To review and approve the external auditors’ annual work plan;</li><li>•To review the annual Audited Financial Statements and the annual Audit Findings</li><li>•Report and approve the external auditors’ annual Audit Plan;</li><li>•To review the Auditor General’s reports and annual work plan;</li><li>•To conduct an annual review of the Auditor General’s office;</li><li>•To review matters included in the Auditor General’s mandate;</li><li>•To study topics or issues referred to the Audit Committee by Council resolution;</li><li>•To review and approve reports on the City’s Wrongdoing Hotline; and</li><li>•To review and approve reports on the City’s Enterprise Risk Management process</li></ul>	Audit Committee (Committee of Council)
City of Barrie	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management, Various Other Departments	Mayor & Deputy Mayor as ex-officio members and 2 members of council	Monthly	Internal Audit Department	<p>The role of a Reference Committee is to provide advice and guidance: To City Council (through General Committee) on the direction and nature of policy development and to complete fact finding and detailed analysis of the matters before the Reference Committee.</p> <p>Reference Committees deal with matters within the duties of the individual Committee, matters referred to it by City Council, and/or items of an Advisory Committee that reports to it. The business dealt with by each Reference Committee must fall within the duties of the Reference Committee under the Procedural By-law.</p> <p>To the General Committee on matters within the following subjects: Corporate sustaining matters including financial (capital and operating budgets, revenue and taxation, financial policies, procurement and audit functions), internal audit, legal, real estate, risk management, information technology, legislative, court, human resources, intergovernmental, Service and Community Partner relations, history, archives, customer service and communications.</p>	Finance & Responsible Governance Committee (Reference Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Guelph	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management, Internal Controls	All members of council	Monthly	Internal Audit Department	<p>The Audit scope of responsibilities includes:</p> <ul style="list-style-type: none"><li>• External Audit</li><li>• Annual Financial Statements</li><li>• Auditor Performance and Review</li><li>• Adequacy of the City’s Resources</li><li>• City Financial and Control Systems</li><li>• Financial Literacy</li><li>• Internal Audit</li><li>• Compliance</li><li>• Risk Management and Internal Control</li><li>• Reporting Responsibilities</li></ul> <p>Specific to Internal audit:</p> <ul style="list-style-type: none"><li>-Review and approve the risk-based annual internal audit work plan recommended by the Internal Auditor.</li><li>-Review and approve the Internal Audit Charter at least every four (4) years or sooner if needed.</li><li>-Review and receive internal audit reports identifying key issues and management action plans.</li><li>-Review adequacy of the management responses to audit concerns in relation to the risks and costs involved.</li><li>-Ensure the internal audit recommendations are implemented in a timely fashion by reviewing internal audit’s follow-up reports.</li><li>-Communicate and meet independently with the Internal Auditor as appropriate.</li></ul>	Audit Committee (Part of the Committee of the Whole)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Kingston	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management, Internal Controls, Governance, Financial Performance Reporting	2 members of council and 3 independent members	Quarterly	Outsourced Internal Audit Function	<p>Financial and Performance Reporting</p> <ul style="list-style-type: none"><li>• Review significant accounting and external reporting issues and understand their effect on the annual financial report and the external audit</li><li>• Review any changes to the Local Government Performance Reporting Framework and understand the impact of those changes on Council's performance indicators</li><li>• Review the annual financial report and annual performance statement and consider whether they are complete, reflect appropriate accounting treatments and adequately disclose Council's financial performance and position</li><li>• Review with management and the external auditors the results of the audit, including any difficulties encountered by the auditors and how they were resolved</li><li>• Recommend the adoption of the annual financial report and annual performance statement to the Council.</li><li>• Review Council's quarterly Financial and Performance Report</li></ul> <p>Risk Management</p> <ul style="list-style-type: none"><li>• Review the effectiveness of Council's enterprise risk management framework on its control environment</li><li>• Review Council's risk appetite statement and the degree of alignment with Council's risk profile</li><li>• Review and provide advice on Council's management of strategic and operational risk and effectiveness of controls</li><li>• Review Council's processes on identifying emerging risks</li><li>• Receive regular insight and analysis into Council's key strategic and operational risks and mitigation strategies</li></ul> <p>Internal Control Environment Through the Strategic Audit Plan:</p> <ul style="list-style-type: none"><li>• Review the adequacy and effectiveness of key policies</li><li>• Determine whether systems and controls are reviewed regularly and updated where required</li><li>• Monitor significant changes to systems and controls to assess whether those changes significantly impact Council's risk profile</li><li>• Ensure that a programme is in place to test compliance with systems and controls</li><li>• Assess whether the control environment is consistent with Council's overarching governance principles.</li></ul>	Audit and Risk Committee (Standing Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Kingston (cont'd)					<p>Assurance - Internal Audit</p> <ul style="list-style-type: none"><li>• Review and approve the Strategic Audit Plan, the annual internal audit plan</li><li>• Review progress on delivery of the annual internal audit plan</li><li>• Review and approve proposed scopes for each review in the annual internal audit plan</li><li>• Review reports on internal audit reviews</li><li>• Meet privately (without staff) with the contracted Internal Auditor each year</li><li>• Monitor action by management in addressing internal audit recommendations in a timely manner</li><li>• Review the effectiveness of the internal audit function as appropriate and at least annually via an assessment with management to measure performance</li><li>• Ensure that it has appropriate authority within Council and has no unjustified limitations on its work</li><li>• Ensure that the Committee is briefed and made aware of any proposed changes to the appointment of the internal audit service provider</li><li>• Have an independent member be part of the tender evaluation panel for the appointment of an Internal Audit Service provider</li><li>• Recommend to Council, if necessary, the termination of the internal audit contractor</li></ul> <p>Assurance - External Audit</p> <ul style="list-style-type: none"><li>• Annually review and approve the external audit scope and plan</li><li>• Discuss with the external auditor any audit issues encountered in the normal course of audit work</li><li>• Ensure that significant findings and recommendations made by the external auditor, and management’s responses to them, are appropriate and are acted upon in a timely manner •</li></ul> <p>Review the effectiveness of the external audit function and ensure that the Victorian Auditor General’s Office (VAGO) is aware of the Committee’s views</p> <ul style="list-style-type: none"><li>• Meet privately (without staff) with the contracted External Auditor each year;</li></ul>	



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Kingston (cont'd)					<p>Governance</p> <ul style="list-style-type: none"><li>• Applying a risk lens, monitor the compliance of Council policies and procedures with the overarching governance principles</li><li>• Obtain briefings on any significant governance or compliance matters and management’s response to those matters</li><li>• Develop and adopt an Annual Work program</li><li>• Receive reports from management on the findings of relevant reports by regulatory or integrity</li><li>• Receive a bi-annual report detailing all reimbursements of Councillor expenses pursuant to S40 of the Local Government Act 2020.</li><li>• Receive reports on significant incidents of non-compliance</li><li>• Oversight of remedial action by management where significant breaches have occurred</li></ul>	



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
Thunder Bay	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management, Internal Controls, Financial Performance Reporting	2 members of council and 3 independent members	3x a year	Internal Audit Department	<p>Financial Statements</p> <ul style="list-style-type: none"><li>• Review significant accounting and reporting issues, including complex or unusual transactions, highly judgmental areas, recent professional/regulatory pronouncements, and understand their impact on the financial statements.</li><li>• Review with management and the external auditors the results of the audit, including any difficulties encountered.</li><li>• Review the annual financial statements, and consider whether they are complete, consistent with information known to committee members, and reflect appropriate accounting principles.</li><li>• Recommend to City Council the approval of the annual financial statements.</li><li>• Review with management and the external auditors all matters required to be communicated to the committee under Generally Accepted Auditing Standards.</li></ul> <p>2. External Audit</p> <ul style="list-style-type: none"><li>• Review the external auditor’s terms of engagement, fees, proposed audit scope and audit planning.</li><li>• Review the performance of the external auditors, and recommend to Council the appointment or discharge of the auditors</li><li>• Review and confirm annually the independence of the external auditors</li><li>• Review and discuss with the external auditor the Management Letter, if appropriate, together with any related recommendations for improvement.</li><li>• Meet separately with the external auditors to discuss any matters that the committee or auditors believe should be discussed privately</li></ul>	Audit Committee (Advisory Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
Thunder Bay (cont'd)					<p>3. Internal Audit</p> <ul style="list-style-type: none"><li>• Review and approve the Internal Audit Charter.</li><li>• Approve decisions regarding the appointment and removal of the Manager – Internal Audit. Ensure there are no unjustified restrictions or limitations, and review and concur in the appointment, replacement, or dismissal of the Manager – Internal Audit.</li><li>• Review and confirm annually the independence of the internal auditor</li><li>• Approve the annual audit plan and all major changes to the plan. Review the internal audit activity’s performance relative to its plan.</li><li>• Review with the Manager – Internal Audit the internal audit budget, resource plan, activities, and organizational structure of the internal audit function.</li><li>• Review internal audit reports issued and, where required, recommend the acceptance, amendment or rejection of the report recommendations. Review the adequacy of the management responses to audit recommendations, having regard to the risks and the costs involved.</li><li>• Review any requests for special studies and investigations made by Audit Committee members, Council and Administration; review and approve revised audit work plan.</li><li>• Meet separately with the internal auditors to discuss any matters that the committee or auditors believe should be discussed privately</li></ul> <p>4. Risk Management &amp; Internal Control Oversight</p> <ul style="list-style-type: none"><li>• Review and discuss with management their responsibility for assessing and managing the City’s exposure to risk.</li><li>• Review and discuss with management their responsibility for assessing the City’s internal control systems and monitoring compliance with laws, regulations and policy.</li><li>• Review and discuss with management their responsibility for safeguarding of corporate assets and, as appropriate, verifying the existence of those assets.</li><li>• Review the findings of any examinations from the external or internal auditors and management’s responses.</li></ul>	



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
Thunder Bay (cont'd)					5. General <ul style="list-style-type: none"><li>• Review the Audit Committee Terms of Reference annually and recommend modifications to Council, as necessary.</li><li>• Provide a summary of all meetings of the Committee to Council.</li><li>• Provide an annual report to the Council on the activities of the Audit Committee that identifies how it fulfilled its role and mandate</li></ul>	
City of Brantford	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Internal Controls	Mayor and 5 members of council	Monthly	unknown	The Finance Committee shall advise Council on matters relating to the finances of the municipality including, without limitation, the development and implementation of the City’s long-term strategic financial plan, internal and external audits, budget policy, budget monitoring, tax policies and policy direction and prioritization relating to financial matters and budgets	Finance Committee (Standing Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Ottawa	"External Audit (Plan, Execution, Provider Selection)", "Auditor General (Plan, Reporting, Oversight)", Budget	All members of council. Mayor is ex officio member	Monthly	Office of the Auditor General	<p>Administration and general policy</p> <ul style="list-style-type: none"><li>•Confirm and assure the independence of the City’s Auditor General and the external auditor, including a review, if requested, of all additional audit, management consulting and other fees of the external auditor.</li><li>•Have the authority to hear briefings on litigious matters related to items within the Committee’s mandate and to give direction to the City Solicitor on such matters where it is consistent with current Council direction or policy.</li><li>•Review and recommend to Council revisions to the Audit Committee Terms of Reference, as required.</li><li>•Recommend to Council proposed by-laws that are under the Committee’s jurisdiction.</li></ul> <p>Audit plan and annual report</p> <ul style="list-style-type: none"><li>•Review and recommend to Council, the Audit Plan submitted by the Auditor General and any subsequent adjustments from the Office of the Auditor General.</li><li>•Receive and resolve any audit recommendations where management does not agree as directed by Council, and direct staff on next steps or make recommendations to Council on potential resolutions.</li><li>•Ensure that any policy recommendations coming out of an audit are referred to the appropriate Standing Committee.</li><li>•Monitor the performance of the Office of the Auditor General in carrying out its approved Audit Plan and report directly to Council, as appropriate.</li><li>•Consider and recommend to Council a process for a Quality Assessment Review of the Office of the Auditor General.</li><li>•Review reports from the Office of the Auditor General on status and implementation of audit recommendations in accordance with the Audit Recommendation Implementation Update Process approved by Council.</li></ul>	Audit Committee (Standing Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Ottawa (cont'd)					<p>External Audit</p> <ul style="list-style-type: none"><li>•Recommend the appointment of the external auditor and the audit fees to Council, as required.</li><li>•Receive and review the Annual Financial Statements with management and the external auditors and ensure Council receives an information report.</li><li>•Review any other matters brought to the Committee’s attention by the external auditor and determine the appropriate disposition.</li><li>•Review any changes in accounting principles and practices followed by the municipality.</li><li>•Discuss with the external auditor the annual evaluation of the internal control systems and recommendations for improvements.</li></ul> <p>Budget</p> <ul style="list-style-type: none"><li>•Consider, for recommendation to Council, the annual budget and budget amendments for the Office of the Auditor General, subject to the budgetary powers and duties assigned to the head of Council under the Municipal Act, 2001 and associated regulations and any Council-approved budget process.</li></ul>	
City of London	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management	Deputy mayor, 3 members of council, 1 independent member	Quarterly	Outsourced Internal Audit Function	<ul style="list-style-type: none"><li>•Oversee all audit matters including evaluation of internal and external services</li><li>•Manage the terms of the engagement with external and internal auditors as advised by Administration</li><li>•Review scope and materiality limits of annual audits, accounting principles, and reasonableness of audit fee</li><li>•Review audit reports of financial statements</li><li>•Review audited financial statements</li><li>•Manage relationship between Administration and auditors</li><li>•Review and approve outsourced internal audit plans</li><li>•Provide input in the risk-based audit plan</li><li>•Recommend appointment of auditors on advise of Administration</li><li>•Receive external and internal auditor reports</li><li>•Receive outsourced internal auditor functional report (access to and communication with departments)</li></ul>	Audit Committee (Task Forces and Special Committees)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Brampton	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management	5 members of council and 1 independent member	Quarterly	Internal Audit Department	<ul style="list-style-type: none"><li>•Recommend selection and dismissal of Auditor</li><li>•Recommend terms of engagement, fees, and scope of audit services</li><li>•Recommend the review and approval of annual Audited Financial Statements</li><li>•Recommend the review and receipt of reports</li><li>•Approve risk based internal audit work plan by Director Internal Audit</li><li>•Reviewing Internal Audit reports issued during the year;</li><li>•Reviewing adequacy of the management responses to audit concerns in relation to the risks and costs involved;</li><li>•Ensuring the Internal Audit recommendations are implemented by reviewing Internal Audit’s follow up reports;</li><li>•Approve internal audit charter</li><li>•Reviewing and approving the Office of Internal Audit’s budget;</li><li>•Reviewing the adequacy of the authority, responsibilities and functions of the City’s Office of Internal Audit, including Internal Audit plans, budget, and the scope and results of internal audits and management’s responses thereto</li></ul>	Audit Committee (Committee of Council)
City of Hamilton	"External Audit (Plan, Execution, Provider Selection)", "Auditor General (Plan, Reporting, Oversight)", Risk Management, Internal Controls, Various Other Departments	8 members of council	Monthly	Office of the Auditor General	<p>Reports and make recommendations on:</p> <ul style="list-style-type: none"><li>•Internal/external audits</li><li>•Oversight of internal control, financial reporting</li><li>•Human Resources - programs and services</li><li>•Programs related to Financial Planning and Policy, Treasury Services, Customer Service, Information Technology, Legislative Services, Records Management, Legal Services, Procurement and Risk Management, Access &amp; Equity</li></ul>	Audit, Finance and Administration Committee (Standing Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Toronto	"External Audit (Plan, Execution, Provider Selection)", "Auditor General (Plan, Reporting, Oversight)"	5 members of council	4 to 5 times per year	Office of the Auditor General	<ul style="list-style-type: none"><li>•Considering the Auditor General's reports and audit plan;</li><li>•Considering performance audits and other reports of the Auditor General concerning City agencies and City corporations;</li><li>•Making recommendations to Council on reports the Audit Committee considers;</li><li>•Conducting an annual review of the Auditor General's accomplishments;</li><li>•Recommending the appointment of the City's external auditor;</li><li>•Considering the annual external audit of the financial statements of the City and its agencies and corporations;</li><li>•Recommending the appointment of an external auditor to conduct the annual audit of the Auditor General's Office; and</li><li>•Considering the external audit of the Auditor General's Office.</li></ul>	Audit Committee (Special Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Mississauga	"Internal Audit (Plan, Reporting, Oversight)"	Mayor as ex-officio and 4 members of council	4 times per year	Internal Audit Department	<p>Responsible for making recommendations to Council regarding the following:</p> <p>External Audit Function</p> <ul style="list-style-type: none"><li>•Selection and dismissal of External Auditor</li><li>•Discuss with the external auditor the annual evaluation of the internal control systems</li><li>•Terms of engagement, fees, scope</li><li>•Results of audit and any difficulties experienced in completing</li><li>•Review auditor reports about the City, boards and agencies, BIAs</li><li>•Evaluate the performance and effectiveness of external auditor</li></ul> <p>Internal Audit Function</p> <ul style="list-style-type: none"><li>•Discuss the appropriate authority, role, responsibilities, scope, and services</li><li>•Review and approve internal audit charter</li><li>•participate in discussions about the “essential conditions” described in the Global Internal Audit Standards, which establish the foundation that enables an effective Internal Audit function,</li><li>•Ensure a quality assurance and improvement program has been established</li></ul> <p>Audit Planning and Execution</p> <ul style="list-style-type: none"><li>•Review and approve the risk-based audit work plan,</li><li>•Review Internal Audit reports</li><li>•Ensure the Internal Audit recommendations are implemented</li><li>•Review the adequacy of the management responses to audit concerns, having regard to the risks and the costs involved</li></ul>	Audit Committee (Standing Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Burlington	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management, Internal Controls	Mayor as ex-officio, 2 council members, 4 independent members	4 times per year	4 times per year	<p>Responsible for making recommendations to Council regarding the following:</p> <p>Financial Statements</p> <ul style="list-style-type: none"><li>•Review and recommend for approval the annual audited consolidated financial statements</li><li>•Review any matters brought to the committee’s attention by the external auditor and determine the appropriate disposition thereof.</li><li>•Review quarterly actual financial performance.</li><li>•Recommend the selection and/or dismissal of the external auditor to Council</li><li>•Review and discuss with management the appropriateness of accounting or other financial policies and reporting practices and review any significant proposed changes or developments in these areas</li></ul> <p>External Audit Function</p> <ul style="list-style-type: none"><li>•Confirm and assure the independence of the external auditor</li><li>•Review the terms of engagement, scope and performance of the external audit services provided.</li><li>•Approve the fees for the audit</li><li>•Review any matters brought to the committee’s attention by the external auditor</li><li>•Discuss with the external auditor the annual evaluation of the internal control systems</li></ul> <p>Internal Audit</p> <ul style="list-style-type: none"><li>•Confirm and assure the independence of the City Auditor</li><li>•Review and approve the annual audit work plan</li><li>•Monitor and annually evaluate the performance of the City Auditor</li><li>•Review audit reports issued and recommend the acceptance, amendment or rejection of the report recommendations.</li><li>•Review the adequacy of management responses to audit concerns in relation to the risks and costs involved.</li><li>•Review reports from the City Auditor on the status and implementation of approved audit recommendations.</li></ul>	Audit Committee (Standing Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Burlington (cont'd)					<p>Corporate Control Framework</p> <ul style="list-style-type: none"><li>•Periodically review management reports on control systems and the control environment.</li><li>•Obtain reasonable assurance on an annual basis, the information technology (IT) systems are reliable and secure and the systems of internal controls are properly designed and effectively implemented through discussions with and reports from management.</li><li>•Review and discuss reports related to the investigation of significant non-compliance, conflicts of interest, misconduct, or fraud and their resolution and make recommendations to Council thereon</li></ul> <p>Risk Management</p> <ul style="list-style-type: none"><li>•Provide oversight for the risk management program on behalf of Council</li><li>•Review reports related to assessing and managing the City’s exposure to risk</li><li>•Review and approve/endorse policies governing risk management</li><li>•Review reports regarding the City’s risk exposures and their implications</li></ul>	
City of Markham	"External Audit (Plan, Execution, Provider Selection)", "Auditor General (Plan, Reporting, Oversight)"	Members of council	N/A	Outsourced Internal Audit Function	AG & External Audit are overseen/report to Council	General Committee (Standing Committee)



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
City of Vaughan	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management, Internal Controls, Financial Performance Reporting	Up to 4 members of council and up to 2 independent members	5x a year	Internal Audit Department	<p>The objective of the Audit Committee is to assist Council in the discharge of governance, accountability and controllership responsibilities by ensuring risks are being appropriately addressed through strong governance, a risk/control and compliance framework, appropriate stewardship and an effective internal audit activity.</p> <p>This includes reviewing and advising on:</p> <ul style="list-style-type: none"><li>•The integrity, quality and transparency of the City’s financial, management and operational information.</li><li>•The effectiveness of the financial and management reporting processes.</li><li>•The effectiveness of risk management and control processes and practices.</li><li>•The performance of the Internal Audit activity and assessing the effectiveness of the External Audit function.</li><li>•Ethical business conduct and compliance with the City of Vaughan’s Employee Code of Conduct.</li></ul>	Audit Committee (Decision-Making Committee)
City of Richmond Hill	Information not available	5 members of council	3x a year	York Region Audit Services Division from 2016 to 2019	Information not available	Audit Committee
City of Carington	Information not available	N/A	N/A	N/A	Information not available	N/A
City of Oshawa	Information not available	N/A	N/A	Outsourced Internal Audit Function from 2015 to 2020	Information not available	N/A
City of Whitby	Information not available	N/A	N/A	N/A	Information not available	N/A
Town of Ajax	Information not available	N/A	N/A	N/A	Information not available	N/A
City of St. Catharines	Information not available	N/A	N/A	N/A	Information not available	N/A
City of Oakville	Information not available	N/A	N/A	Internal Audit Department from 2007 to 2019	Information not available	Administrative Services Committee



Municipality	Audit Scope	Composition (minimum)	Meeting Frequency	Audit Lead/ Department	Committee Responsibilities	Committee Name
Town of Milton	Information not available	N/A	N/A	N/A	Information not available	N/A
City of Waterloo	"External Audit (Plan, Execution, Provider Selection)"	5 to 7 independent members	4 x a year	N/A	By selecting an external auditor, the audit committee informs council on best financial and accounting policies and reviews financial statements.	Audit Committee (2018-2019) - Advisory Committee
City of Kitchener	"External Audit (Plan, Execution, Provider Selection)", "Internal Audit (Plan, Reporting, Oversight)", Risk Management, Internal Controls	All members of council	Quarterly	Internal Audit Department	<ul style="list-style-type: none"><li>•Review audited corporate financial statements annually.</li><li>•Approve internal audit plans annually &amp; provide recommendations for areas of focus and types of audits.</li><li>•Oversee the selection process for the external auditor, including approving the appointment and fees.</li><li>•Approve external audit plans, including consideration of financial risk management issues and the required internal control framework.</li><li>•Provide a forum for discussions with external auditor if and when necessary.</li><li>•Responsible for resolution of disagreements between management and the external auditor (if they arise).</li><li>•Have general oversight of internal controls, financial reporting, and compliance with regulations/policies.</li><li>•Review internal &amp; external audit results &amp; recommendations. Ensure that management has established and is maintaining a comprehensive risk and control framework.</li></ul>	Audit Committee (Finance & Corporate Services Standing Committee)
City of Cambridge	Information not available	N/A	N/A	N/A	Information not available	N/A
City of Chatham-Kent	Information not available	N/A	N/A	N/A	MNP suggested the municipality consider an internal audit function during the Audit and Risk Committee Meeting Jul 29 2024	N/A



## Auditor General Considerations regarding an Audit Committee Structure:

The establishment of an Audit Committee can serve as an important governance tool to enhance oversight, focus, and informed discussion of audit-related matters within a municipality. A well-structured Audit Committee provides dedicated time and expertise to review internal and external audit reports, clarify complex findings, and ensure accountability across all levels of municipal operations. However, it is important to recognize that the creation of an Audit Committee is not automatically the right solution for every organization.

If designed or operated in a way that merely adds a procedural layer between the Auditor General, Internal Audit, or External Audit and Council—without fostering deeper understanding or actionable focus—the Audit Committee may inadvertently dilute the value of the oversight function. The fundamental measure of success must be whether the structure supports timely, transparent, and meaningful dialogue among Council, the Auditor General, external auditors, and Administration.

It is also important to note that, as part of standard professional practice, the work plans, results, and findings (internal audit and Auditor General) are first shared and discussed with management before formal presentation to the Audit Committee or Council. This step ensures management awareness and the opportunity for response, unless the Auditor General or Head of Internal Audit determines that a matter is of such significance that it requires immediate escalation to the Audit Committee or Council without delay.

As such, the decision to create or modify an Audit Committee should be approached as a crucial governance decision, weighing the potential benefits of focused oversight and discussion against the risk of unnecessary complexity or duplicated reporting efforts.

### Analysis

Below is a summary comparison of some key aspects of reporting directly to Council versus an Audit Committee from the perspective of the Auditor General:

Aspect	Direct to Council	To Audit Committee
Independence	High	Moderate to high (depends on structure)
Oversight quality	Broad but less specialized	Focused, expert
Political influence	Potentially higher	Potentially lower



Efficiency	Lower	Higher
Risk of gatekeeping	Low	Higher if not properly structured (can be mitigated by clear terms of reference and reporting requirements)
Public transparency	Higher	Moderate
Reporting/Discussion	Formal/Structured	Possibly more open dialogue but dependent on Committee culture
Financial/Effort Impact	As is	Approximately 5.5% increase in AG budget

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## Assessment:

The **best model depends on municipal size, governance culture, and Council capacity.**

Larger cities (like Toronto and Ottawa) often blend the two: the AG reports to an Audit Committee, which recommends reports and plans to Council, maintaining both focused oversight and ultimate accountability to Council. Often the Chair reports to Council with the AG available for questions, or the AG may report their portion of the Audit Committee meeting.

## Overall Thoughts from AG:

An Audit Committee with a different reporting/discussion format allows extended questioning and back-and-forth between all parties (Councillors, AG, External Auditors and Administration) for a given topic/agenda item would provide helpful insight for the Auditor General.

Given the City of Windsor's journey with Internal Audit and then the Auditor General, as well as Council engagement, the Auditor General believes that even if operational outcomes and plans are reported first to an Audit Committee by the AG, the AG should still provide a summary report to Council, with all material included in the Appendix and be available to Council for questions on the material. There should also be a more holistic report of full Audit Committee matters from the Chair (as many items which the Audit Committee is responsible for extend beyond the Auditor General).

Reporting to an Audit Committee 4 times per annum, plus Council summary reports and presentation/questions, would increase overall efforts within the Office of the Auditor General by approximately \$17,00 to \$30,500 per annum (5-5.65 of the current budget)<sup>1</sup>. In the AG's

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<sup>1</sup> Dependent on number of planned meetings and duration. Using Administration's analysis we roughed out a low and high range for approximate insights. Low end assumes four meetings two hours in length and high end assumes six meetings four hours in length. Each meeting required prep time, attendance, wrap up and file management as well as attendance at the subsequent Council meeting.



experience, the External Auditor is often present for the meeting, increasing their service costs (although attendance may be at the discretion of the Audit Committee). Further, there will be Audit Committee members and internal Administration staff preparation and attendance costs to plan for.

The AG is willing to support Council in either structure, but would indicate that, from the viewpoint of the Auditor General function, unless the reporting/discussion format is adjusted to allow extended questioning and back-and-forth between all parties, then the costs do not outweigh the benefits to the function of the Auditor General. This is the traditional method of an Audit Committee's function, but can be challenging to implement in the public sector.

A further consideration is the ongoing research by the Office of the Auditor General on publicly available materials related to other municipal Auditor General Office's. This research will consider:

- i. Independence practices
- ii. Professional standards alignment
- iii. Budget
- iv. Reporting structures, and further

This will result in a report to the City Council summarizing the research findings, options analysis, and recommendations.



# Further Details Regarding the Summary Comparison

## Reporting Directly to Council

### Benefits

- **Greater independence:** Minimizes potential influence from any smaller group of Council members or administration; aligns with the principle of accountability to the full elected body.
- **Higher visibility:** AG's findings and recommendations are brought directly to the entire decision-making body.
- **Stronger mandate:** Reporting to Council can reinforce the AG's role as an independent officer of the municipality.
- **Reduces risk of gatekeeping:** Limits the possibility of reports being delayed or softened by an intermediary committee.
- **No Financial/Effort Impact:** No change in current efforts or plans

### Challenges

- **Operational inefficiency:** Council may not have the time or expertise to adequately oversee the AG's work or provide strategic direction.
- **Diluted accountability:** With many councillors involved, it may be unclear who is responsible for addressing AG issues.
- **Political pressures:** A full Council may introduce more political debate or lobbying around AG reports and recommendations.
- **Less focused oversight:** Council meetings are often crowded with competing priorities; AG matters may not get adequate attention.
- **Reporting/Discussion Structure:** Debate is structured around motions, limited by time, and governed by strict procedural rules. May be surface level and cautious.



## 2. Reporting to an Audit Committee

### Benefits

- **Specialized focus:** Members of the Audit Committee typically have experience or interest in audit, finance, and risk, allowing for more thorough review of AG work.
- **Efficient oversight:** The committee can dedicate time and attention to audit issues and guide the AG's work more effectively.
- **Buffer from political interference:** A properly constituted Audit Committee (sometimes with citizen members) can help shield the AG from political turbulence.
- **Improved follow-up:** The committee can monitor the implementation of audit recommendations more closely.
- **Reporting/Discussion Structure:** Focused discussion on audit and risk matters. Committees usually allow extended questioning and back-and-forth between committee members and the AG, internal audit and/or external auditor. Tone/style often changes with public versus closed discussions.

### Challenges

- **Potential for reduced independence:** If the committee is dominated by Council or management-aligned members, there may be a risk of undue influence or censorship.
- **Gatekeeping risk:** Reports may be filtered or delayed before reaching full Council or the public.
- **Varying commitment levels:** The arrangement's effectiveness depends heavily on the engagement and integrity of the Audit Committee members.
- **Perceived lack of transparency:** The public may perceive that reporting to a smaller group reduces openness compared to reporting to the full Council.
- **Increased Financial Cost and Effort:** Additional preparation and meeting times for Audit Committee Members, External Auditor, AG and Administration. AG estimate is approximately 5.5% additional effort beyond the current budget.





**Committee Matters: SCM 131/2025**

**Subject: Minutes of the Transit Windsor Working Group of its meeting held March 26, 2025**

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

Decision Number: **ETPS 1053**

THAT the minutes of the Transit Windsor Working Group of its meeting held March 26, 2025 **BE RECEIVED**.

Carried.

Report Number: SCM 99/2025

**Clerk's Note:**

1. Please refer to Item 7.1 from the Environment, Transportation & Public Safety Standing Committee held on April 30, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250430/-1/10551>





## **Committee Matters: SCM 99/2025**

**Subject: Minutes of the Transit Windsor Working Group of its meeting held  
March 26, 2025**



## **TRANSIT WINDSOR WORKING GROUP**

Meeting held March 26, 2025

A meeting of the Transit Windsor Working Group is held this day commencing at 9:00 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Bernard Drouillard  
Trevor Ramieri  
Katie Stokes

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

Jaykumar Patel  
Iain Sutcliffe

Also present are the following resource personnel:

Jelena Payne, Commissioner Economic Development  
Stephan Habrun Acting Executive Director, Transit Windsor  
Karen Kadour, Committee Coordinator

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

The Chair calls the meeting to order at 9:02 o'clock a.m. and the Transit Windsor Working Group considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

### **2. Acting Chair**

It is generally agreed that Stephan Habrun will preside as Chair for the meeting.

### **3. Declaration of Conflict**

None disclosed.

### **4. Minutes**

Moved by Trevor Ramieri, seconded by Bernard Drouillard,  
That the minutes of the Transit Windsor Working Group of its meeting held March 20, 2024 **BE ADOPTED** as presented.



Carried.

The Chair invites Jelena Payne, Commissioner Economic Development and the members of the Working Group to introduce themselves.

## **5. Investing in Canada Infrastructure Program (CIP)**

### **5(a) Terminals Update**

The Chair advises that the tender for both the east and west end terminals will potentially go out in May 2025. The west end terminal tentative completion date is the end of 2025. The east end terminal will tentatively be completed in June 2026.

### **5(b) Renovations to the Transit Garage**

The Chair reports that this project will expand the garage storage capacity; extend the maintenance facility; replace aging equipment and adds that the design process is close to completion.

### **5(c) Concrete Pads/Shelters**

The Chair indicates Transit Windsor is looking to ensure that the majority of the bus stops are accessible with accessible landing pads.

### **5(d) New Buses**

The Chair advises they have received most of their 18 new hybrid buses. He adds that it takes approximately 18 to 24 months to order a bus. The amenities on the new buses includes a new blue floor, new plastic covered seats which are easier to clean, and USB chargers located on the stanchions and spread throughout the bus. He remarks it takes 6 to 8 weeks for the buses to be considered road worthy for transit, as installation of the following is required - GPS systems, cameras, passenger counters, onboard announcement system, and fare box.

## **6. Agreements**

### **6(a) U-Pass Agreement**

The Chair reports that in September 2024, a new 5-year U-Pass Agreement went into effect. The U-Pass is an 8-month pass.



## **6(b) Saints Pass**

Recently, an agreement through a referendum with St. Clair College approved a new 3-year agreement and will go into effect in September 2025. The Chair states that the Saints Pass is a 12 month pass and adds that the ridership of the Saints students greatly exceeds the university students.

## **7. 2025 Service Plan**

The 2025 Service Plan includes 15,000 service hours being introduced into the city service with that, 9 buses that were used exclusively at peak times daily with 4 school extras will be redeployed into the system. He provides an overview of the service improvements and information relating to several of the routes (which will be renamed).

### **7(a) School Extras**

The Chair reports that the school extra buses have been eliminated in order to provide the 2025 Service Plan. The following comments are provided:

- For the last 30 plus years, Transit Windsor has been offering these school extra buses.
- Have not received any funding from the 2 French Boards and the 2 English Boards which has been capital expensive.
- Passenger counting was done (where the students got on and off the bus) over several days during the semester to determine the ridership counts.
- The City of London has not offered school extras for years.
- Jelena Payne reports that a Communication Plan will be provided for students, principals and families in May, June and August 2025.
- There are 2 problematic areas in the city – Holy Names and Massey High Schools as geographically, there is no easy way to get to those schools.
- Information will be provided on the City's website to direct parents on how to get to their respective schools. If there are questions on bussing, parents should call the school board as they are responsible. It is not within the city's purview.
- Discussion ensues regarding upcoming construction at Devonshire Mall over the next year and the possible effects on the bus service.

## **8. Tunnel Bus Elimination**

The Chair advises that the elimination of the tunnel bus was approved as part of the City's 2025 budget which was upheld by the Mayor's veto. Jelena Payne remarks that the Environment, Transportation & Public Safety Committee at its meeting today will consider a report recommending that the tunnel bus daily service end on August 30, 2025, and are also recommending that the special events buses end on December 20, 2025.



In response to a question asked by Katie Stokes regarding if the tunnel bus daily service does not end on August 30, 2025, what would be the latest that it could possibly go, the Chair responds November 2025.

## **9. Twin Oaks/Route 250**

The Chair reports that the Route 250 has been on hold as they are waiting for the completion of the parking lot. This route will service basically the industrial parks along Rhodes Drive north and south service and will go to Twin Oaks. This route will be one hour service and will connect the terminal points - Devonshire Mall and Tecumseh Mall. The plan is to implement this route as part of the 2025 service plan.

## **10. 2025 Meeting Schedule**

It is generally agreed that the proposed five meetings be held on a Wednesday to accommodate all members of the Working Group. Suggested dates and times will be circulated to the Working Group.

## **11. Other Business**

The Chair suggests creating more "How To Videos" that would educate the public about transit etiquette; how to ride the bus, service animals, how to put a bicycle on the bike rack, how to load a wheelchair and how to use the APPS. He proposes that a catalogue of videos be created and available for the public on the City of Windsor's website.

Moved by Bernard Drouillard, seconded by Trevor Ramieri,

That the updates provided by Stephan Habrun, Chair regarding the following **BE RECEIVED:**

- Investing in the Canada Infrastructure Program (CIP) – Terminals, Transit garage renovations, Concrete pads/shelters, New buses
- Agreements – U-Pass and Saints Pass
- 2025 Service Plan – School Extras
- Tunnel Bus Elimination
- Twin Oaks/Route 250
- 2025 Meeting Schedule

Carried.



**12. Date of Next Meeting**

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

**13. Adjournment**

There being no further business, the meeting is adjourned at 10:58 o'clock a.m.





**Committee Matters: SCM 132/2025**

**Subject: Passing of New By-Law to Regulate Nuisance Indoor and Outdoor Illumination in the City of Windsor - City Wide (CQ 17-2024)**

Moved by: Councillor Gary Kaschak  
Seconded by: Councillor Renaldo Agostino

Decision Number: **ETPS 1054**

THAT the By-law, "A By-law to Regulate Nuisance Indoor and Outdoor Illumination in the City of Windsor" attached as Appendix 'A' **BE PASSED** by Council.  
Carried.

Report Number: S 46/2025  
Clerk's File: SB2025

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.1 from the Environment, Transportation & Public Safety Standing Committee held on April 30, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250430/-1/10551>



**Subject: Passing of New By-Law to Regulate Nuisance Indoor and Outdoor Illumination in the City of Windsor - City Wide (CQ 17-2024)**

**Reference:**

Date to Council: April 30, 2025

Author: Roberto Vani

Senior Manager/Deputy Chief Building Official - Inspections

519-255-6267 x6834

rvani@citywindsor.ca

Planning & Building Services

Co-Author: Shannon O'Moore

Executive Initiatives Coordinator

somoore@citywindsor.ca

519-255-6100 x6658

Planning & Building Services

Report Date: 3/31/2025

Clerk's File #: SB2025

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

**Recommendation:**

THAT the By-law, "A By-law to Regulate Nuisance Indoor and Outdoor Illumination in the City of Windsor" attached as Appendix 'A' **BE PASSED** by Council.

**Executive Summary:**

N/A

**Background:**

At the May 6th, 2019 City Council meeting, Councillor Holt asked the following question: (CQ 13-2019)

*That Administration report back to Council to determine whether the LED lights used in various Commercial Districts (around windows) should be evaluated under the same criteria as LED signs discussed in Report SCM 137/2019.*



A report to Council prepared by the Planning Department was received at the October 7, 2019 Council meeting. The report identified that the Sign By-Law 250-2004 may not be the most effective way to regulate the use of LED lights in windows. It was also noted that only one other municipality (City of Mississauga) addressed these lights in a separate Nuisance Lighting Bylaw (By-law 262-12) to outright ban their use. Following delegations from the public and Council deliberations, Council directed administration to further research and prepare a report related to the creation of a Nuisance Lighting By-law for Council's consideration (CR506/2019 DHSC 93).

On May 4, 2020, Stefan Fediuk (Landscape Architect) brought forward a Council Report (S 30/2020) dated March 9, 2020, in a response update to CQ13-2019 Creation of a Nuisance Lighting By-law. A copy of Mr. Fediuk's Council Report is annexed hereto at Appendix B.

In the May 4, 2020, City Council Decision (Decision Number: CR216/2020), Council directed administration to amend the City's Property Standards By-law 9-2019 to prohibit property owners from maintaining or installing new lighting that does not comply with the full cut-off clause found in LISS CR228/2005 – Appendix D. A copy of the Council Decision is annexed hereto at Appendix C.

At the March 18, 2024, City Council Meeting, Council asked administration the following question (CQ 17-2024): prepare a report on feasibility of a residential "outdoor lighting by-law", similar to those in Muskoka, Tecumseh and Lakeshore.

This report will define nuisance indoor and outdoor illumination, recommend best practices based on the review of other municipalities, will examine current Windsor practices and evaluate enforcement options to effectively regulate nuisance indoor and outdoor illumination fairly and equitably throughout the municipality.

Sections 8, 9 and 10 of the Municipal Act, 2001 authorizes The Corporation of the City of Windsor to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6, 8 authorizes by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property.

Section 129 of the Municipal Act, 2001 provides municipalities with the authority to regulate outdoor illumination.

**Noise, odour, dust, etc.**

**129** Without limiting sections 9, 10 and 11, a local municipality may,

(a) prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors

Recent lighting technology improvements related to the use of Light Emitting Diode lights (LED's) have contributed to lighting being much brighter and obtrusive, if not installed using a full cut off approach. In such situations where full cut off is not in place, some residents have complained about nuisance related to scattered or excessive



lighting on properties, including residential properties. If a complaint is received, the City's current by-laws do not address this concern.

## **Discussion:**

Beginning in July 2024, City staff undertook extensive research on the matter of nuisance lighting, consulted with internal departments and spoke with representatives from other Ontario municipalities to develop a proposed regulatory by-law for nuisance indoor and outdoor illumination.

From this research, City staff identified that lighting technologies have advanced in recent years to provide consumers with more options for brightness, energy efficiency and pricing and that certain kinds of lights or residual lighting are or could become a nuisance.

Currently, the spread of light, type of light fixtures and its brightness are not regulated in a by-law within the City of Windsor. Except under By-law 9-2019 (existing parking lot lighting regulations) and for more recent lighting installations approved through a development process and lighting approval known as Site Plan Control.

Council has recently focused attention on addressing the perceptions of safety and security in the Downtown. To increase the number of businesses, attract new residents and visitors, and make significant improvements to the City's core, City Council adopted the Strengthen the Core – Downtown Windsor Revitalization Plan as part of the 2024 operating budget. This proposed by-law will implement some of the 'High Standards' objectives noted in the plan, specifically numbers 2.2 and 2.5 as noted below.

Strengthen the Core – 'High Standards' Objectives:

*2.2 Engage all relevant City of Windsor departmental teams to create or modify existing by-laws, including the Interim Control By Law for building demolitions, to encourage through education and enforcement maintenance of vacant commercial, residential buildings and their surrounding lands.*

*2.5 Support enforcement of City by-laws relating to maintaining property standards. Ex. replacing broken windows, landscaping, or other property elements when there is non-compliance.*

The proposed Nuisance Indoor and Outdoor Illumination By-law will set standards for appropriate light fixtures that control the intensity, direction and duration of lighting. Lighting standards will help satisfy objectives under the Strengthen the Core – Downtown.

Complaints received by the City's 311 Call Centre are currently difficult to resolve without a specific lighting by-law. The absence of a regulatory by-law to deal with nuisance indoor and outdoor illumination on private property requires a regulatory solution to more effectively address resident service requests.



In recent years, the number of lighting related complaints investigated by the Building Department has increased.

2022: 10 complaints

2023: 15 complaints

2024: 18 complaints

2025: 0 complaints (January to March 7)

Upon review of these complaints, inappropriate lighting fixtures and poorly situated and positioned fixtures were observed. Residents were contacted about the lighting issues to encourage voluntary repositioning or replacement of light fixtures to address neighbour to neighbour lighting concerns. However, without a regulatory by-law the City can only educate residents and help mediate a resolution with no powers to order corrections.

A review of other Ontario municipal light enforcement practices was conducted, and the following chart summarizes the results:

	<b>Brantford</b>	<b>Lakeshore</b>	<b>LaSalle</b>	<b>Muskoka</b>
<b>Complaints received</b>	6 (2023) 9 (2024)	0 (2023) 8 (2024)	5 (2022) 4 (2023) 5 (2024)	32 (2023) 29 (2024)
<b>Orders written</b>	0 (2023) 1 (2024)	0 (2023) 6 (2024)	0 (2022) 1 (2023) 0 (2024)	2 (2023) 0 (2024)
<b>Additional staff required</b>	No	No	No	No
<b>Average, time to resolve complaint</b>	1-3 months	2-2.5 months	1-3 weeks	1-2 months

The Town of Tecumseh was also consulted, and they are currently reviewing the matter and are planning to have a report on nuisance lighting return to Council.

In order to adequately assess nuisance indoor and outdoor illumination, it is prudent to start by defining it. Several other Ontario municipalities were consulted, and the definition can best be described as *“any condition that is injurious to health, offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.”* There is scientific evidence that the type of light LEDs emit also contributes to increased brightness at night. Typically, light from incandescent bulbs produces warmer yellow and amber tones, while LEDs give off harsher white and blue tones. With this significant amount of blue light, the concern is



that excessive use during evening hours can disrupt sleep patterns as it affects our bodies natural creation of melatonin, potentially leading to other serious health issues.

Nuisance illumination can also offset or nullify the public safety and security benefits routinely associated with properly designed and implemented lighting by creating glare that reduces overall visibility and thus, perceived feelings of safety and security.

Enforcing this new by-law may present challenges, as the City's building by-law officers current schedules do not include evening hours. Establishing clear requirements for complainants, would assist enforcement with initiating its investigation to reduce or eliminate the need to conduct after hour site visits. As noted above there are several municipalities in Ontario that regulate nuisance indoor and outdoor nuisance lighting, either through a stand-alone by-law or as part of a Property Standards By-law. Creating a stand-alone by-law is important to distinguish between lighting for safety, which may be an annoyance, versus a nuisance that can be corrected. Establishing this new by-law will address lighting nuisances to reduce excessive or intrusive light that affects residents' quality of life.

The Municipal Act allows municipalities to create by-laws to stop nuisance lighting. This authority enables the City to adopt a targeted lighting by-law, providing a clear framework to protect residents. The City's enforcement approach for similar by-laws, within the By-law enforcement areas, uses a combination of education, voluntary compliance, issuance of orders, and if necessary, prosecution. If voluntary compliance through education cannot be achieved, an Order to Comply describing the by-law violation is issued. The Order will define the specific by-law infraction and will outline clear steps on how to bring the lighting into compliance. By leveraging both education and enforcement, the City can demonstrate its commitment to maintaining a balanced approach to enforcement.

In addition to enforcement, public education would be a great tool to manage the number of complaints that are received. Administration will work with traditional and social media to get the word out and direct property owners to the City's website for more detailed information.

Administration will also work with respective associations such as BIA's, Chamber of Commerce and others to help direct people to the City's website for information on the changes.

Lastly, Administration suggests including a notice in the 2025 fall tax insert and will continue to find other channels to communicate this new Nuisance Indoor and Outdoor Illumination By-Law.

Using a combination of these strategies can ensure that the information reaches a broad audience and is understood by residents and business owners.



## **Risk Analysis:**

The absence of a comprehensive and effective Nuisance Indoor and Outdoor Illumination By-law along with adequate resources for enforcement can present various risks, affecting the community, environment and quality of life. Potential risks associated with the absence of this by-law would include, but are not limited to, the following:

1. Health risks, including sleep disruption and negative impacts on mental health;
2. Environmental impacts, including energy waste and skyglow. Skyglow is the brightening of the night sky.
3. Increased neighbourly disputes due to no formal mechanism for resolving conflicts and the lack of resources to address their concerns;
4. Disturbing the natural habitat of wildlife in City parks and naturalized areas; and
5. Glare and visual impairments causing safety concerns that counter positive safety outcomes derived from properly applied lighting.

The May 4, 2020, Council Decision (CR216/2020) identifies an exemption date range for “*Holiday lights between November 15 and January 15*”, this time frame may not be favourable to residents and/or business owners (i.e. Halloween lighting) and Council may want to look at or amend the date range.

There will also be instances that will be disputed, but it is anticipated that prohibition through an effective Nuisance Indoor and Outdoor Illumination By-law would benefit the City. Moderate increases to operational risks would be encountered in the initial stages but this risk will become minimal as awareness increases that such use of nuisance lighting is prohibited.

## **Financial Matters:**

Current resources within the By-law Department will be utilized in the enforcement of this particular by-law.

Currently, the City of Windsor’s User Fee Schedule does not include administrative fees for the issuance of orders under this by-law. Administration will review appropriate fees to administer enforcement of this by-law at the next budget cycle.

## **Consultations:**

John Revell – Chief Building Official

Brandon Calleja – Deputy Chief Building Official – Permits

Kate Tracey – Senior Legal Counsel



Neil Robertson – City Planner

Hoda Kameli – Landscape Architect, Parks & Recreation

Barry Horrobin – Director of Planning & Physical Resources, Windsor Police Service

### **Conclusion:**

Nuisance indoor and outdoor illumination trespass is not currently regulated through a by-law within the City of Windsor. Accordingly, administration has consulted with colleagues from several other Ontario municipalities to assess needs and concerns related to nuisance lighting. The by-law and enforcement strategy intends to mitigate the trespass of nuisance indoor and outdoor illumination. The goal is to mitigate the nuisance of these lights and the resulting negative neighbouring impact created by unshielded and poorly positioned lights.

This by-law must be read in its entirety, and some areas may not apply but we must be wholistic in how we do enforcement. The intent of this By-law is to ensure appropriate and nuisance free lighting and not discourage the use of lighting for neighbourhood safety purposes. Administration is recommending council adopt the new lighting by-law.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Roberto Vani	Senior Manager/Deputy Chief Building Official – Inspections
John Revell	Chief Building Official
Jelena Payne	Commissioner, Economic Development
Wira Vendrasco	City Solicitor
Ray Mensour acting for Joe Mancina	Chief Administrative Officer

### **Appendices:**

- 1 Appendix A – Proposed By-law, “A By-law to Regulate Nuisance Indoor and Outdoor Illumination in the City of Windsor”
- 2 Appendix B – Council Report: S 30/2020
- 3 Appendix C – Council Decision: CR216/2020



BY - LAW NUMBER XX-2024

A BY-LAW TO REGULATE NUISANCE  
INDOOR AND OUTDOOR ILLUMINATION IN  
THE CITY OF WINDSOR

Passed the XX day of XXXXXX 2024

**WHEREAS** the Council of The Corporation of the City of Windsor has, pursuant to Section 129 of the *Municipal Act, 2001*, S.O. 2011, c. 25, the authority to pass by-laws to prohibit and regulate with respect to outdoor illumination;

**AND WHEREAS**, it is in the public interest to regulate nuisance indoor and outdoor illumination in the City of Windsor by adopting a by-law to prohibiting and regulating nuisance lighting;

**NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR HEREBY ENACTS AS FOLLOWS:**

**SECTION 1 TITLE**

1.1 This By-law may be referred to as the “Nuisance Indoor and Outdoor Illumination By-law”.

**SECTION 2 DEFINITIONS**

In this By-law:

**ARCHITECTURAL LIGHTING** means an Outdoor Luminaire, Fixture or light that is attached to the exterior of any building, structure, boathouse, dock, post or any other thing which is used to illuminate any part of a building, structure, boathouse, dock, post or any part of a Property.

**BUBBLER LIGHT** means an Outdoor Luminaire, or other light that is used to warn people about the location of open water in the winter months, mainly used in conjunction with a dock and/or boathouse.

**CHIEF BUILDING OFFICIAL** means the Chief Building Official of the City or his/her designate duly appointed by the Council and having jurisdiction for the enforcement of the *Building Code Act, 1992*.

**CITY** means The Corporation of the City of Windsor.

**COUNCIL** means the Council of the City.

**DOCK LIGHT FIXTURE** means an Outdoor Luminaire, or light that is used for the purposes of illuminating a dock which are affixed flat to the surface of the dock and are usually powered by using solar power and have a maximum output of 10 Lumens.

**DIRECT LIGHT or DIRECT LIGHTING** means light emitted directly from the Lamp or off of the reflector or Luminaire.

**FESTIVE LIGHTING** means strings of holiday lights, or internally lit inflatable or plastic decorations, or other lighting of holiday or seasonal decorations.

**FIXTURE** means the assembly that houses the Lamp or Lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket.

**FLOOD LIGHT or SPOTLIGHT** means any Fixture or Lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.



**FULL CUT OFF LIGHTING** means a Fixture constructed in such a manner that all light emitted by the Fixture, either directly from the Lamp or a diffusing element, or indirectly by reflection or refraction from any part of the Luminaire, is projected below the horizontal.

**GLARE** means light emitting from any Outdoor Luminaire or other light, or reflection with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

**INDIRECT LIGHTING** means light that has been reflected or has scattered off other surfaces.

**INDOOR LUMINAIRE** means a complete lighting system, including a Lamp or Lamps and a Fixture placed within any building or any other structure which shall include Laser Source Light.

**INSTALL or INSTALLING** means the wiring, connecting, plugging in, turning on, placing, mounting or attaching any Fixture or Outdoor Luminaire on a Property.

**LANDSCAPE LIGHTING** means an Outdoor Luminaire which illuminates trees, shrubs, rocks or other landscape features, of which the output is not more than 350 Lumens and does not include a Pathway Light Fixture.

**LAMP or LIGHTBULB** means the component of an Outdoor Luminaire, Indoor Luminaire or any other type of Luminaire that produces the actual light.

**LASER SOURCE LIGHT** means light amplification by stimulated emission of radiation which produces a high intensity narrow beam of light.

**LED LIGHTING** means an electrical current that passes through a microchip, which illuminates a tiny light source and produces a visible light.

**LIGHT TRESPASS** means the shining of light produced by an Outdoor Luminaire that shines beyond the boundaries of the Property on which it is located which shall include Reflected Light.

**LIGHT POLLUTION** means the shining of light upwards into the sky above the horizontal plane of the Fixture caused by any of the following: Light Trespass, Glare, Direct Light, Reflected Light, or light from Fixtures that are not a full cut off Fixture.

**LIGHTING INTENSITY STANDARDS STUDY** means the City's Lighting Intensity Standards Study approved by CR228/2005, as amended.

**LUMEN** is the photometric unit of light output and the unit of measure used to quantify the amount of light produced by a Lamp or emitted from any Luminaire (as distinct from 'Watt,' a measure of power consumption).

**LUMINAIRE** means a complete lighting system, including a Lamp or Lamps enclosed in a housing complete with reflectors or refractors, etc.

**LUX** means a unit of illumination equal to the direct illumination on a surface that is everywhere one meter from a uniform point source of one candle intensity or equal to one Lumen per square meter.

**MOTION-SENSOR ACTIVATED LIGHTING** means lighting products equipped with a sensor that upon detecting activity will switch on the Luminaire and then switch it off again after an interval of no activity detection.

**NUISANCE** means any condition that is injurious to health, offensive to the senses, or an obstruction to the free use of Property, so as to interfere with the comfortable enjoyment of life or Property.

**OFFICER** means a Building By-law Officer who has been assigned the responsibility of administering and enforcing by-laws passed under Section 15.1 of the *Building Code Act, 1992*.



**ORDER** means a written direction issued pursuant to this by-law requiring compliance with the standards prescribed by this By-law, and “Orders” shall have a corresponding meaning.

**OUTDOOR LUMINAIRE** means an outdoor illuminating device, outdoor lighting, reflective surface, Lamp or similar device, permanently installed or portable, used for illumination, decoration or advertisement. Such devices shall include, but not limited to, lights used for:

- (a) Architectural Lighting;
- (b) Recreational areas;
- (c) Parking lot lighting;
- (d) Landscape Lighting;
- (e) Signs (advertising or other);
- (f) Product display area lighting; and
- (g) Security lighting.

**OWNER** includes the registered owner, the Person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the Person's own account or as agent or trustee of any other Person, or who would receive the rent if such land and premises were let, or a lessee or occupant of the Property who, under the terms of a lease, is required to repair and maintain the Property in accordance with the standards of this By-law.

**PATHWAY LIGHT FIXTURE** means a full cut off Fixture that is usually powered by solar power, battery power or wired, of which the output of each Fixture is not more than 20 Lumens and is no higher than 0.91 m (3 ft.) from current grade and for which the sole purpose is to illuminate an exterior pathway, walkway or stairway.

**PERSON** includes an individual, an Owner, occupant, agent, contractor, tenant, firm, proprietorship, partnership, association, syndicate, trustee, corporation, department, bureau or mortgagee.

**PROPERTY** means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, retaining walls, fences and erections thereon, whether heretofore or hereafter erected, and includes vacant land.

**REFLECTED LIGHT** means light redirected back into the sky off of surfaces that are being illuminated and does not include surfaces covered by non-man-made materials such as snow, ice, and water.

**SPECIAL EVENT** includes festivals, carnivals, entertainment or advertising, which includes, but is not limited to that which may require City approval for specific event components.

**SPORT COURT** means an outdoor area of land or non-roofed structure that is purpose built, intended to be permanent, and is capable of being used for sports or recreational activities, and other similar uses and is located on private property.

**STROBE LIGHT** or **STROBOSCOPIC LAMP** is a device used to produce regular flashes of light.

**WATT or WATTAGE** is a derived unit of power. The unit, “W” is defined as joule per second and can be used to express the rate of energy conversion to light with respect to time.

### **SECTION 3      ENFORCEMENT**

3.1      The Chief Building Official shall administer this By-law as amended.

3.2      This By-law shall be enforced by the Chief Building Official and any Officer so designated by the Chief Building Official.



## **SECTION 4      GENERAL REGULATIONS**

- 4.1 Full Cut Off Lighting requirements approved under a site plan control agreement must be compliant with the Lighting Intensity Standards Study.
- 4.2 Every Person must remove any lighting that does not comply with the full cut-off clause found in the Lighting Intensity Standards Study and all existing lighting must be maintained;
- 4.3 Every Person Installing an Outdoor Luminaire and/or an Indoor Luminaire within the boundaries of the City shall comply with the requirements of this By-law. If conflicts arise regarding control and maintenance of outdoor and indoor lighting, this By-law shall be the governing document.
- 4.4 Every Person Installing an Outdoor Luminaire shall be required to use completely shielded full cut off Fixtures, as identified but not limited to the examples in Schedule "A" attached hereto and forming part of this By-law.

## **SECTION 5      REGULATIONS**

- 5.1 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that is not a full cut off Fixture.
- 5.2 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that creates Light Pollution.
- 5.3 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that creates Light Trespass.
- 5.4 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, a Laser Source Light or any similar high intensity light outside.
- 5.5 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, a Strobe Light or Stroboscopic Lamp outside.
- 5.6 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Indoor Luminaire in a manner that, in the opinion of the Officer, could be a Nuisance to any Person or is positioned in a way that would purposefully impact adjoining properties.
- 5.7 No Person shall leave Architectural Lighting or Landscape Lighting on between 11:00 p.m. to sunrise of the next day with the exception of the following:
  - (a) Dock Light Fixtures and Pathway Light Fixtures;
  - (b) a maximum of three (3) Outdoor luminaires attached to the exterior of a boathouse; and
  - (c) any other Outdoor luminaires necessary for the purposes of traversing the Property and which all such luminaires are only on for a maximum period of one (1) hour.
- 5.8 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, an Outdoor Luminaire that creates Reflected Light.
- 5.9 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, any Festive Lighting in contravention of the requirements of this By-law;
- 5.10 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, any Bubbler Light in contravention of the requirements of this By-law;



- 5.11 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, an Outdoor Luminaire used for a Sport Court or outdoor recreational area that is not in compliance with the requirements of this By-law.

## **SECTION 6      NUISANCE**

- 6.1 No Person shall cause a light Nuisance within the City without limiting the generality of the foregoing:
- (a) The use of Laser Source Light, signal beacons, Flood Light, Spotlights, flashing lights any other similar high intensity Luminaire that projects light onto adjacent private Property is prohibited; notwithstanding the exemptions set out in Section 7.
  - (b) The use of strobe, twinkling, static or chasing lights for private purposes and for advertising or entertainment purposes on private Property is prohibited notwithstanding the exemptions set out in Section 7.
  - (c) No Direct Lighting or Indirect Lighting shall be used so that an unusual quantity or type of light creates a Glare or Light Trespass upon the land of others so as to be or to cause a Nuisance to the public generally or to others residing or carrying on a business or trade in the vicinity.

## **SECTION 7      EXEMPTIONS**

- 7.1 The City is exempt from the requirements of this By-law.
- 7.2 Every Person who installs Festive Lighting shall be exempt from sections 5.1, 5.2, 5.3 and 5.4 and shall comply with the following conditions:
- (a) all Lightbulbs shall be a maximum of either 10 Watts or 70 Lumens;
  - (b) all Festive Lighting is permitted to be operational between November 15 and January 15. Any other festive lighting will be at the discretion of the Chief Building Office or Deputy Chief Building Official; and
  - (c) Festive Lighting shall also be exempt from section 5.4 provided that all Laser Source Lighting is pointed directly onto a building of the Property in which the lights are located.
- 7.3 Every Person who installs or owns a Bubbler Light shall be exempt from sections 5.1, 5.2, 5.3 and 5.8 and shall comply with the following conditions:
- (a) the light shall be blue in colour;
  - (b) the light shall be a solid colour;
  - (c) the light shall not flash or be intermittent at any time;
  - (d) if using a fluorescent light, the maximum Wattage shall be 13 Watts;
  - (e) if using an incandescent light, the maximum Wattage shall be 60 Watts;
  - (f) if using a LED Lighting, the maximum Wattage shall be 10 Watts; and
  - (g) all Bubbler Lights that existed prior to the passing of this By-law and were either a solid red or amber in colour, shall be exempt from section 7.3 until such time that the Lightbulb requires maintenance or needs to be replaced.
- 7.4 Vehicular lights and all temporary emergency lighting needed by the Fire and Police departments, or other emergency services shall be exempt from the requirements of this By-law.



- 7.5 South West Detention Centre.
- 7.6 Nothing in this by-law shall apply to navigational lighting systems at lighthouses and airports, or to airport lighting systems marking runways or taxiways. All radio, communications and navigation towers that require lights shall have dual lighting capabilities. For daytime, white Strobe Lights may be used, and for night-time, only red lights shall be used.
- 7.7 Lighting required through by-law enforcement or emergency services personnel.
- 7.8 Traffic control signals and devices.
- 7.9 Lighting in-compliance with the City of Windsor's Lighting Intensity Standards Study.
- 7.10 Dock Light Fixtures shall be exempt from section 5.1 of this By-law.
- 7.11 Motion-Sensor Activated Lighting may be left unshielded provided it is located in such a manner as to prevent Direct Lighting and Glare onto the properties of others, or into a public right of way, and provided the light is set to only go on when activated and to go off within two (2) minutes after activation has ceased, and the light shall not be triggered by activity off the Property.
- 7.12 The provisions of this By-law do not apply to any theatrical, film or television production approved by the City.
- 7.13 A contractor's identification light, provided it is located on the Property where the work is being performed and only during the period of such work, is exempt from the requirements of this By-law.
- 7.14 The provisions of this By-law do not apply to any of the Special Events, Sports Fields or other activities approved by Council.

## **SECTION 8 LIGHTING OF OUTDOOR SIGNS**

- 8.1 No Person shall Install or maintain an Outdoor Luminaire on an outdoor sign that is not in compliance with the requirements of this By-law and the City of Windsor's Sign By-law, as amended.

## **SECTION 9 SPORT COURTS AND OUTDOOR RECREATIONAL AREAS**

- 9.1 All Outdoor luminaires permitted by this By-law may be used for lighting Sport Courts and other similar outdoor recreational areas, provided all of the following conditions are met:
  - (a) all Outdoor luminaires used for a Sport Court or outdoor recreational areas on private Property shall be a full cut off Fixture;
  - (b) all Outdoor luminaires and any other artificial lighting shall be turned off when the facility or area is not in use;
  - (c) all Outdoor luminaires shall be a maximum of 8 metres in height from grade; and
  - (d) the maximum brightness for a Sport Court or outdoor recreational area shall be no more than 250 Lux.

## **SECTION 10 ORDERS**

- 10.1 An Officer who finds a contravention of this By-law or an unsafe condition may make an Order directing compliance with this By-law and may require the Order to be carried out within such time as is specified in the Order.



10.2 The Order may be served on the Person whom the Officer believes is contravening the By-law, by:

- (a) personal service;
- (b) prepaid mail to the Person's address shown on the last revised assessment roll and may also be sent to the last address known to the City of the Owner if it differs from that on the assessment roll. In which case the Order shall be deemed to have been served on the fifth day after mailing;
- (c) posting a copy of the Order on the Property; or
- (d) any combination of the above as the Officer deems necessary.

10.3 Every Order delivered, sent or posted shall identify the Property by street number and name, and/or legal description.

10.4 Power of Entry re: Inspections

Pursuant to section 436 of the *Municipal Act, 2001*, the Chief Building Official or an Officer may enter on Property at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- a) this By-law; and
- b) an Order made under this By-law.

10.5 Inspection Powers

For the purposes of an inspection under this section, an Officer may:

- a) require information from any Person concerning a matter related to the inspection; and
- b) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

10.6 Inclusion

Every Order delivered, sent, posted or published shall specify that if the Owner defaults in doing the thing(s) required to be done under this By-law by the date specified in the Order, the Chief Building Official may take action to cause the City to do the thing(s) required to be done as specified in the Order and that the City may recover the costs of doing the thing(s) required to be done from the Owner and that the City may recover the costs by action or by adding the costs to the tax roll and collect them in the same manner as taxes.

10.7 Entry onto Property

Where the City proceeds with action under section 1112.1 of this By-law, the Chief Building Official or designate, or an agent appointed by the City may enter onto the Property accompanied by any Person(s) under his or her direction and with the appropriate equipment as required to bring the Property into compliance with this By-law.

## **SECTION 11 OFFENCES**

11.1 Offence

Every Person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine and any other penalties as provided for in the *Municipal Act, 2001*, as amended.



- 11.2 Where a Person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

## **SECTION 12 NON-COMPLIANCE WITH ORDER**

- 12.1 If an Owner or Person, as the case may be, fails to comply with an Order issued under section 10.1, the Chief Building Official may take action to do the thing(s) required to be done as specified in the Order at the expense of the Owner or Person directed or required to comply with the Order.

### **12.2 Recovery of Expense**

If the City takes action to do the thing(s) required to be done as specified in the Order, the costs of such action may be added to the tax roll and collected in the same manner as property taxes.

- 12.3 No Person shall hinder or obstruct, or attempt to hinder or obstruct;

- (a) any Officer in the performance of a duty under this By-law; or
- (b) employees or agents authorized to take action to do the thing(s) required to be done as specified in the Order.

## **SECTION 13 ADMINISTRATION FEES**

- 13.1 Where an Order to Repair is issued pursuant to this by-law, a fee will be assessed to the Owners in accordance with the City of Windsor User Fee Schedule, as approved by Council.

## **SECTION 14 LIABILITY**

- 14.1 Any Person installing or maintaining any Luminaire or illumination device on whose Property a Luminaire or illumination device is located, shall be liable for such light device. The City is hereby indemnified against all losses, damages, claims, actions, demands, suits, costs, and interest arising directly or indirectly from the erection, maintenance, removal or falling of such light device or part thereof and anything done in connection with the performance of, outside of, or contrary to this By-law and whether or not in accordance with the City's standards, inclusive of anything done on the public highway or other City or public Property.

## **SECTION 15 VALIDITY AND SEVERABILITY**

- 15.1 In the event that any portion of this By-law shall be deemed to be invalid, illegal or unenforceable, it shall not affect the validity, legality or enforceability of any other portion of this by-law.

## **SECTION 16 EFFECTIVE DATE**

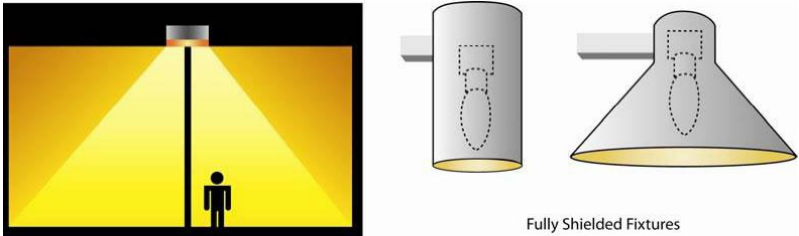
- 16.1 This By-law shall come into force and take effect on the day of the final passing thereof.

**DREW DILKENS,  
MAYOR**

**CITY CLERK**

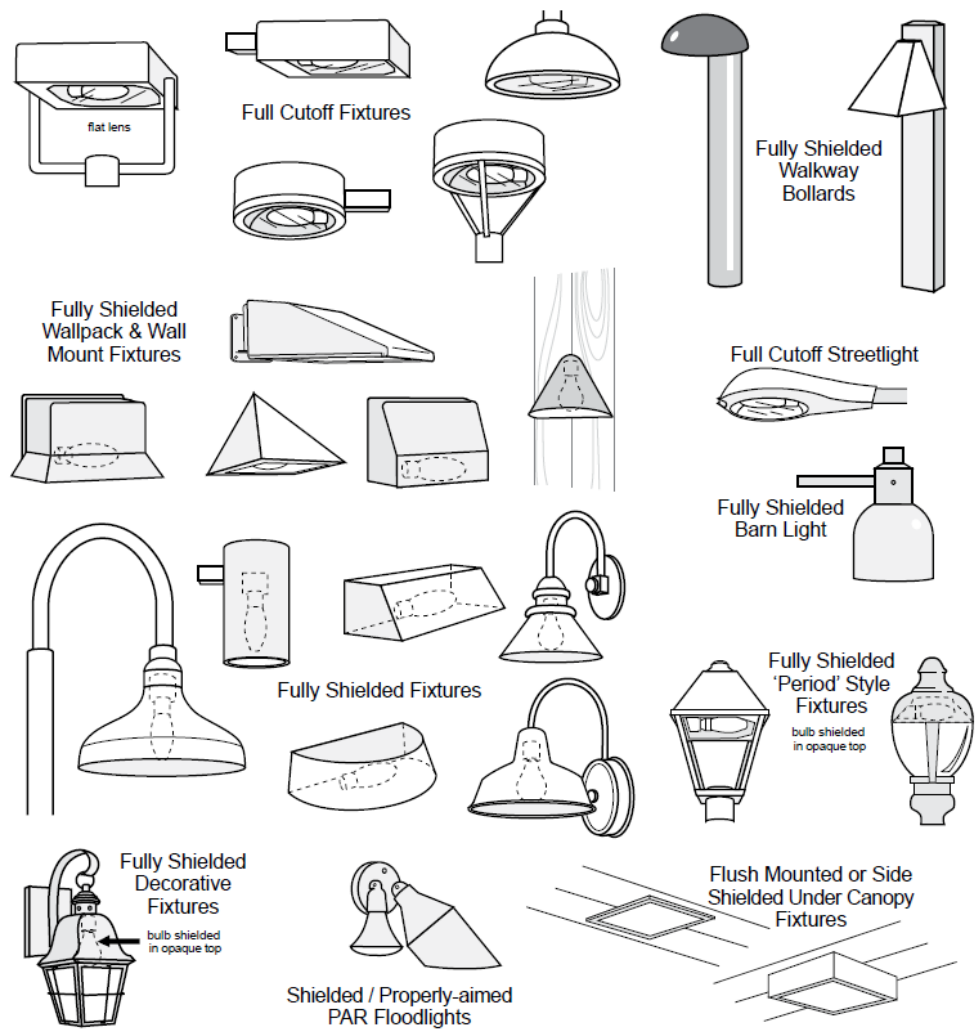


Schedule “A”  
Examples of Full-Cut Off Fixtures



ACCEPTABLE

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Rendered for the Town of East Hampton, NY by Bob Crelin ©2/05

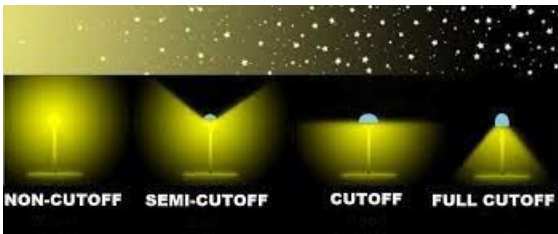


Flat lens cobra head Fixture (permitted) vs. Drop lens cobra head Fixture (prohibited)





Full Cut Off Fixture (permitted) vs. Outdoor Luminaire that creates Light Trespass (prohibited)





**Subject: Response update to CQ 13-2019 Creation of a Nuisance Lighting By-law**

**Reference:**

Date to Council: March 9, 2020  
Author: Stefan Fediuk  
Landscape Architect OALA CSLA  
350 City Hall Square West | Suite 320 | Windsor, ON | N9A 6S1  
519-255-6543 ext.6025  
Planning & Building Services  
Report Date: 2/7/2020  
Clerk's File #:

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

**Recommendation:**

- I. THAT this response to CQ13-2019 **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

At the May 6<sup>th</sup>, 2019 City Council meeting, Councillor Holt asked the following question: (CQ 13-2019)

*That Administration report back to Council to determine whether the LED lights used in various Commercial Districts (around windows) should be evaluated under the same criteria as LED signs discussed in Report SCM 137/2019.*

A report to Council prepared by the Planning Department was received at the October 7, 2019 Council meeting. The report identified that the Sign By-Law 250-2004 may not be the most effective way to regulate the use of LED lights in windows. It was also noted that only one other municipality (City of Mississauga) addressed these lights in a separate Nuisance Lighting Bylaw (By-law 262-12) to outright ban their use. Following delegations from the public and Council deliberations, Council directed administration to further research and prepare a report related to the creation of a Nuisance Lighting By-law for Council's consideration (CR506/2019 DHSC 93).



## Discussion:

Following Council's direction, the Planning Department undertook a more detailed review of other municipalities across Canada to determine how the issue of Nuisance Lighting is handled. The results of that search are summarized as follows:

Municipality	Separate Nuisance Lighting / Outdoor Lighting Bylaw	Included in Property Standards/ Maintenance By-law*	Included in Zoning or LandUse By-law	Best Practices (similar to LISS)
Hamilton, Ontario				Downtown ROW and Public Spaces Study
Huntsville, Ontario	•			•
Mississauga, Ontario	•			
Ottawa, Ontario		•		
Toronto, Ontario		•		•
Vaughn , Ontario		•		
Airdrie, Alberta			•	
Calgary, Alberta		•		
Winnipeg, Manitoba			•	Provincial Policy Statement
Moosejaw, Saskatchewan		•		Provincial Policy Statement
North Vancouver, BC	•			
Vancouver, BC		•		
<b>Totals</b>	<b>3</b>	<b>6</b>	<b>2</b>	<b>5</b>

NOTE: \* Property Standards By-laws generally have restricted enforcement to the impact on residential properties.

While there was no definitive consistency on how municipalities handle the issue of nuisance lighting, it can be concluded that any by-law or best practices with vocabulary pertaining to controlling the issue, concur that any measures were to provide a **“no negative impact on an adjacent property.”** While both Mississauga and North Vancouver have Nuisance By-laws, only Mississauga's By-law (see Appendix A) addresses light trespass from real property to real property other than a residential property.

Planning Department staff conducted a physical review of the areas that are experiencing the most impact of nuisance lights identified in the Council Report of May 6, 2019. (see Appendix B) The review identified that the problem is citywide; however, there are concentrated areas where the issue is more prevalent.

Site visits conducted by Planning Department staff, throughout various times of the day, identified that exterior signs with these lights remain on 24/7 and add only a slight visible attraction in the daylight hours; moderate legibility during twilight; and render exterior signage illegible in the dark. Where lights have been installed around windows, illumination of interior signage is somewhat improved when the lights face the interior signage. In both sign and window installations where the positioning of the LED lights would be classified as non-Full Cut-Off, the lamp source is directed outward towards the viewer; resulting in intense glare that causes the viewer to not be able to read the signage or anything around the lights. (see Appendix C)



With the exception of Crawford between Tecumseh Rd West and Wyandotte Street West, many of the locations appear to be concentrated around local BIA areas. Consultation with BIA representatives indicated a consensus dislike from an aesthetic and health and safety perspective for the type of LED lights being installed but cited there is no mechanism to discourage them.

Business owners that have supported and installed these lights, some of which are coloured, flashing and excessively bright LEDs, identified that the main intentions for using these fixtures are to a) attract customers to their business, b) provide a more legible sign through this lighting, and c) create a safer environment around the business. The research and previous complaints presented at Council in October has identified that the very opposite is happening (See Appendix C).

Police Services provided a review of the lights placed around windows from a **Crime Prevention Through Environmental Design** (CPTED) perspective (see Appendix E). While the main perceived drawback of the existence of lighting in and around the perimeter of building windows may very well be reduced aesthetical value, there is also a discernible impact on public safety. Specifically such lights, when individual bulbs are assembled close together around a window and in higher wattages, create a situation of excessive glare as the light reflects off the adjacent window surface. When this occurs, the ability to see through the window into the building's interior space can become greatly diminished. The result is an inability for patrolling police, or other witnesses, to be able to easily observe potentially suspicious activity within the affected commercial spaces where a crime may be occurring.

The glare created also presents a situation of general observation loss of the property during nighttime conditions. The problem becomes exacerbated if lights are larger, spaced closer together, and have higher intensity (wattage) output. The general purpose of a window in any building is to permit both two-way visibility and light passage through it but the placement of these types of perimeter lights around windows can greatly inhibit this. Thus, the net loss of ongoing natural surveillance capacity reduces the overall safety of the space by limiting observability and witnessing potential accordingly.

As identified in the previous report to Council (S 119/2019), Section 129 of the *Municipal Act*, 2001 provides municipalities with authority to "*prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors.*"

In 2005 Council approved the Lighting Intensity Standards Study (LISS) CR228/2005 as Guiding Principles for development of private lands subject to Site Plan Control. (see Appendix D) The Council Resolution (CR225-2008) also made recommendation for the information found in this report to be incorporated into lighting policies for the Official Plan, Sign By-Law (250-2004), Property Standards By-law and City rights-of-way. LISS identified that Non Cut-Off lighting produces distracting glare, which not only contributes to light pollution but also creates hazards, health and safety issues and contravenes CPTED (Crime Prevention Through Environmental Design) principles.



Schedule A of the City of Windsor Property Standards Bylaw 9-2019 addresses Lighting in various Sections:

- Part 1 - Standards for all Properties
  - 1.31 Lighting & Walkways-Multiple Dwellings and Non-Residential A-16
    - (a) In yards of multiple dwellings and non-residential properties, sufficient lighting of exterior property areas shall be provided to minimize any danger to persons using walkways.
    - (b) Artificial lighting standards and fixtures shall be kept in a safe condition, in working order and in good visual condition.
  - 1.35 Parking Areas
    - (d) provided with sufficient lighting in such a way as to deflect away from nearby properties;

As found in other municipalities, additional clauses have been added to their Property Standards By-laws to address nuisance lighting as it affects residential properties. However, as a stand-alone Bylaw, the Mississauga Nuisance Lighting By-law 262-12 is enforced through the rights of City employees who enforce the municipalities Property Standards By-law, for the purpose of:

- (a) to promote reasonable uses of outdoor lighting for night-time safety, utility, security, productivity, enjoyment and commerce while preserving the ambiance of the night;
- (b) to reduce glare from exterior luminaries and interior luminaries;
- (c) to control light pollution by minimizing non-target light and by requiring light reduction through adaptive lighting techniques under site plan control;
- (d) to reduce unwanted light trespass and spill; and
- (e) to prohibit and regulate light nuisances.

The Planning Department of the City of Windsor through consultation with other civic divisions and external partners identify three options for Council to consider.

### ***Option #1: Do Nothing***

This approach would not impose any new regulation to address the situation. This option had been presented with the previous report, however it would not address the issues and risks presented to Council. Council direction to administration (CR506/2019 DHSC 93) implies a desire for some regulation to be implemented.

### ***Option #2: Regulation***

Regulations would need to apply to existing as well as new installations; thus allowing existing installations to remain. Compliance to the regulations for light intensity, glare and full cut-off requirements as found in LISS would form the basis of a separate Nuisance Lighting By-law. This would partly satisfy the Council direction (CR506/2019 DHSC 93) as it leaves compliance open to interpretation where lights are installed internally, how the light levels are assessed for intensity and whether the modifications are appropriate. Regulation would require that the City of Windsor prove that illumination levels and glare exist. This would require additional inspections by Building By-law Enforcement into evening hours, with specialized and properly calibrated equipment, resulting in additional staff responsibilities. As well, property owners would



also need to be present at the time of inspection; most often after business hours. As these installations are not associated with building construction, inspections would often be complaint driven, or through compliance with a requirement for construction permits to install these lights per the Site Plan Approval Process. In addition, staffing to regulate, permit and inspect lights after regular hours would further increase operational burdens on the City.

To ensure effective and successful enforcement of a Nuisance Lighting By-law, enforcement staff will require specialized training and equipment to efficiently complete inspections and issue any corrective orders. Given the numerous variables involved in determining illumination levels, securing convictions through the courts may be difficult under strong defense challenges. Council may also consider the establishment of an exterior lighting permit process to help facilitate a process to regulate this By-law; however, administration does not support a separate permit process, as it would add another level of bureaucratic approvals and additional fees for property owners.

### ***Option #3: Prohibition***

Similar in wording to the Mississauga Nuisance Lighting By-law, this option would consist of an amendment to the Property Standards By-law 9-2019 to have property owners remove any lighting that does not comply with the full cut-off clause found in LISS CR228/2005. In addition, a moratorium on the installation of any new non-compliant lights in the City would also be required. As non full cut-off lighting of this nature are easily identified during regular working hours, By-law Enforcement Officers would only need to inspect properties during regular working hours.

Recognizing that there are situations where wording found in a Nuisance Lighting Bylaw may conflict with everyday safety controls by a municipality and that some events use temporary lighting that create a public attraction, prohibitions would NOT apply to the following:

- City approved street lighting provided by a designated BIA;
- Lighting required through by-law enforcement or emergency services personnel;
- Traffic control signals and devices;
- Vehicle lights;
- Lighting in-compliance with the Lighting Intensity Standards Study (LISS) CR228/2005;
- Outdoor Lights used to illuminate public parks and playing fields;
- Temporary lighting associated with:
  - Permitted events such as but not limited to; Pridefest, Street Food Fair, Veg Fest, Night Parades, Busker Fest, etc.;
  - Festival Plaza events, concerts and carnivals;
  - Theatrical, film or television productions; and
  - Holiday lights between November 15 and January 15.

If council decides to regulate this matter, then this option is recommended by administration, as it would satisfy the Council direction without a separate Nuisance Lighting By-law, and would have the least exposure to risks for the City and property owners.



## **Risk Analysis:**

### ***Option #1: Do Nothing***

Though insignificant in value as there would be no operational increases, the likelihood of a reputational risk to the City is more probable by weakening the best practices for lighting found in LISS as passed by Council (CR228/2005). This would impact the ability to require Full Cut-Off lighting through planning applications such as Site Plan Control. The distraction of the lights will continue through the glare they create resulting in the possible health and safety risk by people and drivers being distracted and/or temporarily blinded by the intense lights being shone directly into their eyes. Even though the perceived intent is to reduce health and safety risks, these lights create a risk to pedestrians caused by the light sources being directed into people's eyes reducing their ability to discern details of any criminal activity, or their vulnerability.

### ***Option #2: Regulation***

Through regulation of nuisance lighting, there is a greater probability and diversity of risk to be incurred by the City and the public. Instances where property owners will push the envelope will result in legal disputes based on the type of lights that are being used. Additionally, the City could inadvertently be drawn into neighbour-to-neighbour disputes between two property owners.

Consequences would include minor to moderate financial risks to the corporation as result of complaint driven routine evening inspections by Enforcement staff, requiring overtime staffing costs. Additional monitoring would effectively create a moderate operational risk through routine increases in enforcement staff hours and ongoing specialized training to ensure that recommendations for mitigated measures are appropriate.

Business owners who have installed light fixtures already will not necessarily be required to remove them; however, they will be required to bring those into compliance, which will add financial burdens upon them. Any regulation will also be regarded as bureaucracy and additional costs to business owners, creating a minor reputational risk to the corporation. Conversely, this would help address comments from BIAs that the City is willing to work with them to achieve a mutual agreement.

Public health and safety consequence will remain as demonstrated in photos that even with shielding some existing lights can create glare issues and coloured lighting does not allow clear visibility for Police and CPTED.

### ***Option #3: Prohibition***

This option provides the least risk to the City however there will be instances that will be disputed, but it is anticipated that prohibition through a By-law would benefit the city.

Consequences to the City would also be minimal financially, as this is a prohibition and as identified in the Financial Section of this report would involve the least impact on operational budgets. Permits for temporary uses as identified in the exemption clauses could also facilitate offsets to any financial costs that may be incurred for training staff.



Moderate increases to operational risks would be encountered in the initial stages with the number of infractions noted on the map in Appendix B. This will become less as awareness increases that such use of lights is prohibited.

Reputational risks would also be moderate as seen with comments from BIAs that feel that the City is overreaching its authority. The City must also endeavour to comply to this prohibition as well.

## **Financial Matters:**

### ***Option #1: Do Nothing***

There are no immediate financial implications from the 'do nothing' approach to this issue. However as identified in the Risk Analysis Section, as this has been addressed through Council, a do nothing approach may open the City up to litigation should it be cited that the glare from a nuisance light caused a severe health and safety issue.

### ***Option #2: Regulation***

There will be additional enforcement operating costs with the adoption of a by-law to merely regulate nuisance lighting. Increases in staff costs, particularly overtime costs associated with having to enforce the regulations at night, would become routine. Specialized equipment will be necessary to conduct inspections in the field. Such equipment will require on going specialized training for current and new staff to ensure; appropriate calibration, use of the equipment, as well as an informed understanding of how to interpret and apply the data collected.

### ***Option #3: Prohibition***

There will be some additional operational demands associated with enforcement of a nuisance lighting by-law that prohibits the use of non-full cut-off lighting. However, in comparison to regulation, these would be minor as there would be no need for specialized equipment or training. For the most part, the types of lights being prohibited are not full cut-off and are readily discernable in daylight hours. Inspections would be conducted primarily within the daylight hours as supplemental to regular Property Standards By-law investigations.

Whether Council endorses regulated or prohibited approaches, additional operational costs for enforcement may be necessary.

## **Consultations:**

Adam Coates – Sr. Urban Designer

Barry Horrobin – Director of Planning & Physical Resources, Windsor Police Service

Rob Vani – Manager of Inspections (Building Inspections Enforcement)

Pam LeButte – Manager Community Development

BIAs - *Debi Croucher (DWBIA), Filip Rocca (Via Italia – Erie Street BIA), Shane Potvin (Ford City BIA), Greg Hanaka (Olde Sandwich Town BIA), Etorre Bonato (Ottawa Street BIA), Bridget Scheuerman (Pillette, & Riverside BIAs), Wade Griffith (WTC), Lisa Malec & Jake Rondot (Walkerville BIA)*



## **Conclusion:**

Many municipalities have begun to address the issue of nuisance lighting. While some have maintained a conservative approach and provided additional vocabulary in their Property Standards By-laws, other municipalities are recognizing the long-term impact of nuisance lighting on the environment, and public health and safety. The Lighting Intensity Standards Study (LISS) has been a successful instrument for control of nuisance lighting at the time of development through planning application such as Site Plan Control. Consultations with the local BIA's indicates a consensus that some form of regulation is necessary to continue post-construction to ensure that Windsor remains a healthy and livable community. The best practices found within LISS, along with the updates from other municipalities such as Mississauga, can form the basis for an amendment to the City of Windsor's Property Standards By-law to prohibit and regulate nuisance lighting on non-residential properties.

## **Planning Act Matters:**

N/A

## **Approvals:**

Name	Title
Don Nantais	Financial Planning Administrator
Neil Robertson	Manager Urban Design
John Revell	Chief Building Officer
Thom Hunt	City Planner
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Joe Mancina	Chief Financial Officer
Onorio Colucci	Chief Administrative Officer



**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Debi Croucher	Downtown Windsor BIA 419 Pelissier Street Windsor, ON N9A 4L2	<a href="mailto:debi@downtownwindsor.ca">debi@downtownwindsor.ca</a>
Greg Hanaka	Old Sandwich BIA	<a href="mailto:ghanaka@aol.com">ghanaka@aol.com</a>
Filip Rocca	Via Italia – Erie Str. BIA Mezzo Restaurant 804 Erie Street E. Windsor, ON N9A 3Y4	<a href="mailto:filip@mezzo.ca">filip@mezzo.ca</a>
Ettore Bonato	Ottawa Street BIA	<a href="mailto:ettore@bellnet.ca">ettore@bellnet.ca</a>
Wade Griffith	Wyandotte Towne Centre BIA	<a href="mailto:wadegriffith@thepatiolounge.ca">wadegriffith@thepatiolounge.ca</a>
Shane Potvin	Ford City BIA	<a href="mailto:shane@spotvin.com">shane@spotvin.com</a>
Bridget Schuereman	Pillette Village BIA & Old Riverside BIA	<a href="mailto:bscheuerman@cogeco.ca">bscheuerman@cogeco.ca</a>
Lisa Malec Jake Rondot	Walkerville BIA	<a href="mailto:chair.wbia@gmail.com">chair.wbia@gmail.com</a> <a href="mailto:jaker@hkcanada.com">jaker@hkcanada.com</a>
Shane Mitchell	Walkerville Residence Association	<a href="mailto:williamsmitchell@gmail.com">williamsmitchell@gmail.com</a>

**Appendices:**

- 1 APPENDIX 'A' - Mississauga Nuisance Lighting By-law
- 2 APPENDIX 'B' – Map of Nuisance Lighting in Windsor
- 3 APPENDIX 'C' – Examples of Nuisance Lighting in Windsor
- 4 APPENDIX 'D' – Lighting Intensity Standard Study (LISS)
- 5 APPENDIX 'E' - Best Practices for Effective Lighting



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**City Council  
Decision  
Monday, May 4, 2020**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR216/2020

That City Council approve Option #3: Prohibition as follows:

That an amendment to the Property Standards By-law 9-2019 to have property owners remove any lighting that does not comply with the full cut-off clause found in LISS CR228/2005—Appendix D **BE APPROVED**; and,

That a moratorium on the installation of any new non-compliant lights in the City **BE APPROVED**; and,

That recognizing that there are situations where wording found in a Nuisance Lighting Bylaw may conflict with everyday safety controls by a municipality and that some events use temporary lighting that create a public attraction, That prohibitions **WOULD NOT APPLY** to the following:

- City approved street lighting provided by a designated BIA;
- Lighting required through by-law enforcement or emergency services personnel;
- Traffic control signals and devices;
- Vehicle lights;
- Lighting in-compliance with the Lighting Intensity Standards Study (LISS) CR228/2005;
- Outdoor Lights used to illuminate public parks and playing fields;
- Temporary lighting associated with:
  - Permitted events such as but not limited to; Pridefest, Street Food Fair, Veg Fest, Night Parades, Busker Fest, etc.;
  - Festival Plaza events, concerts and carnivals;
  - Theatrical, film or television productions; and
  - Holiday lights between November 15 and January 15.

Carried.

Report Number: SCM 114/2020 & S 30/2020  
Clerk's File: ST2020 8.39



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*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services

March 31, 2025

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Neil Robertson	Manager Urban Design
John Revell	Chief Building Officer
Thom Hunt	City Planner
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**Committee Matters: SCM 133/2025**

**Subject: South National St (Pillette Rd to Jefferson Blvd) Traffic Calming/Multiuse Path Upgrades, Cyclist Crossing and Railway Pedestrian Crossover - Ward 8**

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

Decision Number: **ETPS 1055**

THAT Report of the Road Safety Coordinator, dated April 8, 2025, entitled, "South National St (Pillette Rd to Jefferson Blvd) Traffic Calming/Multiuse Path Upgrades, Cyclist Crossing and Railway Pedestrian Crossover" **BE RECEIVED** for information; and;

THAT Council **APPROVE** the installation of permanent traffic calming and multiuse path upgrades on South National St. funded 50% from the Road Safety Counter Measures Project ID 7151012 and 50% from the Bikeway Development Project ID 7111031, at a total cost of \$120,000 (excluding HST).  
Carried.

Report Number: S 48/2025  
Clerk's File: ST/13863

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Environment, Transportation & Public Safety Standing Committee held on April 30, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250430/-1/10551>



**Subject: South National St (Pillette Rd to Jefferson Blvd) Traffic Calming/Multiuse Path Upgrades, Cyclist Crossing and Railway Pedestrian Crossover - Ward 8**

**Reference:**

Date to Council: April 30, 2025  
Author: Clare Amicarelli  
Road Safety Coordinator  
519-255-6100 ext. 6463  
camicarelli@citywindsor.ca

Public Works - Operations  
Report Date: 4/8/2025  
Clerk's File #: ST/13863

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

**Recommendation:**

THAT Report of the Road Safety Coordinator, dated April 8, 2025, entitled, "South National St (Pillette Rd to Jefferson Blvd) Traffic Calming/Multiuse Path Upgrades, Cyclist Crossing and Railway Pedestrian Crossover" **BE RECEIVED** for information and;

That Council **APPROVE** the installation of permanent traffic calming and multiuse path upgrades on South National St. funded 50% from the Road Safety Counter Measures Project ID 7151012 and 50% from the Bikeway Development Project ID 7111031, at a total cost of \$120,000 (excluding HST).

**Executive Summary:**

N/A

**Background:**

As a part of the decision made at the City Council Meeting on March 29, 2023, the following direction was given through CR176/2023 ETPS 941:

*That Administration BE DIRECTED to report back to Council with costs, and feasibility of adding traffic calming measures including physical separators with barriers along South National St., enhancing the cyclist crossing at South National St. and Balfour Ave. and explore a pedestrian crossover at Westminster Ave. and South National St. into the Riverside area.*

This report is provided in response to CR176/2023 ETPS 941.



## **Discussion:**

South National St. is a 1.62km Class 1 Collector Road in Ward 8, that runs east/west from Pillette Rd. to Jefferson Blvd. with a speed limit of 50km/hr. Presently there is a 4.0m asphalt multiuse path (MUP) on the north side of the road with raised curbs installed for approximately 50m west of Jefferson Blvd., and 260m east of Pillette Rd. The remainder of the MUP is separated from the north travel lane with a 0.3m transverse rumble strip.

### **Enhanced Cyclist Crossing on South National St. at Balfour Blvd.**

The design shown on South National St. at Balfour Blvd. as per Report S 27/2023 included an uncontrolled cyclist crossing where cyclists and pedestrians do not have the right-of-way to cross. To potentially improve cyclist safety across South National St. at Balfour Blvd., a Level 2 Type D Pedestrian Crossover (PXO) could be implemented to create a controlled crossing where pedestrians and dismounted cyclists have the right-of-way (refer to Detail A of Appendix A) to access the existing MUP along South National St. The PXO could be installed with a speed table, as this will have the additional benefit of calming traffic. The raised PXO is estimated to cost approximately \$93,700.

Although the raised PXO would add a traffic calming benefit at this intersection, additional speed tables would need to be installed along the rest of South National St. to effectively provide traffic calming for the entire street. It is also noted that vertical deflection measures such as speed tables significantly affect emergency response times. Per consultation with Fire, emergency response vehicles have shown increased response times, losing as much as ten seconds of time per vertical deflection measure.

Although a PXO can address the uncontrolled cyclist crossing concern, Administration does not recommend a PXO here since this location does not further interconnect the South National St. MUP to any other existing or planned primary or secondary cycling network. Equally, the proposed PXO could connect pedestrians on the south side of South National St. to the existing MUP on the north side of South National St. However, there are no pedestrian generators of significance near this location where a PXO would benefit a high volume of pedestrians nor is this location part of an existing pedestrian desire line pathway. Further, a PXO at this location is also not recommended due to its close proximity to the at-grade road/rail crossing at Jefferson Blvd. where pedestrians/cyclists can cross over onto the South National St. MUP.

### **Traffic Calming Along South National St.**

Temporary Traffic Calming:

As part of the approved Ward 8 2024 expedited temporary traffic calming plans, temporary centerline flex posts and radar speed feedback signs have been installed. Three centerline flex posts were installed on South National St. in June 2024, and two radar speed feedback signs were installed between March and April of 2024 (refer to Appendix B).



The centerline flex posts were removed on November 1, 2024, to accommodate the winter control season, which ends March 31, 2025. The approved Ward 8 2025 temporary traffic calming plans include the reinstallation of the three original centerline flex posts and two additional centerline flex posts (refer to Appendix B). Currently, both radar speed feedback signs remain in these locations as per Councillor direction.

### **Permanent Traffic Calming:**

Permanent traffic calming measures along South National St. can be achieved by installing curbs with reflective bollards between the roadway and the MUP (refer to Appendix A). The curbs will be spaced as per Ontario Traffic Manual (OTM) guidelines and placed within a 0.7m painted buffer zone immediately adjacent to the existing 0.3m transverse rumble strips. Placing the curbs with bollards within the buffer zone creates a physical barrier between vehicles and MUP users. The painted buffer zone with the curbs and bollards will serve as a visual for narrowing of the roadway, which creates a traffic calming effect. However, it is important to note there is a risk that the traffic calming curbs may become dislodged if hit by a vehicle, presenting a safety hazard to road and MUP users.

The sections of South National St. near Jefferson Blvd. and Pillette Rd. with a raised curb will have a continued 4m wide MUP including an existing 0.15m wide raised curb and a proposed 0.85m white painted buffer zone immediately adjacent to the raised curb. The MUP currently narrows down into a sidewalk near Jefferson Blvd. The sidewalk would need to be widened to 4m to create a consistent width. The existing concrete bus pad will need to be removed since a bus stop no longer exists at that location.

As per OTM guidelines, the entrances of the MUP at Jefferson Blvd. and Pillette Rd. will have a yellow solid paint line and bicycle, pedestrian, and arrow markings (refer to Appendix A). The centreline at the MUP entrances alerts users to the presence of two-directional travel and advises all users to keep to the right.

These permanent traffic calming and MUP upgrades are estimated to cost approximately \$120,000.

### **Railway Pedestrian Crossover - Westminster Ave. / South National St. Intersection**

There are three railway crossing types that may be considered for the area over the railway tracks just north of the South National St. and Westminster Blvd. intersection (Appendix A), which include a pedestrian overpass, an underpass, or at-grade crossings. Each of these crossing types would require agreements, permits and approval by VIA Rail. Pedestrian crossings must accommodate all persons as required by Accessibility for Ontarians with Disabilities Act (AODA) and can also accommodate cyclists. This report discusses the high-level project descriptions and cost estimates for each type of crossing based on consultation with VIA Rail.



**Overpass Crossing:**

An overpass crossing provides physical separation between the pedestrians and train traffic, which provides increased safety for the pedestrians, as there is no conflict point from the crossing and tracks intersecting. For an overpass crossing, AODA would require the construction of accessible ramps. The ramping required to accommodate wheelchairs and bicyclists will require long crossing distances.

The overpass crossing is VIA Rail's preferred crossing as it is less complex in terms of constructability in a right-of-way while maintaining railway operations.

Based on a preliminary evaluation of the site and right-of-way width available, the space required for the accessibility ramping does not seem feasible. From a value-for-money, perspective, this concept would be cost prohibitive based on preliminary cost estimation (\$2,800,000 - \$6,500,000).

**Underpass Crossing:**

Like an overpass crossing, an underpass crossing provides increased safety for pedestrians due to the physical separation between pedestrians and train traffic. In addition, AODA would require the construction of accessible ramps. The ramping required to accommodate wheelchairs will also accommodate bicyclists.

An underpass crossing is VIA Rail's alternative method since it is expected to be more complex and costly than an overpass crossing. This is due to the complexity of the work and the challenges presented in the construction phase as the railway operations are required to be maintained during construction.

Based on a preliminary evaluation of the site and right-of-way width available, the space required for the ramping does not seem feasible. From a value-for-money perspective, this concept would be cost prohibitive based on preliminary cost estimation (\$2,800,000 - \$6,500,000).

**At-Grade Crossings:**

An at-grade MUP/rail or road/rail crossing would involve extending the existing MUP across the rail tracks, installing a warning system, streetlight upgrades and increased OTM signage, and for particularly the road/rail crossing, would also involve extending Westminster Ave. across the rail tracks, and removing the cul-de-sac on the north side. Rail Authority review and approval would be required to consider the at-grade crossing, and the at-grade crossing option is currently VIA's least preferred method.

The at-grade crossing would be in an anti-whistling area where there are higher standards for at-grade crossings. The City and Rail Authority would be required to fulfill requirements set out in the Railway Safety Act, Grade Crossing Regulations and Grade Crossing Standards. In addition, the City would be required to execute agreements with necessary parties to provide for liability, insurance and indemnification related to whistle cessation at the regional crossing. A safety assessment would be required to identify safety enhancements, which may include flashers, pedestrian gates, pedestrian waiting areas, railings, warning signs and pavement markings.



An at-grade road/rail crossing is not recommended, as the road extension will result in additional traffic volumes and cut-through traffic to the surrounding north and south neighbourhoods.

From a value-for-money perspective, the at-grade crossing concept would be cost prohibitive based on preliminary cost estimation of \$1,000,000 - \$2,000,000 for an MUP/rail crossing and \$2,000,000 - \$3,000,000 for a road/rail crossing.

Overall, any of the railway crossing types described above are not recommended at this location. Administration feels it is not required as there are no pedestrian generators near this location where a railway crossing would benefit a high volume of pedestrians and cyclists. There is currently no cycling facility on Westminster Blvd. on the north side of the railway tracks to connect cyclists. There are two existing at-grade road/rail crossings available at South National St. and Jefferson Blvd. intersection and South National St. and Pillette Rd. intersection in which pedestrians may utilize, including an east/west PXO at Pillette Rd. as per the proposed City-Wide Primary Cycling Network.

### **Risk Analysis:**

The permanent traffic calming/MUP upgrades would provide a safety benefit to road and MUP users. If these recommended additions are not implemented, these likely benefits will not be realized.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

Table 1 below illustrates the cost estimate for the proposed permanent traffic calming/MUP upgrades as per the plan provided in Appendix A.

**Table 1: Permanent Traffic Calming/MUP Upgrades Cost Estimate**

<b>Design Component</b>	<b>Design Item</b>	<b>Cost (excluding HST)</b>
Permanent Traffic Calming / MUP Upgrades	Paint Markings	\$5,000
	Bollards (110)	\$29,000
	Traffic Calming Curbs (110)	\$66,000
Contingency (20%)		\$20,000
<b>Total Cost Estimate</b>		<b>\$120,000</b>



There are sufficient uncommitted funds remaining in the Road Safety Counter Measures Project ID 7151012 (\$60,000) and Bikeway Development Project ID 7111031 (\$60,000) to fund the proposed recommended permanent traffic calming/MUP upgrades work.

If Council wishes to proceed with the additional work discussed (railway crossing and raised table PXO) but not recommended, a funding source will be required as there are insufficient funds within the existing Transportation Planning capital funding to implement beyond the proposed and recommended permanent traffic calming measures/MUP upgrades.

In addition, if Council directs Administration to proceed with any pedestrian crossing options at the railway, an external consultant will be required to conduct a feasibility study. The consultant would need to determine feasible railway crossing options, determine a recommended railway crossing option, and develop a detailed design for the crossing and refined cost estimate. The consulting study is expected to cost approximately \$150,000 – \$200,000. Should Council wish to proceed with a study of this nature, a funding source will be required as there are currently insufficient funds within the existing Transportation capital funding for this type of study.

Annual maintenance costs for painting and damage repairs for the permanent traffic calming/MUP upgrades are estimated to be approximately \$3,200. Should an annual maintenance budget be required to maintain safety upgrades, those will be addressed in the context of overall program needs with increased funding for the program being brought forward as necessary and appropriate

### **Consultations:**

Kathy Quenneville, Schools and Sustainable Mobility Coordinator  
Ray Sayyadi, Transportation Planning Engineer  
Jason Scott, Manager of Transit Planning  
Jim Leether, Manager of Environmental Services  
Roberta Harrison, Maintenance Coordinator  
Mark Keeler, Diversity and Accessibility Officer  
James Waffle, Fire Chief  
Chris Werstein, Executive Office Inspector  
Cindy Becker, Financial Planning Administrator – Public Works  
Mike Dennis, Manager of Strategic Capital Budget Development and Control

### **Conclusion:**

Several expedited temporary traffic calming measures identified within this report were installed during 2024. The 2025 expedited temporary traffic calming measures identified within this report have been approved by the ward Councillor to be installed during 2025.

The proposed recommendation presents permanent traffic calming and MUP upgrades that would provide a safety benefit for road and MUP users along South National St.



**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Mark Spizzirri	Manager of Performance Measurement and Business Case Development Financial Planning
Ian Day	Senior Manager Transportation
Phong Nguy	(Acting) Executive Director of Operations and Deputy City Engineer
David Simpson	Commissioner of Infrastructure Services and City Engineer
Janice Guthrie	Commissioner of Finance and City Treasurer
Ray Mensour acting for Joe Mancina	Chief Administrative Officer

**Notifications:**

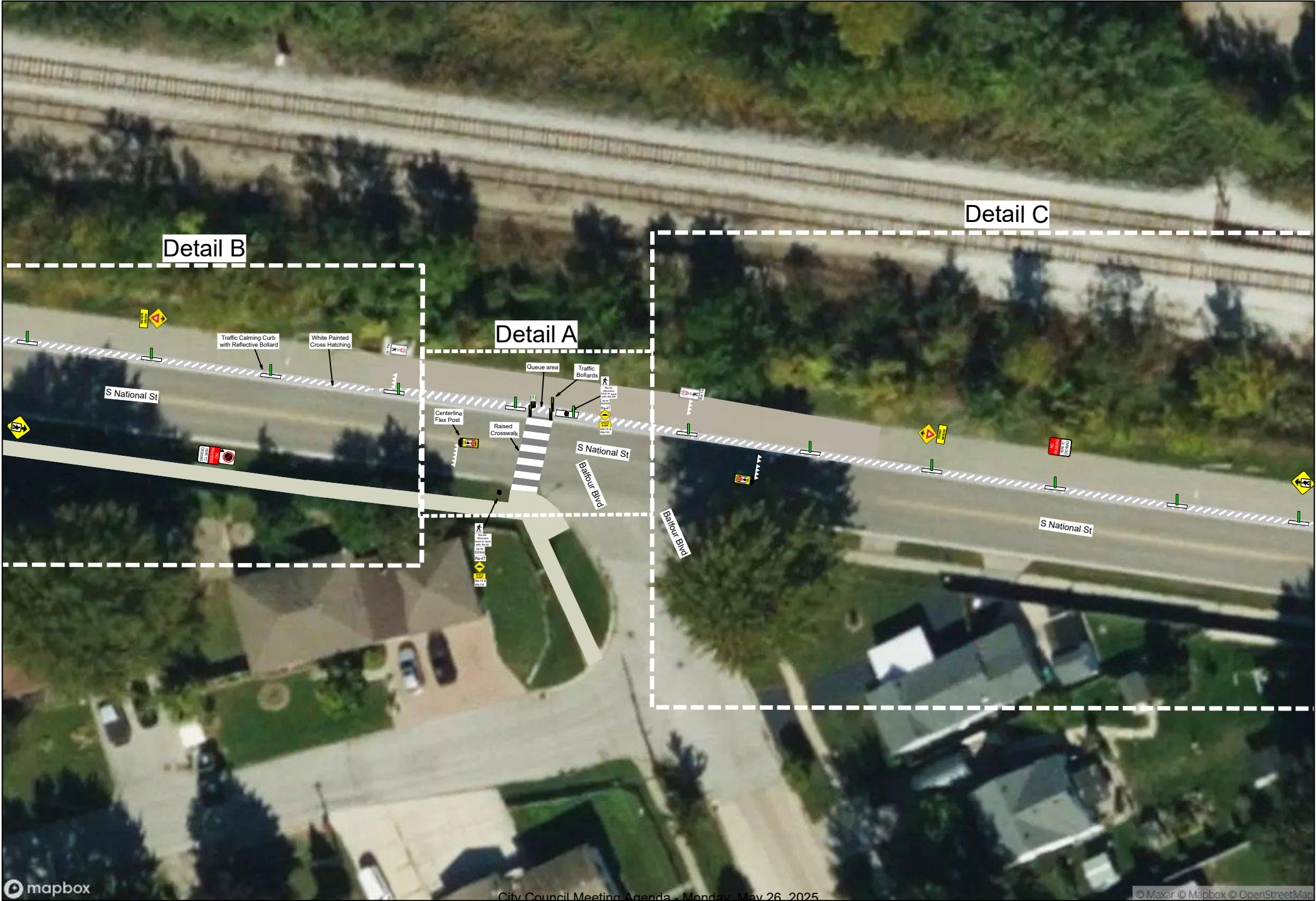
<b>Name</b>	<b>Address</b>	<b>Email</b>
Councillor Kaschak		

**Appendices:**

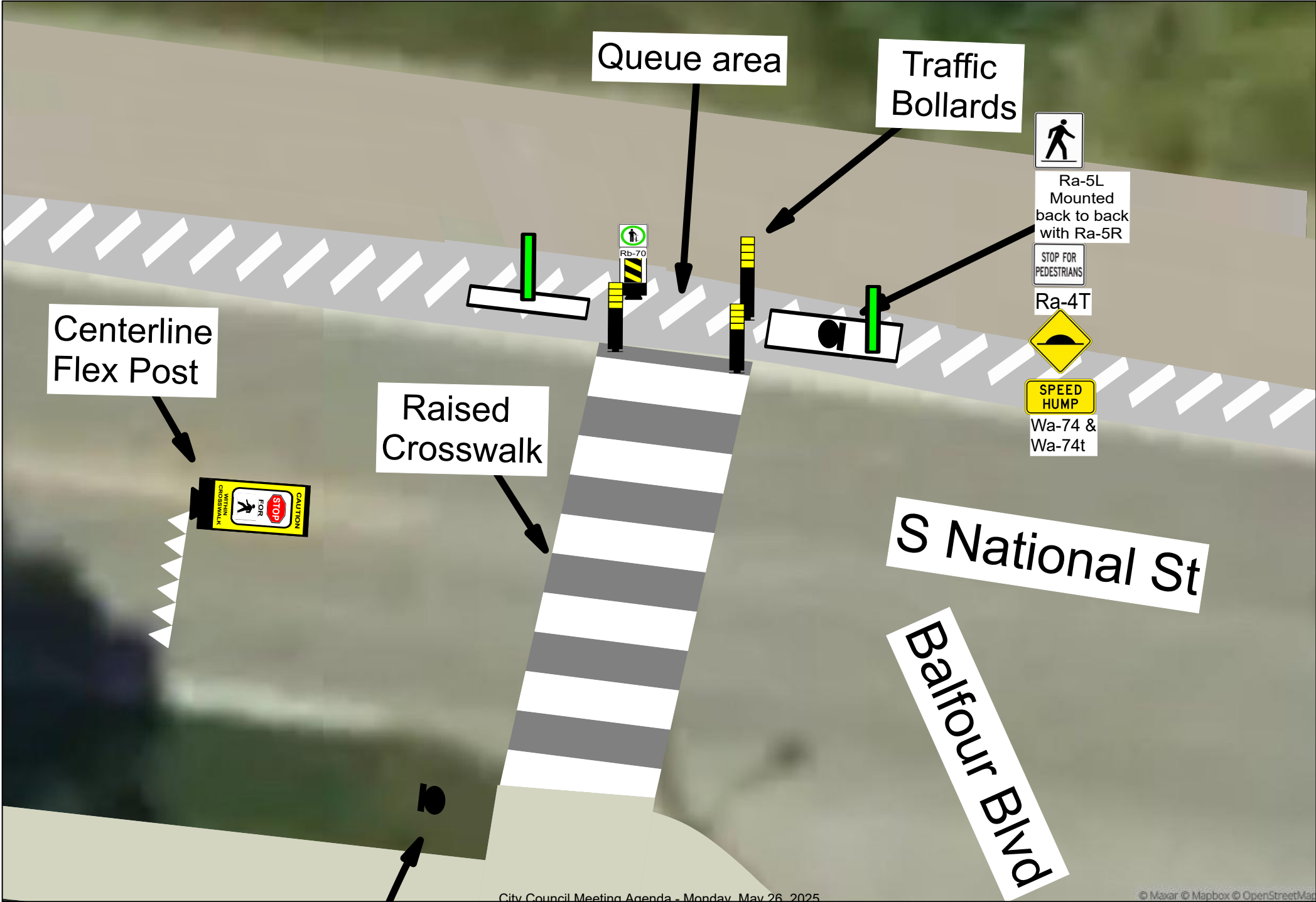
Appendix A – 2025 South National St. Permanent Traffic Calming/MUP Upgrades and Crossing Options Concept Plan

Appendix B – 2024/2025 South National St. Expedited Temporary Traffic Calming

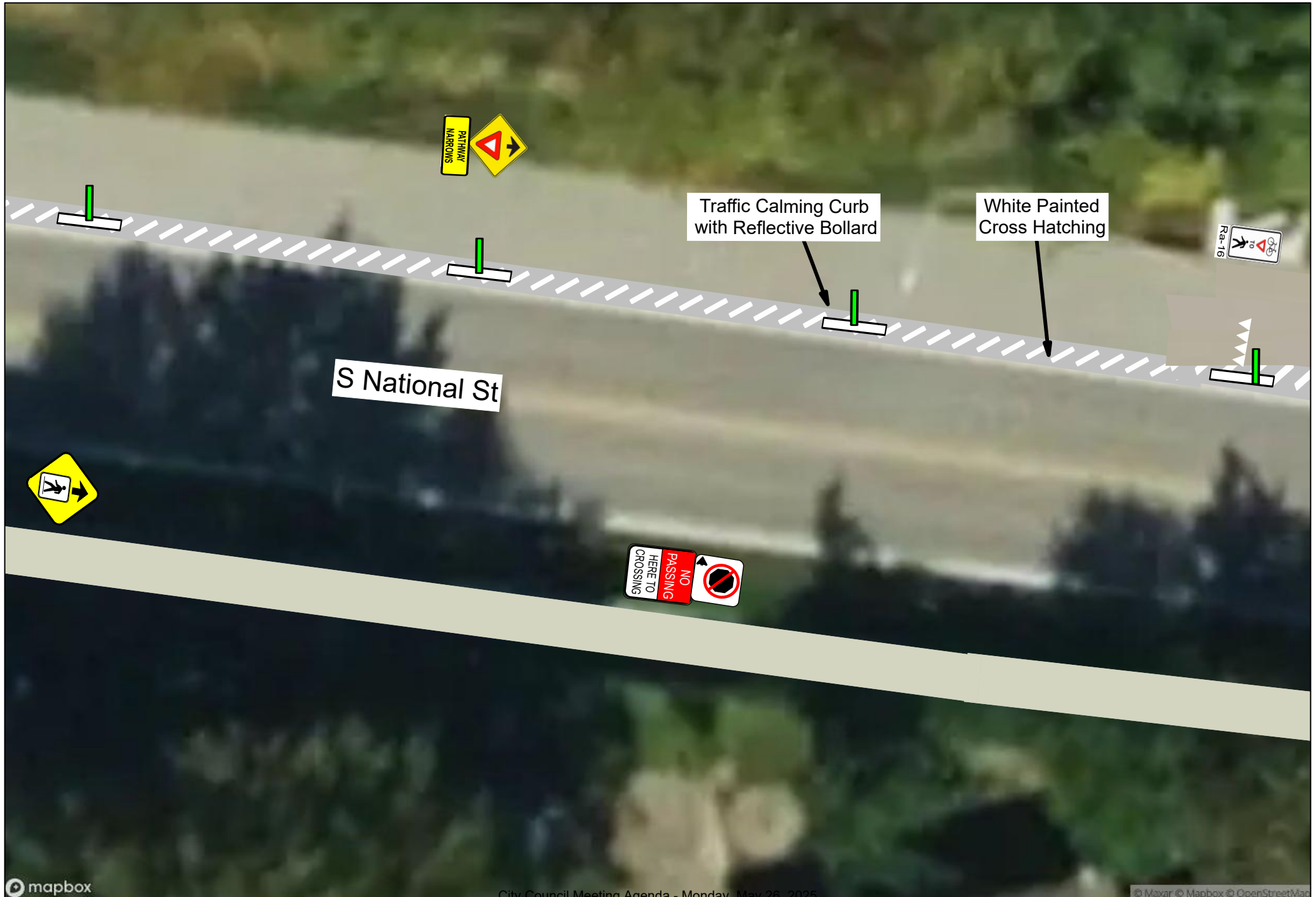




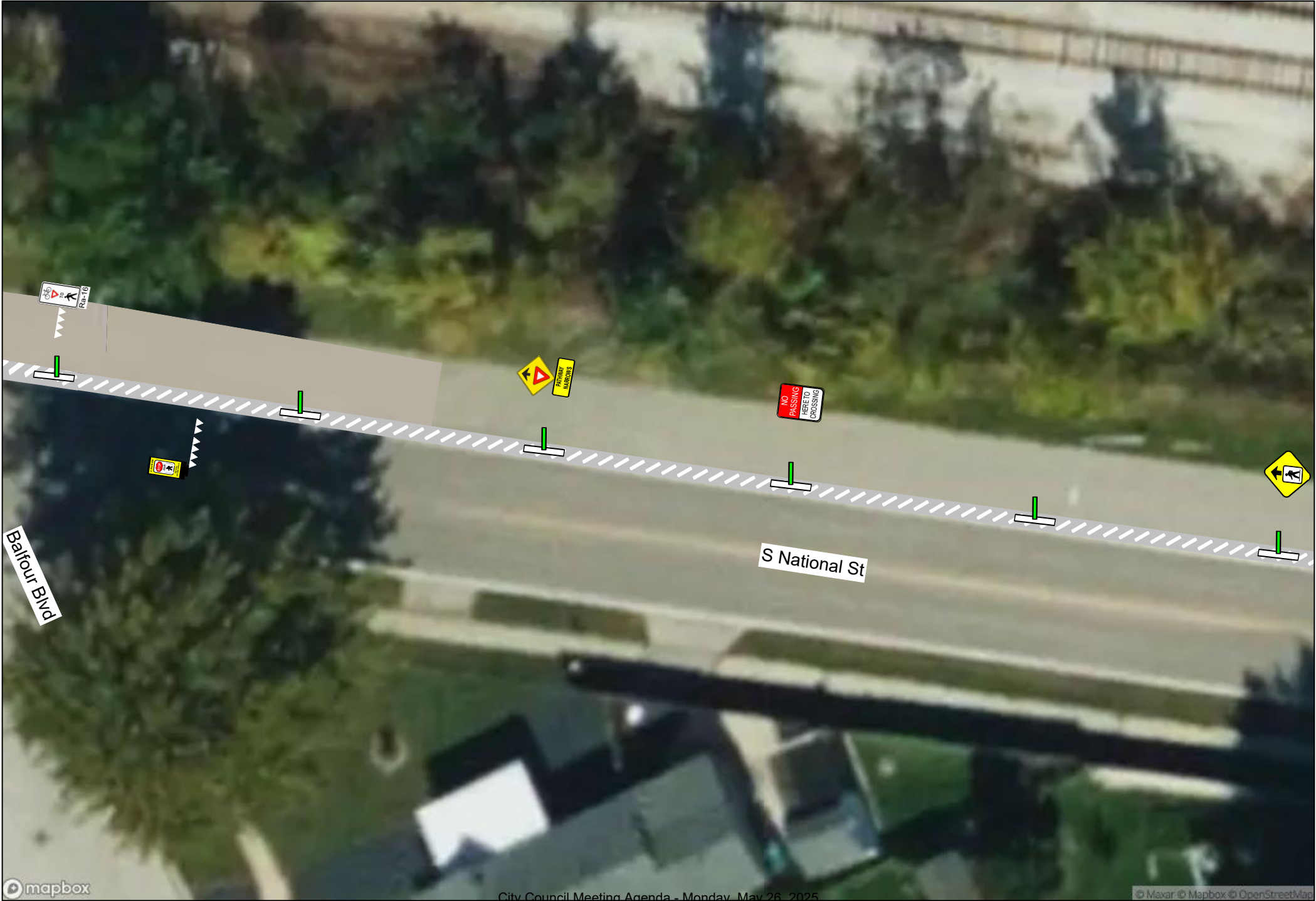






















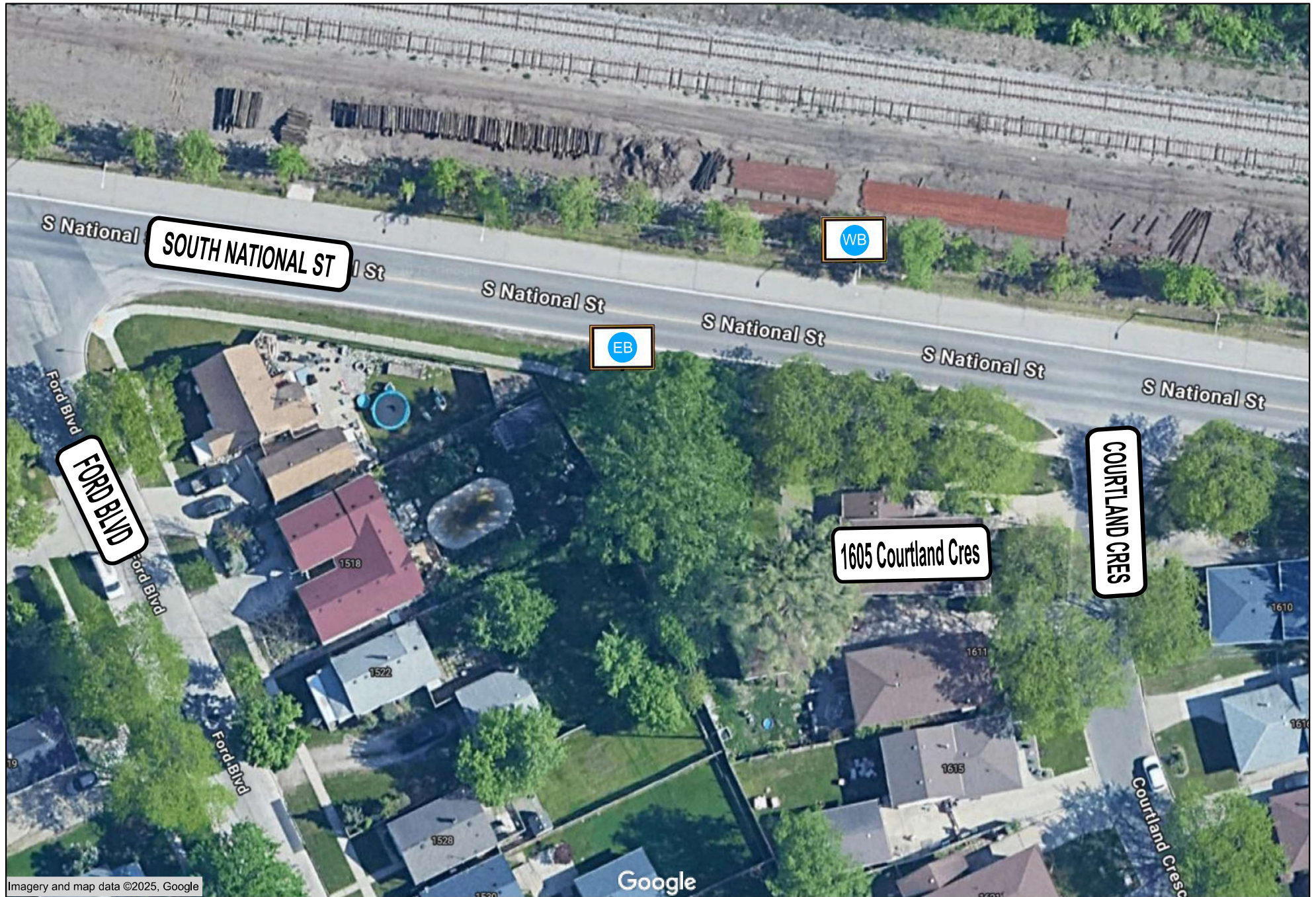
Railway Crossing Location - South National St at Westminster Blvd





Ward 8 - Place WB sign on streetlight pole facing WB traffic and EB on new stanchion facing EB traffic (both adjacent to 1605 Courtland Cres).

www.invarion.com





2025

**WARD 8 - SOUTH NATIONAL ST - LOCATION 1**

*In between Olive Rd and Norman Rd*

[Place flexible post sign approximately 50 meters East of Olive Road](#)



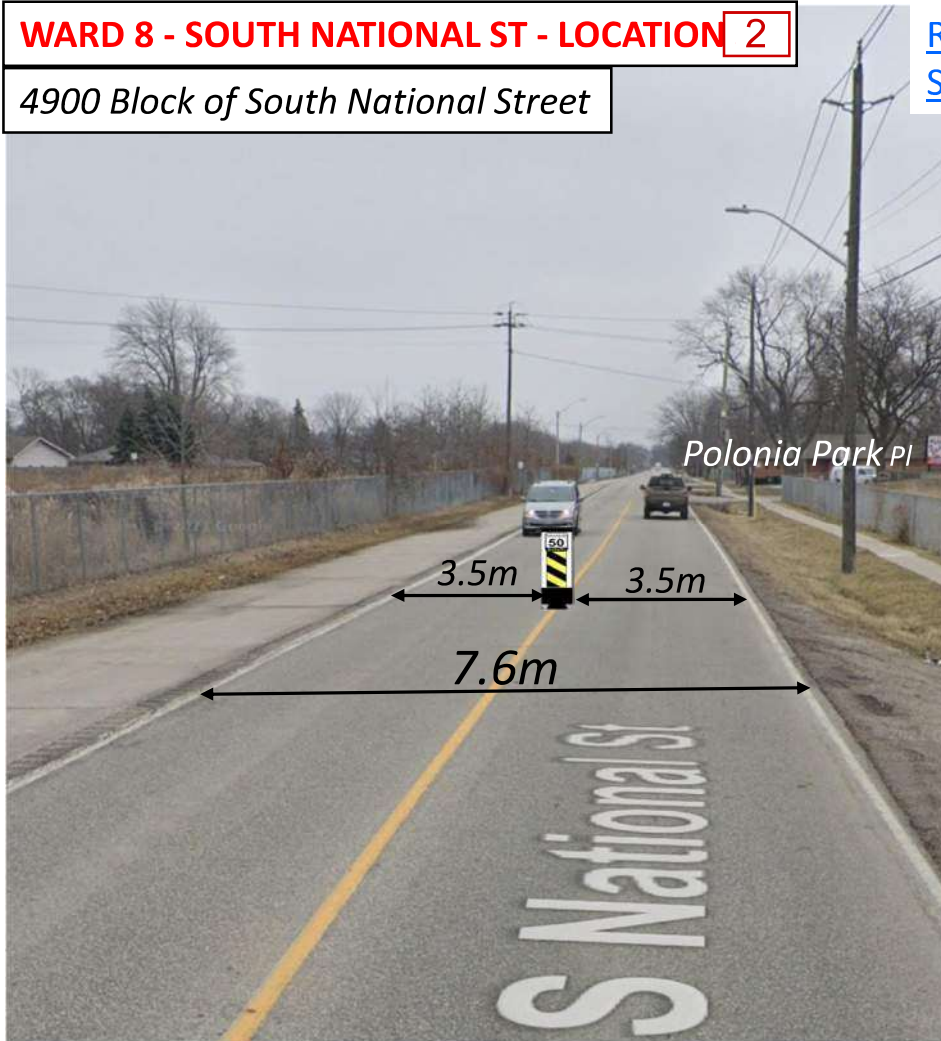


2024

**WARD 8 - SOUTH NATIONAL ST - LOCATION 2**

4900 Block of South National Street

Re-install flexible post sign at least 19 meters away from Bus Stop on South National



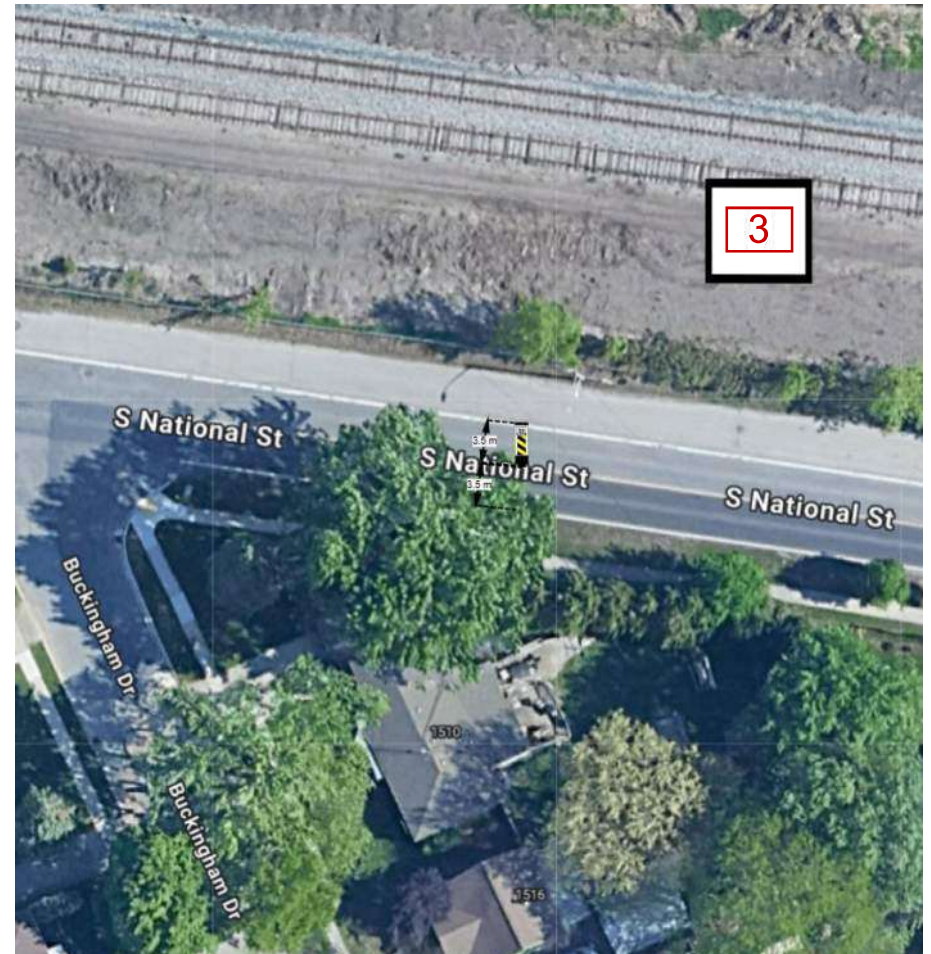


2024

**WARD 8 - SOUTH NATIONAL ST - LOCATION 3**

South National Street near Buckingham Dr

Re-install flexible post at least 10 meters East of Buckingham Dr





2024

**WARD 8 - SOUTH NATIONAL ST - LOCATION 4**

*South National Street between Courtland and Ferndale*

Re-install flexible post sign approximately 45 meters East of Courtland Cr (E). Place new “Do not Pass on Pathway” sign on streetlight pole approximately 50 East of Courtland Cr.





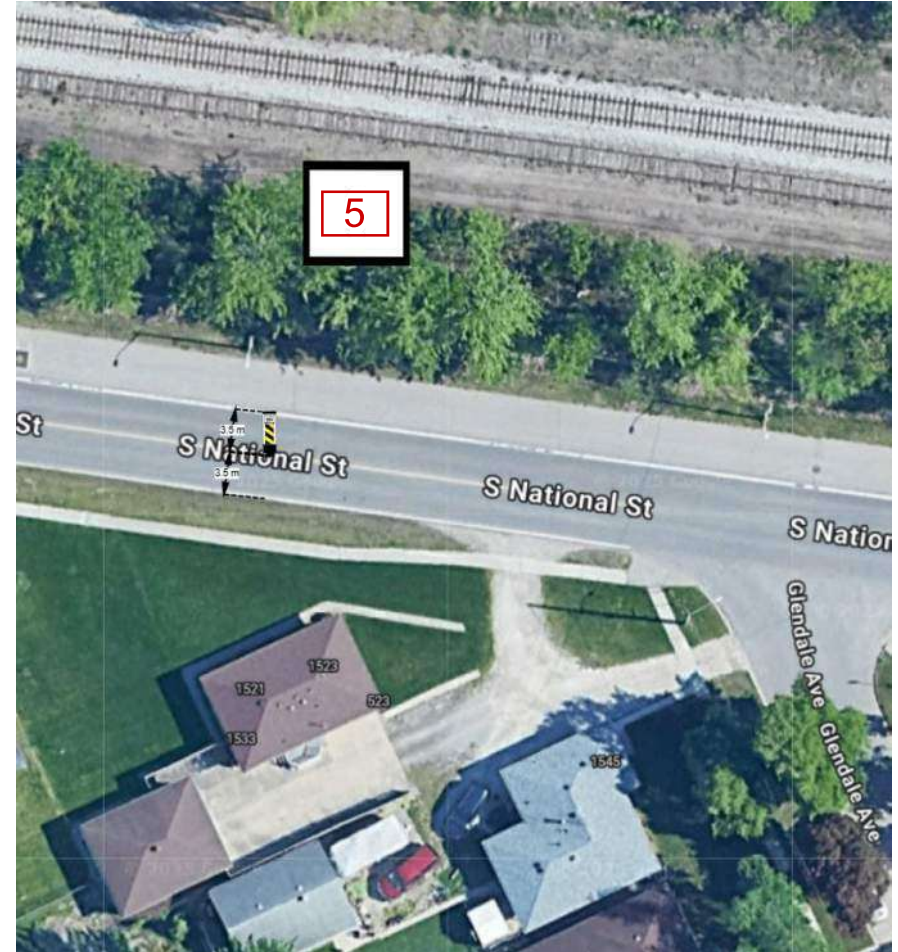
2025

**WARD 8 - SOUTH NATIONAL ST – LOCATION 5**

*South National Street West of Glendale Ave*



Place flexible post sign at least 3 meters West of driveway 1523 Glendale Ave







**Committee Matters: SCM 134/2025**

**Subject: Response to CQ 41-2024 - Lower Risk Encroachments - City Wide**

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

Decision Number: **ETPS 1056**

THAT the report of Supervisor, Right-of-Way dated April 10, 2025 entitled "Response to CQ 41-2024 - Lower Risk Encroachments - City Wide" **BE RECEIVED** for information; and,

THAT Administration **BE DIRECTED** to approve Minor Encroachments under a Permit Process as follows:

1. Applicable to residential (2-unit maximum) properties only;
2. Insurance and indemnification satisfactory to the Risk Management department is required;
3. Right-of-Way Permit fees applicable as per current User Fee Schedule:
  - a. \$283.00 – Permit Fee (2025);
  - b. \$1,000.00 – Indemnity Fee (returned upon final inspection); and,

THAT Administration **BE DIRECTED** to

1. Amend the Landscape Best Practice BP3.2.2 to define and include the treatment of pre-determined minor encroachments.
2. Amend the Encroachment Policy to define and include minor encroachments under a permit process.
3. Create a "blended" process required to address properties having both major and minor encroachments.



4. Initiate a process to address previously executed encroachments and paid fees:
  - a. Existing agreements will continue as per the timelines agreed upon in the agreement.
  - b. Administration recommends only fees paid in 2025 be reimbursed to residential property owners with less than two units. All fees paid prior to 2025 would remain in place.

Carried.

Report Number: S 49/2025

Clerk's File: SW2025

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.3 from the Environment, Transportation & Public Safety Standing Committee held on April 30, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250430/-1/10551>



**Subject: Response to CQ 41-2024 - Lower Risk Encroachments - City Wide**

**Reference:**

Date to Council: April 30, 2025

Author: Amy Olsen

Supervisor, Right-of-Way

(519) 255-6257 Ext. 6562

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

Right-of-Way – Engineering

Report Date: 4/10/2025

Clerk's File #: SW2025

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

**Recommendation:**

- I. THAT Council **RECEIVE** the response to CQ 41-2024 for information.

**Background:**

On February 12, 2024 Councillor Renaldo Agostino asked the following Council Question:

**CQ41-2024 -**

Asks that Administration review the current encroachment policy, landscaping best practice, and if needed, By-law 25 to provide options to property owners with lower risk encroachments.

This report is in response to CQ 41-2024.

**Discussion:**

In 1985, approval was given to create two encroachment categories under CR899/85:

1. **Category "A" – Major Encroachment** – These encroachments involve the structural integrity of a building, and include items such as the building itself, footings, porches, eave overhangs, etc., and required the following:
  - a. Approval by Council;
  - b. A legal metes and bounds description prepared by an O.L.S. and in the case of an underground encroachment, a Plan of Survey prepared by an O.L.S.; and
  - c. Registration on Title.



2. **Category “B” – Minor Encroachment** – These encroachments are incidental in nature such as signs and awnings, which do not affect the structural integrity of the building. The application for such encroachments is to be handled by Administration as follows:

- a. Approval may be granted by the Chief Administrative Officer on the recommendation of the Chief Building Official and the City Engineer;
- b. In the case of denial, the applicant has the right to an appeal to City Council; and
- c. Minor encroachments do not require a survey or a legal description and are not to be registered on Title; and in addition, all applications for encroachments must be accompanied by a minimum \$100.00 non-refundable application fee.

In recent years, the Encroachment Policy, as well as other supporting documents have been amended several times to aid in streamlining the process and remove significant roadblocks. Today, all encroachment applications (categorized as A & B above) follow a less tedious process than what was previously required. Specifically, encroachments no longer require a legal survey or registration of the agreement on title.

Below is a timeline of recent changes pertaining to the handling of encroachments and landscaping in the right-of-way:

*2004 – Authorization of Encroachment Agreement Signing*

- Removed the requirement to bring Category ‘A’ encroachment agreements to Council for approval and authorized the Chief Administrative Officer and City Clerk to execute.

*2012 – Creation of Landscape Best Practice BP3.2.2*

- Identified landscape requirements within the right-of-way.

*2015 – Incorporation of the Encroachment Policy (M67-2015)*

- Outlined a clear encroachment application and approval process.

*2016 – Landscape Best Practice Amendment*

- Inclusion of artificial turf as an alternative to grass.

*2016 – Encroachment Renewal Process – Approved under SE2016 (CAO3648)*

- Streamlined encroachment renewals to a less onerous re-application process.



### *2022 – Landscape Best Practice Amendment*

- After consultation with several internal departments and comparison against other comparable municipalities, Administration advised against allowing mulch in the right-of-way without a permit due to concerns with maintenance and liability as the mulch migrates onto roadways, driveways and sidewalks.
- Amendment to include low growing ground cover as an alternative to grass and artificial turf.

### *2023 – Encroachment Policy Amendments - Approved under CR 230/2023*

- Authorized the approval of encroachment agreements to the Commissioner of Infrastructure Services, from the Chief Administrative Officer.
- Incorporation of Heritage Features to the Encroachment Policy.
- Updated the Land Value Fees as they had not been updated in 8 years.

### **311 Calls**

Many of the above Council Reports were generated as a result of a 311 call blitz where an individual resident called in several (20-70+) complaints (sometimes anonymously) on neighbouring properties that were in contravention with the Encroachment Policy or Landscape Best Practice. Upon site inspections, many properties were issued 'Orders to Comply', requiring removal or legalization of items identified in the right-of-way. Consequently, increased calls to their associated Councillors initiated Council questions to reduce or amend encroachment and landscaping requirements.

Administration from 311 have confirmed that a cap cannot be placed on the number of complaints a citizen submits; however, reports can be generated to demonstrate trends and statistics from participants and specific addresses with higher call volumes, then sent to the affected department for further review. This will allow the Right-of-Way Division to determine the validity of these calls and act accordingly. While the 311 Customer Contact Centre requests that callers submit valid contact information, if they choose to remain anonymous, the contact representative is still required to record their request. When contact information is not provided at time of interaction, they are not privy to any follow-up information and are made aware of this at time of interaction.

### **Municipalities with Minor Encroachments**

As shown in Appendix A, Administration has reviewed several comparable cities to understand how municipalities address minor encroachments within their encroachment policies.

While there are examples of cities allowing personal items to be placed in the right-of-way without an encroachment agreement, many require a permit or consent letter to be issued in its' place complete with fees, insurance and drawing requirements.



## **Insurance**

A common issue residents experience when entering into an encroachment agreement with the City is satisfying standard City insurance requirements as many insurance companies will not add the City as an additional insured to residential policies. This is understandably frustrating for property owners; however, the condition is in place to protect the City against any claims that may arise due to placement of these personal items and cannot be waived. Insurance is critical for the City, as municipal infrastructure is typically located within the municipal right-of-way which could be damaged as a result of the encroachments.

## **Indemnification**

In addition to insurance, the property owner is also required to indemnify the City for all claims or losses that it may suffer due to each encroachment.

## **Option to allow Minor Encroachments under a Permit**

Administration has provided an option to allow pre-determined minor encroachments to be handled under a Right-of-Way permit, as opposed to an agreement. While this option would reduce the fees paid by the owner, insurance and the indemnity would remain a requirement under this permit option. High level guidelines are outlined below:

1. Applicable to residential (2-unit maximum) properties only;
2. Insurance and indemnification satisfactory to the Risk Management department is required;
3. Right-of-Way Permit fees applicable as per current User Fee Schedule:
  - a. \$283.00 – Permit Fee (2025);
  - b. \$1,000.00 – Indemnity Fee (returned upon final inspection).

## **Amendments**

Should Council elect to allow minor encroachments under a permit, the following amendments are required. Administration would accordingly report back at a later date with the proposed amendments for Council approval:

1. Amend the Landscape Best Practice BP3.2.2 to define and include the treatment of pre-determined minor encroachments.
2. Amend the Encroachment Policy to define and include minor encroachments under a permit process.
3. Create a “blended” process required to address properties having both major and minor encroachments.
4. Initiate a process to address previously executed encroachments and paid fees:
  - a. Existing agreements will continue as per the timelines agreed upon in the agreement.
  - b. Administration recommends only fees paid in 2025 be reimbursed to residential property owners with less than two units. All fees paid prior to 2025 would remain in place.



## **Risk Analysis:**

S.44 of the Municipal Act places the responsibility for the state of the repair of the public highway on the municipality. This has been supplemented by extensive case law. This results in the municipality being liable for injuries and/or damage sustained as a result of the condition of the highway. For that reason it is important to limit the City's liability through the requirement for insurance and indemnification.

Liability risks are standard with any item placed in the right-of-way and are mitigated by transferring the risk to the property owner through agreements, permits, insurance requirements and indemnifications. In lieu of an encroachment agreement, all conditions related to the occupancy of the public right-of-way could be managed in accordance with a Right-of-Way Permit, including insurance and indemnification.

There is a risk that property owners with minor encroachments that have paid fees prior to 2025 will submit complaints alleging unfair treatment. As with many policy changes, it is common practice to set a date by which the new policy takes effect and apply the changes on a go forward basis. It is not realistic and would pose a significant financial and resource risk to retroactively amend all encroachment agreements in place.

## **Climate Change Risks:**

### **Climate Change Mitigation**

N/A

### **Climate Change Adaptation**

N/A

## **Financial Matters:**

Amending the Encroachment Policy to allow minor encroachments under a permit has financial implications on both the Legal Department and Infrastructure Services. The fees built into an encroachment agreement cover the costs associated with Administration's time to properly administer the application. This includes a thorough review across several departments and leads to the creation and execution of the agreement. Right-of-Way permit fees apply to all permits obtained through the ROW department, covering multiple types of permits.

The following chart compares the current encroachment policy fees for these "minor items", compared to allowing them under a permit. The loss of revenue per application would be \$692.21 plus the cost of the one time fee, which varies with each application.

<b>Comparison of Process Fees</b> (based on the current User Fee Schedule)		
<b>Fee</b>	<b>Encroachment Policy</b>	<b>Permit</b>
Application Fee	\$ 285.00	N/A
Agreement Fee	\$ 407.21	N/A
One-time Encroachment Fee	Varies based on area (refer to Appendix B)	N/A



Permit Fee	\$ 283.00	\$ 283.00
Indemnity	\$ 1,000.00	\$ 1,000.00
<b>TOTAL</b> (excluding refundable indemnity)	<b>\$ 2,008.21</b>	<b>\$ 283.00</b>
<b>Loss of Revenue per Application</b> (one-time encroachment fee varies per application and is not included for this reason)		<b>\$ 692.21</b> <b>+ One-time Encroachment Fee</b>

It would be difficult to increase permit fees in general to the point where they would completely cover lost revenues. The time necessary to complete a fulsome review for a permit for a minor encroachment would be similar to the time spent on the current process of encroachment applications and therefore savings in administrative time would be minimal.

### Consultations:

Kate Tracey, Senior Legal Counsel, Legal and Real Estate  
Jamelah Hersh, Senior Legal Counsel, Legal and Real Estate  
Rosemary Menna, Claims Administrator, Purchasing and Risk Management  
Meghan Matthews, Legal Assistant, Legal and Real Estate  
Kathy Buis, Financial Planning Administrator, Financial Planning  
Allison Charko, Project Manager, Communications and Customer Services  
Michelle Moxley-Peltier, CEP Project Administrator, Environmental Sustainability and Climate Change

### Conclusion:

It is Administration's position that regardless of the item encroaching into the right-of-way, the current requirements listed under the Encroachment Policy are required to manage risk to the City and adequately protect the City's infrastructure.

### Planning Act Matters:

N/A

### Approvals:

Name	Title
Mark Spizzirri	Manager of Performance Measurement and Business Case Development, Financial Planning
Adam Pillon	Manager of Right-of-Way
Stacey McGuire	Executive Director, Engineering/Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services/City Engineer



<b>Name</b>	<b>Title</b>
Wira Vendrasco	City Solicitor
Jelena Payne	Commissioner, Economic Development
Janice Guthrie	Commissioner, Finance and City Treasurer
Ray Mensour acting for Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>

**Appendices:**

- 1 Appendix A - Comparison of Municipalities
- 2 Appendix B - Encroachment Fees & Exemptions



Appendix 'A'

COMPARISON OF MUNICIPALITIES				
CITY	ENCROACHMENT REQUIREMENTS	MINOR ENCROACHMENTS	MINOR ENCROACHMENT REQUIREMENTS	CITY OF WINDSOR COMPARISON
LONDON	<b>2.6 Encroachment -</b> means any type of vegetation or natural object placed by a property owner, or man-made feature or object or item of personal property of a person which exists wholly or partly upon, or extends from a property owner's premises onto streets or road allowances and shall include any aerial, surface or subsurface encroachments;	<b>4.2.3. Minor Encroachments that do not comply with City Standards.</b> Encroachments that do not comply with City Standards that otherwise do not create a significant risk to the public or City or utility companies will not be considered for an encroachment agreement but may remain temporarily at the City's sole and absolute discretion, it being understood that the property owner is fully responsible for the encroachment and that neither the City nor utility companies will be responsible for damage caused thereto or for the complete loss of the encroachment no matter how caused. Examples of minor encroachments include irrigation systems, hedges, shrubbery and simple landscaping at grade.	No permit required for these minor encroachments	All Minor Encroachments listed in the City of London currently fall under Best Practice BP3.2.2 and do not require an encroachment agreement
GUELPH	<b>Application for Encroachment</b> 4. Any person who wishes to erect, install, maintain, or carry on an encroachment on, or encroach upon, City-owned Lands shall be required to submit an application to the City seeking permission to do so, together with drawings or plans sufficient to describe the encroachment, to the City's satisfaction, and payment of the applicable non-refundable encroachment application fee as set by City by-law from time to time. 5. The form, content, and information requirements of the application and of all applicable fees, including annual fees, shall be as prescribed by the City from time to time. Encroachment agreements may include encroachment agreement annual fees and which will be established at the commencement of a term of an encroachment agreement.	Not Offered	N/A	N/A
MISSISSAUGA	(f) "encroachment agreement" means a document prepared by the City allowing an encroachment on public lands and shall take either of the following three forms: (0108-2011, 0139-2016) (i) a permit for all minor encroachments on public highway lands not consisting of boulevard garden encroachments; and (ii) a permit for boulevard garden encroachments located on the non-travelled portion of a public highway in accordance with the Schedule "A" to this by-law, each of which shall be approved and signed by Director of Works Operations & Maintenance of the Transportation & Works Department or his/her authorized delegate; and (iii) an agreement for all other types of encroachments, each of which shall be signed by the applicable Commissioner or his/her authorized delegate;	<b>(j) "minor encroachment" (Permit required)</b> means an encroachment on a public highway deemed by the Commissioner to be of minor size and significance; (0108-2011)  Examples include Long-term outdoor patios, seasonal outdoor retail sales and displays, seasonal outdoor patios	Permit required with the municipality of Mississauga	The City of Windsor currently requires a Right-of-Way Permit for these items and are not considered an encroachment  Insurance Requirements: \$5,000,000 for residential encroachments \$10,000,000 commercial encroachments
HAMILTON	<b>Website</b> An encroachment agreement is a legal and binding agreement between the City and a property owner whose property abuts the municipal property which permits the property owner to have an encroachment on City property. An encroachment is an improvement made to City property that is located entirely or partly in, on, under or above the City's property. Examples of encroachments: Awnings (except retractable or that require a Building permit), landscaping, porches, steps, portion of existing building, signs (freestanding, that project more than 6 inches), where not otherwise prohibited, wheelchair ramps and other accessibility features. Examples of encroachments that will not be considered: Fences, refreshment vehicles, signs (temporary or ush-mounted), fruit and vegetable stands, soft drink and ice machines, small scale lighting features, temporary seating - see temporary Outdoor Patio Program, Parking spaces - contact parking@hamilton.ca	Not Offered	N/A	N/A
OTTAWA	<b>Section 6 - Procedure for application</b> (1) Applications for a permanent encroachment permit shall be made by the owner or a representative of the owner as prescribed by the General Manager and shall be accompanied by, (a) a sketch showing the location and dimensions of the encroachment; (b) information as to the materials out of which the encroachment has been or will be constructed; and (c) the method and extent of its illumination, if any. (2) If the encroachment is acceptable to the General Manager, the applicant or a representative of the applicant shall then file with the General Manager, (a) three copies of a plan certified by an Ontario Land Surveyor showing the location and dimensions of the encroachment and of the adjacent part of the premises to which it is or will be appurtenant, and the location of the lot line, except in the case of a permanent canopy that does not require a building permit and is deemed by the General Manager not to constitute a material alteration to the structure; (b) a registerable description of the premises to which the encroachment is or will be appurtenant; and (c) the non-refundable fee as provided for in Schedule "A" of this by-law.	<b>Section 2 - Exemptions</b> (1) The provisions of this by-law do not apply to: (a) lawns and private entrance walkways or private approaches placed or constructed in accordance with the City's by-laws; (b) flags and flag-poles located at a height of two and one-half metres (2.5 m) or more above the elevation of the centreline of the roadway immediately facing the ag or ag-pole that are not used for advertising purposes; (c) existing footings that, (i) do not encroach on a highway by more than three hundred millimetres (300 mm), (ii) are at least two and one-half metres (2.5 m) below the highway surface, and (iii) do not interfere with any public utility; (d) existing permanent aerial encroachments that encroach by not more than three hundred millimetres (300 mm); (e) signs authorized by any City by-law; (f) works, equipment, assets and infrastructure of the City or of an agency of the City or a public utility; (f) works and equipment of any person performing construction or maintenance operations on a City highway, to the extent that such works are lawfully authorized by any agreement with, or a by-law of, the City; or (g) individual buildings, structures, sites or related appurtenances designated as properties of cultural heritage value under Part IV or Part V of the Ontario Heritage Act, R.S.O. 1990, Chap. O.18, as amended. (h) snow plow driveway marker (2018-9).	No permit required for these minor encroachments	Many of the items listed as an exemption under the Ottawa Encroachment Policy follow similar City of Windsor exemptions as noted on Appendix 'B' - Encroachment Exemptions



TORONTO	<p>Provided that the proposed encroachments satisfies technical criteria, staff are delegated to issue encroachment agreements for the range of permitted encroachments described in Toronto Municipal Code Chapter 743. (http://www.toronto.ca/legdocs/municode/1184_743.pdf) Article IV.</p>	<p>Provided that they comply with the requirements of Article IV, <b>the following encroachments do not require an encroachment agreement:</b></p> <p>1. Fences and retaining walls less than 0.90m in height, measured from the travelled surface of the road; 2. 'Soft' landscaping, such as gardens, shrubs and hedges; 3. Driveway curbs and precast concrete curb stones; 4. Stairs; Walkways less than 1.5m wide.</p> <p>With the exception of soft landscaping, a street work permit is required before you can install a permitted encroachment. Contact your District office to book a site inspection by a Bylaw Officer before you start your work.</p>	Permit required with the Municipality of Toronto	While the items listed as exempt do not require an encroachment agreement, a Street Work permit is necessary to complete this work, which has several conditions including fees, proof of indemnification and drawing requirements.
TOWNSHIP OF WAINFLEET	<p><b>3.07 “Encroachment, Minor”</b> means an encroachment that is minor in nature and may include, but is not limited to the following: 1. Projections from buildings (including eaves, cantilevers, etc.) 2. sheds 10m<sup>2</sup> or smaller 3. Shrubs, trees or other natural landscape materials 4. Hard landscaping (including asphalt, concrete, brick sidewalks and walkways, curbs, parking pads, aprons or driveways).</p> <p><b>3.08 “Encroachment, Major”</b> means an encroachment that is large in scale, difficult to move, secured by a footing and may include, but is not limited to the following: 1. Buildings (including dwellings, garages, sheds larger than 10m<sup>2</sup>); 2. Structures (including retaining walls, decks, stairs and patios); 3. Fences</p>	<p><b>“Consent Letter”</b> means the Township's standard form of letter, as amended from time to time, for situations in which the Manager of Operations determines, at his/her sole discretion, whether an encroachment is minor of nature such that an Encroachment Agreement is not required.</p> <p><b>10.0 LETTER OF CONSENT</b> 10.01 A consent letter shall be required for all permitted minor encroachments. 10.02 A consent letter formally recognizes the encroachment by both the Township and the Owner, and clearly establishes the terms and conditions specific to the permission being granted, including but not limited to the provisions that permission for the encroachment is being granted until such a time as it is required to be removed by the Township, in its sole discretion. 10.03 A drawing shall be provided by the Owner, in a form satisfactory to the Manager of Operations, clearly identifying the extent of the encroachment, and serves to assist in eliminating subsequent enlargements of the encroachment without permission. 10.04 The Owner shall submit the appropriate fee for a consent letter, as outlined in Schedule “A”. 10.05 The Owner shall submit maintain a liability insurance policy for the encroachment in the amount of one million dollars naming the Township as third party insured. 10.06 The Owner shall provide proof of the insurance policy to the Township on an annual basis.</p>	Permit required with the Township of Wainfleet	While the items listed as exempt do not require an encroachment agreement, a Letter of Consent is necessary to complete this work, which has several conditions including fees, proof of indemnification and drawing requirements.
WHITBY	<p>1.1.9. “encroachment agreement” means a document prepared by the Town allowing an encroachment on public lands and shall take either of the following two forms: 1.1.9.1 a permit for all minor encroachments on highway or boulevard land, and 1.1.9.2 an agreement for all other types of encroachments, each of which shall be signed by the applicable Commissioner or their designate;</p>	<p>1.1.8.3 “minor encroachment” means an encroachment on public lands including a highway deemed by the Commissioner to be of minor size and significance, 1.1.9. “encroachment agreement” means a document prepared by the Town allowing an encroachment on public lands and shall take either of the following two forms: 1.1.9.1 a permit for all minor encroachments on highway or boulevard land, and 1.1.9.2 an agreement for all other types of encroachments, each of which shall be signed by the applicable Commissioner or their designate;</p>	Permit required with the Municipality of Whitby	While the Minor Encroaching items do not require an encroachment agreement, a permit is necessary to complete this work, which has several conditions including fees, proof of indemnification and drawing requirements.
VAUGHAN	<p>The following requires an encroachment permit: 1. Any object, other than vegetation, that projects over public lands at a height of 30 cm or more; 2. Any encroachment that extends more than 20 cm below the ground; or 3. Other objects that the City deems to be a significant encroachment, such as, but not limited to, below-ground hydro installations, heated driveways, and encroachments related to commercial Private Property.</p>	<p><b>Minor Encroachments are not Offered.</b> What types of encroachments are not allowed? Encroachments are not allowed if they are: located on or extends onto any public lands other than the boulevard; create an unsafe condition or a hazard; interfere with City operations; modify or interfere with public infrastructure; not maintained in a state of good repair; or contravene this or any other City or Region by-laws.</p> <p><b>Enforcement and penalties:</b> Non-compliance may result in an administrative monetary penalty of \$500 or higher fine amount under provincial regulation. All unauthorized encroachments may be removed by the City at the owner's expense. The City does not investigate or enforce encroachments on private property as they are civil matters.</p>	N/A	N/A
TOWN OF CALEDON	<p><b>Part 2 – Application</b> 2.1 This By-law does not apply to the following: (1) signs erected on behalf of the Town or any other sign as authorized by the Sign By-law 2017-54, as amended, or its successor by-law; (2) receptacles or waste items set out on the boulevard for collection services in compliance with the standards as set out in the Region's Waste Collection By-law 35-2015, or its successor by-law; (3) rural and Canada Post community mailboxes erected on the boulevard and maintained in compliance with the requirements of the Mail Receptacles Regulations under the Canada Post Corporation Act; (4) an encroachment permitted as a result of a written agreement with the Town, other than an encroachment permit; (5) roadside memorials in accordance with the following: (a) does not create a public safety hazard; (b) does not inhibit or obstruct Town operations; (c) does not inhibit or obstruct access to fire hydrants, post office boxes, or any installations belonging to the Town, Region or utility provider; or (6) utility infrastructure.</p>	<p><b>Part 4 – Minor Encroachments Soft Landscaping</b> 4.1 Every owner shall be permitted to plant a boulevard garden in accordance with the following: (1) shall not be planted in, or overhang a shoulder, sidewalk or roadway; (2) shall be maintained so as to not exceed one hundred (100) centimetres (approximately thirty-nine (39) inches) in height; (3) shall be at grade with any adjacent sidewalk; and (4) shall not be planted within thirty (30) centimetres (approximately twelve (12) inches) of a sidewalk. 4.2 Every owner shall be permitted to place sod, seed or otherwise grow grass on an adjacent boulevard in accordance with the following: (1) shall not be grown on the shoulder or sidewalk; and (2) shall not exceed twenty (20) centimetres (approximately eight (8) inches) in height. 4.3 Every owner shall be permitted to place wood chips around the base of a boulevard tree and the wood chips shall not exceed ten (10) centimetres (approximately four (4) inches) in height. (2) shall have a minimum radius of sixty (60) centimetres (approximately twenty-four (24) inches) from the base of the tree; (3) shall have a minimum setback of thirty (30) centimetres (approximately twelve (12) inches) from a sidewalk; (4) shall be kept in good repair; and (5) shall be modular and not rely on a fixed foundation for its support.</p> <p>Tree Rings 4.4 Every owner shall be permitted to erect tree rings around the base of a boulevard tree in accordance with the following: (1) shall not exceed fifteen (15) centimetres (approximately six (6) inches) in height;(2) shall have a minimum radius of sixty (60) centimetres (approximately twenty-four (24) inches) from the base of the tree; (3) shall have a minimum setback of thirty (30) centimetres (approximately twelve (12) inches) from a sidewalk; (4) shall be kept in good repair; and (5) shall be modular and not rely on a fixed foundation for its support.</p>	No permit required for these minor encroachments	Many of these Minor Encroachments listed under the Town of Caledon currently fall under Best Practice BP3.2.2 and do not require an encroachment agreement



# Appendix 'B'

## Encroachment Fees & Exemptions

### Residential & Partially Exempt Encroachment Formula

*Land Value x Area of Encroachment x Residential & Non Profit Factor x Risk Factor = Fee*

### Non Residential Encroachment Formula

*Land Value x Area of Encroachment x Non Residential Factor x Risk Factor = Fee*

### Parking Encroachment Formula

*Area of Parking Encroachment x \$1.75 = Fee (One Time or Annual Fee based on Zoning)*

#### LAND VALUES

Residential (R1 & R2 only)	\$12.00/ft <sup>2</sup>
Commercial (and >=R3)	\$15.00/ft <sup>2</sup>
Industrial	\$7.00/ft <sup>2</sup>
Institutional	\$5.00/ft <sup>2</sup>
Downtown	\$36.00/ft <sup>2</sup>

#### PARKING SPACE VALUE

\$350.00/200ft<sup>2</sup> parking space (\$1.75/ft<sup>2</sup>)

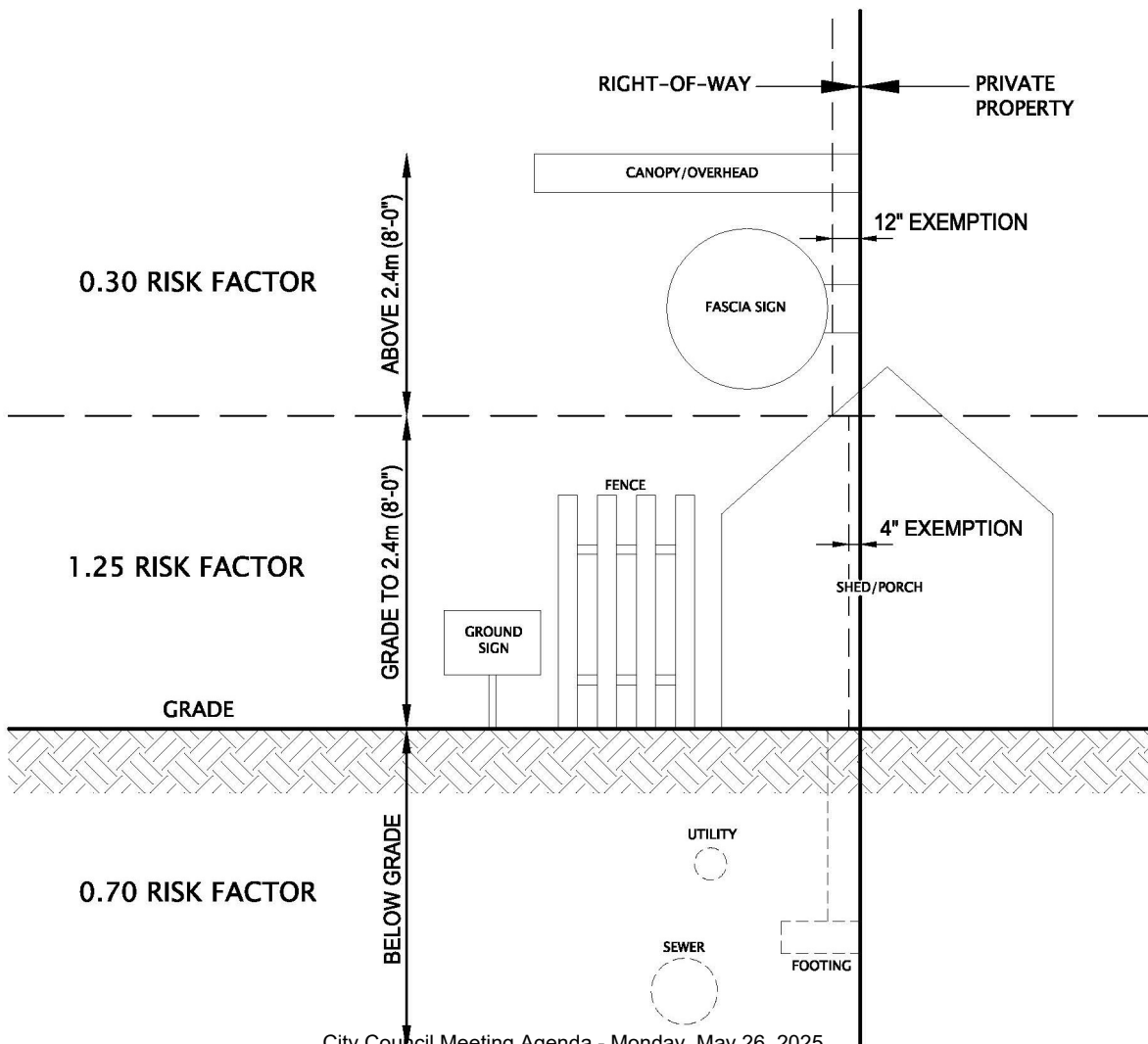
#### RISK FACTOR

Below Grade	0.70 Risk Factor
Grade to 2.4m (8'-0")	1.25 Risk Factor
Above 2.4m (8'-0")	0.30 Risk Factor

#### ZONING FACTOR

Residential & Partially Exempt Factor = 0.5

Non Residential Factor = 0.05





**Subject: Additional Information Memo in Response to CQ 41-2024 – Lower Risk Encroachments – City Wide**

**Reference:**

Date to Council: May 26, 2025

Author: Lea Marshall

Technologist II

(519) 255-6257 Ext. 6494

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

Right-of-Way - Engineering

Report Date: 5/8/2025

Clerk's File #: SW2025

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

**Additional Information:**

This memo provides additional information as requested by Councillor Renaldo Agostino under CQ41/2024, “that Administration review the current encroachment policy, landscaping best practice, and if needed, By-Law 25 to provide options to property owners with lower risk encroachments”.

Following the recent ETPS Standing Committee meeting on April 30th, the additional information seeks to provide Council with encroachment types that could be considered to be “minor” based on an assessment of potential risk to the Corporation.

**Minor Encroachments**

Report S 49/2025 outlined a proposed process by which a permit could be issued for minor encroachments, as an alternative to an encroachment agreement. Administration further recommends, at the discretion of the City Engineer, for the purpose of the permit the following may be considered minor encroachments:

- Single step as part of a leadwalk
- Decorative rocks or boulders
- Landscape logs
- Picket fence with no foundations
- Plastic landscape borders
- Lawn ornaments



## **Blended Major and Minor Encroachment Applications**

If both major and minor encroachments are present at one property, all encroachments (regardless of category) are proposed to be processed through a single standard encroachment agreement following the requirements of the existing Encroachment Policy.

### **Consultations:**

Kate Tracey – Senior Legal Counsel

Jamela Hersch - Senior Legal Counsel

### **Conclusions:**

Administration is providing this additional information memo to clarify additional terms of the proposed minor encroachment permit process.

### **Approvals:**

<b>Name</b>	<b>Title</b>
Adam Pillon	Manager of Right-of-Way
Stacey McGuire	Executive Director Engineering/Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
Ray Mensour	Chief Administrative Officer

**Appendices: N/A**





**Committee Matters: SCM 135/2025**

**Subject: Response to CQ 52-2024: Right-of-Way Digital Signage - City Wide**

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

Decision Number: **ETPS 1057**

THAT the report of Technologist I dated April 10, 2025 entitled "Response to CQ 52-2024: Right-of-Way Digital Signage - City Wide" **BE RECEIVED** for information; and,

THAT Administration **BE DIRECTED** to allow digital signs in the right of way through a Request for Proposal process (RFP) to supply and maintain all such signage approved throughout the city as in Appendix B attached hereto provides a sample list of minimum requirements to be evaluated as part of an RFP; and,

THAT Administration **BE DIRECTED** to report the results of the Request for Proposal (RFP) process to Council for direction; and,

THAT Administration **BE DIRECTED** to implement the following when a successful proponent is selected:

1. Advertising Agreement - the successful proponent would enter into a formal agreement with the City for a specified term
2. Permitting: - the successful proponent would be required to apply for and obtain a right-of-way permit prior to placement of any Digital Signs within the right-of-way.



THAT the City Solicitor **BE DIRECTED** to make amendments to the Sign By-Law as required.  
Carried.

Report Number: S 50/2025  
Clerk's File: SB2025

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.4 from the Environment, Transportation & Public Safety Standing Committee held on April 30, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250430/-1/10551>



**Subject: Response to CQ 52-2024: Right-of-Way Digital Signage - City Wide**

**Reference:**

Date to Council: April 30, 2025

Author: Thomas Huynh

Technologist I

(519) 255-6257 Ext. 6335

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

Right-of-Way – Engineering

Report Date: 4/10/2025

Clerk's File #: SB2025

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

**Recommendation:**

- I. THAT Report S 50/2025, "Response to CQ 52-2024: Right-of-Way Digital Signage" **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

On December 9, 2024, Councillor Renaldo Agostino asked the following Council Question:

**CQ52-2024 -**

Asks Administration propose a process for permitting digital billboard signs in the Right-of-Way, including the RFP process and any necessary amendments to the sign by-law.

This report is in response to CQ 52-2024.

**Discussion:**

A Digital Sign is a type of Billboard Sign with opportunities for advertising as defined in By-Law 250-2004. These signs come with challenges regarding safety, aesthetics, liability, and compliance with existing regulations. As outlined in Section 8 of the Sign



By-Law (refer to excerpt in Appendix A), digital signs are prohibited in the right-of-way, unless they comply with the regulations set forth in Section 8.0.

Section 6.3.2 of the Sign By-Law sets out the only currently permitted locations for Billboard Signs within certain portions of the municipal right-of-way (the “Permitted Locations”), an excerpt of which is attached hereto as Appendix “C”.

Administration completed a review of municipalities within Canada and found that cities such as Toronto, Vancouver, Montreal, and Calgary have successfully implemented Digital Signs in the right-of-way, albeit with various restrictions. These include specific location criteria, designated zones, adherence to safety standards, and compliance with zoning bylaws and sign regulations.

Should Council elect to allow Digital Signs in the right-of-way, Administration suggests a process similar to the current outdoor street furniture advertising agreement (approved through RFP No. 71-14) wherein the City solicits a vendor through a request for proposals (RFP) process to supply and maintain all such signage approved throughout the City. This reduces the number of vendors and types of signage throughout the city and allows for better management of these assets. The RFP would evaluate the vendor’s experience, qualifications and set the conditions/guidelines for the agreement. This process would further allow for consistency in the appearance and quality of the digital signs, ensure transparency and fairness, manage risk and allow for better control over safety and standards.

The following would be required should council direct this approach:

1. Amendments to the Sign By-Law
2. Issuance of an RFP – Appendix B attached hereto provides a sample list of minimum requirements to be evaluated as part of an RFP
3. Advertising Agreement - the successful proponent would enter into a formal agreement with the City for a specified term
4. Permitting: - the successful proponent would be required to apply for and obtain a right-of-way permit prior to placement of any Digital Signs within the right-of-way.

Prior to awarding the RFP and entering into the agreement with the successful proponent, Administration would report the results of the RFP and supporting financial information for Council direction.

### **Risk Analysis:**

There are significant safety risks should Council choose to allow Digital Signs within the right-of-way. There is a moderate risk that their bright lights may distract drivers or impede the view of traffic conditions where pedestrians are navigating the crosswalks.



These concerns would be mitigated through the requirements of the permitting process, including the completion of a thorough review of the proposed locations and a sightline assessment to ensure the proper placement of such Digital Signs. While liability risks are standard with any item placed in the right-of-way, they are further addressed by transferring the risk to the permit holder through insurance and indemnification requirements.

## **Climate Change Risks:**

### **Climate Change Mitigation**

Digital signage requires electricity to illuminate the message. Minimal increases to community wide Greenhouse (GHG) emissions may be expected as additional digital signs are installed and commissioned

### **Climate Change Adaption**

The proposed digital signs may increase light pollution, particularly in the overnight hours as they will emit light 24/7. Artificial light at night can disrupt natural ecosystems, impacting animals, insects, birds, and trees, by mimicking natural daytime light levels. Many organisms depend on darkness to fulfill their natural day/night rhythms, to forage/hunt, to reproduce, and to move around.

Light pollution negatively impacts migrating birds. Most birds migrate at night using the stars as navigation. Excessive brightness obscures their migratory pathway and can cause birds to navigate towards lights often to their demise, either from exhaustion (flying in circles in a light source or colliding into buildings or other objects).

## **Financial Matters:**

Administration is of the opinion that there is an opportunity to create revenue by allowing Digital Signs within the right-of-way. Any revenue generated from advertising would be credited to the Engineering – Right-of-Way division Operating Budget and be subject to the annual budget process. Administration would recommend that maintenance of the signage be at the cost of the vendor which maximize the value and mitigate any impacts to the department's Operating Budget.

## **Consultations:**

Keving Alexander - Planner III Special Projects

Walid Hawilo - Building Engineer

Conner O'Rourke - Zoning Coordinator

Dawn Lamontagne - Purchasing Manager (A)

Nicole Anderson (Sleiman) - Senior Economic Development Officer

Kathy Buis - Financial Planning Administrator



### **Conclusion:**

Digital Signs within the right-of-way may expand opportunities for dynamic advertising, provide an opportunity for revenue not currently captured and provide a further opportunity for corporate messaging. Any updates to the Sign By-Law and permitting requirements for billboard signage in the right-of-way must ensure they contribute a modern and safe urban landscape for the public interests while adhering to the guidelines outlined in this report.

Administration has set forth next steps in order for the City to permit Digital Signs within the right-of-way should Council so direct. Further approvals from Council would be required to implement such direction.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Mark Spizzirri	Manager, Performance Management & Business Case Development
Adam Pillon	Manager, Right-of-Way
Phong Nguy	Executive Director of Operations / Deputy City Engineer (A)
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance and City Treasurer
Ray Mensour acting for Joe Mancina	Chief Administrative Officer

### **Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
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Name	Address	Email

**Appendices:**

- 1 Appendix A - Sign By-Law 250-2004 Section 8
- 2 Appendix B - RFP Requirements
- 3 Appendix C - Permitted Locations for Billboards
- 4 Appendix D - Example of Digital Billboard Signs



## **Appendix A – By-Law 250-2004 Section 8**

### **SECTION 8.0 REGULATIONS FOR SIGNS ON PUBLIC PROPERTY**

#### **8.1 SIGNS Prohibited On PUBLIC PROPERTY**

8.1.1 Unless specifically provided by this By-law or authorized by COUNCIL, no PERSON shall ERECT, cause to be ERECTED, DISPLAY or cause to DISPLAY anywhere within the limits of the CITY, a SIGN, SIGN STRUCTURE or ADVERTISING DEVICE located on or overhanging any PUBLIC PROPERTY managed and controlled by the CITY, PUBLIC utility or other PUBLIC AUTHORITY, unless it complies with the regulations in Section 8.0 hereof.

#### **8.2 SIGNS Permitted on PUBLIC PROPERTY which are ERECTED or DISPLAYED by the CITY or a PUBLIC AUTHORITY**

8.2.1 SIGNS may be ERECTED or DISPLAYED, or cause to be ERECTED or DISPLAYED, by the CITY or a PUBLIC AUTHORITY on or overhanging PUBLIC PROPERTY without a permit.

#### **8.3 SIGNS Permitted on PUBLIC PROPERTY which are ERECTED or DISPLAYED by a PERSON**

8.3.1 Notwithstanding Section 8.1, but in accordance with all other applicable provisions of this By-law, the following PERMANENT SIGNS may be ERECTED with a SIGN PERMIT overhanging the PUBLIC ROAD ALLOWANCE and shall be subject to and conform to an ENCROACHMENT AGREEMENT, as set out in Section 4.8:

- (a) A PERMANENT DIRECTIONAL SIGN for institutions, public facilities, major shopping areas and recreational facilities.
- (b) A PERMANENT SIGN projecting more than 0.3 m over PUBLIC PROPERTY; including the following:
  - (i) PERMANENT AWNING SIGN
  - (ii) PERMANENT CANOPY SIGN
  - (iii) PERMANENT GROUND SIGN
  - (iv) PERMANENT PROJECTING WALL SIGN

8.3.2 Notwithstanding Section 8.1, but in accordance with all other applicable provisions of this By-law, the following TEMPORARY SIGNS may be ERECTED with an annual SIGN PERMIT on the PUBLIC ROAD ALLOWANCE:

(a) A TEMPORARY REAL ESTATE OPEN HOUSE DIRECTIONAL GROUND SIGN that has a MAXIMUM SIGN FACE AREA of 0.28 m<sup>2</sup>

(approx. 18" x 24") per SIGN FACE, DISPLAYED only during the hours of 8 a.m. to 8 p.m. on the days of the open house to which the SIGN relates, and not DISPLAYED within a SCENIC DRIVE or CONTROLLED ACCESS HIGHWAY SPECIAL DISTRICT



## Appendix B – Proposed RFP Requirements

The following requirements are recommended by Administration to be included in an RFP at a minimum. Further requirements may be included in the RFP as deemed necessary by Administration.:

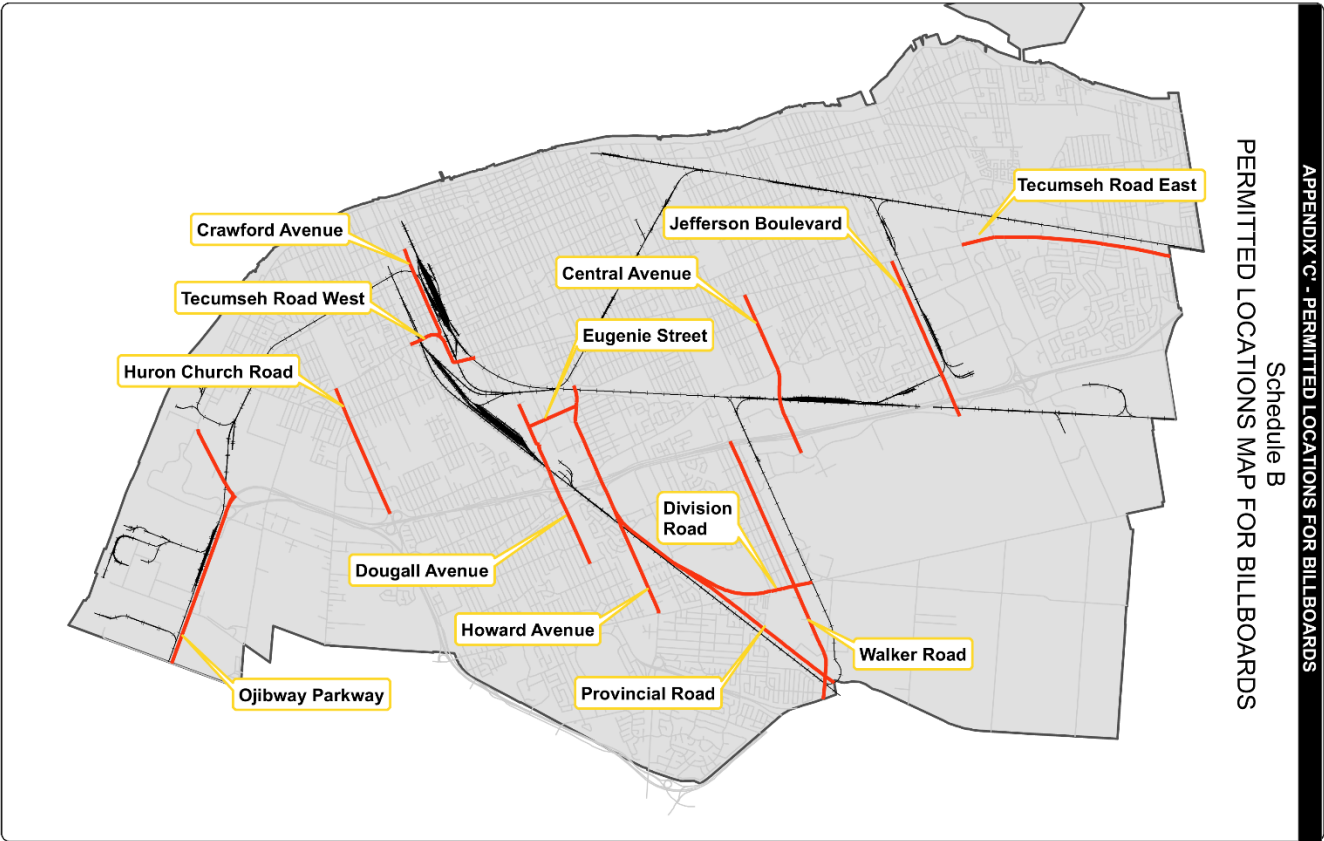
1. Proposed implementation plan, including a list of proposed locations and specifications for the proposed signage, while considering durability, consistency and modularity. The style of digital sign chosen for any Business Improvement Areas (BIA) would be subject to consultation with the appropriate BIA.
2. Specific Vendor Responsibilities.
3. A Maintenance Plan to ensure all signage is kept in a state of good repair, which includes keeping the signage clean and free of graffiti. Plan to include scheduled site visits, semi-annual pressure washing, snow and graffiti removal and an emergency action plan
4. Maintenance and data collection system for proof of performance, GIS location and email alert notifications or similar.
5. Evaluation of the service provided and quality of the signage and of the revenue and cost savings to the City of Windsor
6. Minimum percentage of advertising to be dedicated to not-for-profit organizations or City of Windsor advertising.
7. Interactive website for programming of any digital signage, accessible to City Staff.
8. Commitment for an appropriate term length to ensure consistent revenue stream and changing market conditions.
9. Compliance with any and all City of Windsor standards for construction within the public right-of-way, including the Accessibility for Ontarians with Disabilities Act (AODA). Digital billboards must be designed and installed in a way that does not obstruct or impede sightlines or pose a safety concern to users of the right-of-way (e.g. maintaining minimum clearances from driveways and sidewalks) or interfere with accessible pathways, ramps, or other accessibility features.
10. The vendor must properly restore all areas affected by the installation of the signage to their original condition or better.
11. Provide power for signage, including coordination with Enwin to ensure connections are safe and permitted.
12. Proof of liability insurance and indemnification of the City for any and all damages incurred through the placement and operation of the signage.
13. Maintenance and/or performance securities.
14. Vender to demonstrate how the Goals and Objective of the Official Plan are adhered to including references to policies identified in :
  - Chapter 6 (Land Use),
  - Chapter 7 (Infrastructure),
  - Chapter 8 (Urban Design), Especially how billboards address the policies related to Civic Image such as Civic Way's, Theme Streets (Mainstreets), and Scenic Drive
  - Chapter 9 (Heritage Conservation); and



- associated Schedules of the Official Plan (Schedules B:, D:, E:, F:, G:, X:, )
  - The Goals and Objectives of Community Improvement Plans (CIPs) and Urban Design Guidelines, Heritage Conservation Districts (HCD) should be addressed
15. Vendor to demonstrate how the Goals and Objectives of Community Improvement Plans (CIPs) and Urban Design Guidelines, Heritage Conservation Districts (HCD) have been addressed
16. Comply with the City's Streetscape Standards Manuals and the City's Intensification Design Guidelines



Appendix C - Permitted Locations for Billboards



6.3.2	Permitted Locations	<p>Unless specifically provided in this By-law, a BILLBOARD GROUND or WALL SIGN shall be permitted <u>only</u> on a LOT within a Manufacturing District or a Commercial District, provided that such lot abuts one of the following STREETS and the proposed BILLBOARD is oriented to be primarily visible from traffic on that street:</p> <ol style="list-style-type: none"><li>Central Avenue, south of Tecumseh Road;</li><li>Crawford Avenue, between Wyandotte Street West and Tecumseh Road West;</li><li>Division Road;</li><li>Dougall Avenue, south of the Essex Terminal Railway and north of Liberty Street;</li><li>Eugenie Street, between Howard Avenue and Dougall Road;</li><li>Howard Avenue, between the Canadian Pacific Railway Underpass and Cabana Road East;</li><li>Huron Church Road, between Tecumseh Road West and E.C. Row Expressway;</li><li>Jefferson Boulevard, south of Tecumseh Road;</li><li>Provincial Road;</li><li>Tecumseh Road East, between Lauzon Pkway and the eastern City Boundary;</li><li>Tecumseh Road West, between McKay Avenue and Janette Avenue;</li><li>Walker Road South of E.C. Row; or</li><li>Ojibway Pkway.</li></ol>
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Appendix D – Example of Digital Billboard

City of Toronto



City of Montreal



City of Vancouver



City of Calgary







**Committee Matters: SCM 136/2025**

**Subject: Sewer Master Plan Implementation and Disaster Mitigation Adaptation Fund Program (DMAF 1 & DMAF 4) Update - City Wide**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Gary Kaschak

Decision Number: **ETPS 1058**

THAT the report of Water & Wastewater Engineer and the Executive Initiatives Coordinator dated April 10, 2025 entitled “Sewer Master Plan Implementation and Disaster Mitigation Adaptation Fund Program (DMAF 1 & DMAF 4) Update - City Wide” **BE RECEIVED** for information.

Carried.

Report Number: S 51/2025

Clerk's File: SW/12983

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.5 from the Environment, Transportation & Public Safety Standing Committee held on April 30, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250430/-1/10551>



**Subject: Sewer Master Plan Implementation and Disaster Mitigation  
Adaptation Fund Program (DMAF 1 & DMAF 4) Update - City Wide**

**Reference:**

Date to Council: April 30, 2025

Author: Ian Wilson

Water & Wastewater Engineer

(519) 255-6100 Ext. 6369

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

Development – Engineering

Co-Author: Bernadette Andary

Executive Initiatives Coordinator

(519) 255-6100 Ext. 6549

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

Corporate Projects – Engineering

Report Date: 4/10/2025

Clerk's File #: SW/12983

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

**Recommendation:**

- I. THAT City Council **RECEIVE** for information this report as an annual update on the advancements made on the Sewer Master Plan Implementation Program and the Disaster Mitigation and Adaptation Fund (DMAF 1 and DMAF 4) programs.

**Executive Summary:**

N/A

**Background:**

On July 27, 2020, Council endorsed the recommendations set out within the Sewer and Coastal Flood Protection Master Plan (SMP), which included a long-term then \$5 billion implementation strategy over 50+ years (CR379/2020). The approved strategy outlined a number of immediate priority projects, including those under the Disaster Mitigation and Adaptation Fund (DMAF 1) Grant Funding Program (CR380/2018), the West Windsor Retention Treatment Basin (RTB) (DMAF 4 Program), and various other City programs and initiatives with similar targets to reduce basement and surface flooding.



In accordance with the recommended SMP strategy, priority projects are identified as part of the Capital Budget process and reviewed annually, with new priorities recommended as necessary, for Council approval (as per February 22, 2021 Capital Budget meeting - C5/2021, B13/2021). For the purpose of reporting to Council, existing projects are separated into priorities based on the criteria below.

- **Priority 1 projects** are projects currently underway or projects that are partially or fully funded within the capital budget in the 5-year funding timeframe.
- **Priority 2 projects** are projects of high priority, either not currently funded or noted as planned commitments within a 5-10 year timeframe.

Administration has committed to providing status updates to Council annually on the progress of the SMP Implementation Program (SMPIP), including any new priorities in a given year. Annual reports were received by Council on December 13, 2021(B32/2021), April 3, 2023 (B11/2023), and March 18, 2024 (CR114/2024).

A status update for the DMAF 1 and 4 Programs was provided to Council on March 18, 2024 (CR126/2024).

### **Discussion:**

Annually, the SMPIP Executive Committee reassesses project priorities based on the identification of immediate and long-term needs, funding opportunities and changes to the system (e.g. intensification due to development; impacts of rehabilitation efforts; phasing integration with other capital works).

The priority review assesses all projects based on the original SMP classification of high, medium, and low priority flood mitigation solutions. The SMPIP continues to play a key role in decision-making for annual budget planning, updating municipal policies, reviewing potential subsidy programs, and exploring opportunities for future public and private partnerships.

A summary of the SMP Projects, Studies and Pilot Projects, including their priority classification is provided in Appendices *Schedule A* to *C*.

### **2024 Project Summary Update**

In 2024, the City progressed with its Priority 1 projects, including all Council approved pilot programs. Efforts were made throughout the year to identify government grants to financially support the City's ongoing projects as well as to accelerate other SMP Projects aligned with the SMPIP. Provided below are notable updates on ongoing projects in 2024, including the DMAF 1 and 4 Programs:

#### **1. Sanitary Maintenance Hole Cover Sealing:**



This project was given Council approval in 2020 (CR379/2020) and entails the installation of rain catchers (maintenance hole seals) under sanitary maintenance hole covers to reduce the volume of rainwater entering the sanitary sewer system. The SMP identified this measure as an immediate, practical and cost-effective solution to reduce undesired inflow and infiltration entering the sanitary sewer system and to reduce the risk of basement flooding. Further, it was estimated under extreme rainfall events that low lying sanitary sewer covers contribute between 2% and 5% of the total inflow and infiltration.

The SMP recommended sealing all sanitary sewer covers as a standard part of future rehabilitation projects and identified approximately 1,300 existing priority locations for sealing. The initial priority locations were sealed in 2 phases, where all practical seals were installed by Q1, 2025 with over 1,100 covers being improved.

With the remaining budget in this project's fund, a Phase 3 was initiated which identified 1,000 additional priority covers to be sealed in low lying and higher risk areas. In October 2024, funding support from the Ministry of the Environment, Conservation and Parks (MECP) Great Lakes Program was awarded to the City, estimated to cover up to 70% of the total costs for this phase. Phase 3 is planned to be completed through 2025 and 2026.

The City sewer design standards (drawing AS-314) are planned to be updated later this year to require sanitary maintenance hole cover sealing for most new construction and rehabilitation projects.

## **2. Backflow Prevention Measures at Flood Protection Landform Crossings:**

The Backflow Prevention Measures at Flood Protection Landform Crossings project was given Council approval in 2021 per resolution B13/2021 (Report C 5/2021) and was identified as a high priority coastal flood protection project in the SMP. This project included the implementation of backflow prevention measures for the locations identified in the East Riverside Flood Risk Assessment (Sept 3, 2019).

This project aimed to reduce coastal flood risk impacts from high water levels in Lake St. Clair and Detroit River for low lying in-land properties generally in the Riverside and East Riverside areas. Backflow prevention measures were successfully installed in 2024 in storm sewers that cross the existing flood protection landform barrier along Riverside Drive East from St. Rose Avenue to the eastern municipal limits.

## **3. SMP Education and Outreach Initiative:**

As detailed in the 2023 SMP update to Council (C36/2023), a Home Flood Protection Pilot Program (HFPP) was approved to financially incentivize up to 100 homeowners to evaluate flood protection options for their properties.

In 2023 and 2024, the program was promoted through the distribution of approximately 3,000 door hanger flyers, two media releases, information published on the City's website and "buck slip" mailers included with City tax bills.



To date, the third-party company conducting the HFPP assessments have received 96 inquiries throughout the City, completed 30 home inspections, and issued 8 security deposit releases. A \$200 refundable security deposit was applied to each household, given the inspection costs (up to \$1,000) and to encourage homeowner action. The deposit's release follows implementation of some of the recommended works outlined in the inspection report.

The pilot project will remain in the evaluation phase until the end of 2025, allowing homeowners to qualify for the security deposit release. Following this, a report will be brought to Council summarizing details of the pilot project's outcome and recommendations for next steps.

#### **4. InfoWorks Model Update and Future Development Sewer Capacity Assessment:**

In 2024 a new InfoWorks Model Update and Future Development Sewer Capacity Assessment project was approved by the SMPIP Executive Committee.

The InfoWorks ICM sewer model files and software are the same as used in the original SMP to assess flooding risks and compare risk reduction options. The SMP recommends updating the model every 5 to 10 years. The current model is based on 2018 data.

The outcome of this project will improve the City's understanding of basement and surface flooding risks with an update to the City-wide InfoWorks ICM sewer computer model. This model update will include adding new sewers, stormwater management facilities, pumping stations and the addition of key open drains and ditches that have been constructed or modified since the model was first developed.

This project is multi-phased, where phase 1 will update the baseline model and future phases will review the risks and opportunities future development may create on sewer capacity and flooding. The project's aim is to improve and update our current understanding of flooding risks and to support future drainage systems planning and design to reduce those risks.

#### **5. Prince Road Storm Sewer Trunk Outlet:**

The SMP included an analysis of the recommendations from the Prince Road Sewer Study (2001) and identified the Prince Road Storm Sewer Trunk Outlet project as an immediate priority. Detailed design was completed in 2024 and construction started later the same year. Commissioning of the new infrastructure is planned for late 2025.

The Prince Road Storm Sewer Trunk Outlet project includes new infrastructure extending an existing storm sewer with 2700 mm diameter concrete pipe, concrete chamber structure with backflow preventers, a dewatering pump, a low flow water quality treatment unit, concrete box culvert outlet from the chamber and a dispersion channel draining to the McKee Creek.

The Prince Road Storm Sewer Trunk Outlet project is part of a larger multi-phase, multi-year Prince Road Trunk Storm Sewer Project and will extend the current



Prince Road trunk westerly along Chappell Avenue, crossing the Essex Terminal Railway (ETR) and continuing through the southern part of 3800 Russell Street to a new outlet at McKee Creek, ultimately draining to the Detroit River.

When complete, this project will result in significant critical storm and sewer infrastructure upgrades to relieve local street and basement flooding for a service area of 390 hectares, benefiting approximately 3,500 residential and business properties.

**6. Disaster Mitigation and Adaptation Fund Intake 1 (DMAF 1) Program Update:**

The DMAF 1 Program involves a series of projects, including: studies, environmental assessment studies, road works, sewer works, stormwater management works, and pumping station works to address areas in the City prone to flooding, drainage complications and overall storm sewer capacity issues. The initial agreement with Housing, Infrastructure and Communities Canada (HICC) was executed February 28, 2020. After the update provided in report C28/2024, the reduced scope amendment was fully executed July 15, 2024.

To date, all projects are meeting the anticipated DMAF 1 Program schedule projections which was revised following the reduced scope amendment (refer to Report C28/2024). Overall, based on the expenditures as of February 28th, 2025 the DMAF 1 Program is approximately 24% complete. The full DMAF 1 Program of projects must be completed prior to December 31, 2032.

**7. Disaster Mitigation and Adaptation Fund Intake 4 (DMAF 4) Program Update:**

The SMP identified the proposed West Windsor Retention Treatment Basin (RTB) as an immediate priority. The DMAF 4 Program aims to implement these measures and includes design and construction for upgrades of existing interceptor chambers coupled with the following new infrastructure: interceptor sewer, pumping station, RTB structure, outfall sewer, and valved interconnection to the LRWRP. The outcome of this project is anticipated to reduce the risk of basement flooding caused by sanitary sewer surcharge for nearly one-third (1/3) of the City of Windsor.

Through Report C28/2024, Council approved Administration to enter into a contribution Agreement with HICC for the implementation of the RTB. Following the agreement execution on October 1, 2024, the Climate Lens Greenhouse Gas Mitigation Assessment for DMAF 4 was completed in February 2025. An Archaeological Assessment is currently underway and will continue once the weather becomes more favourable. Procurement for detailed design & contract administration has also commenced.

To date, the project is meeting the anticipated DMAF 4 Program schedule projections.

The full DMAF 4 Program of projects must be completed prior to March 31, 2033.



## Risk Analysis:

No significant or critical risks are associated with this update to Council.

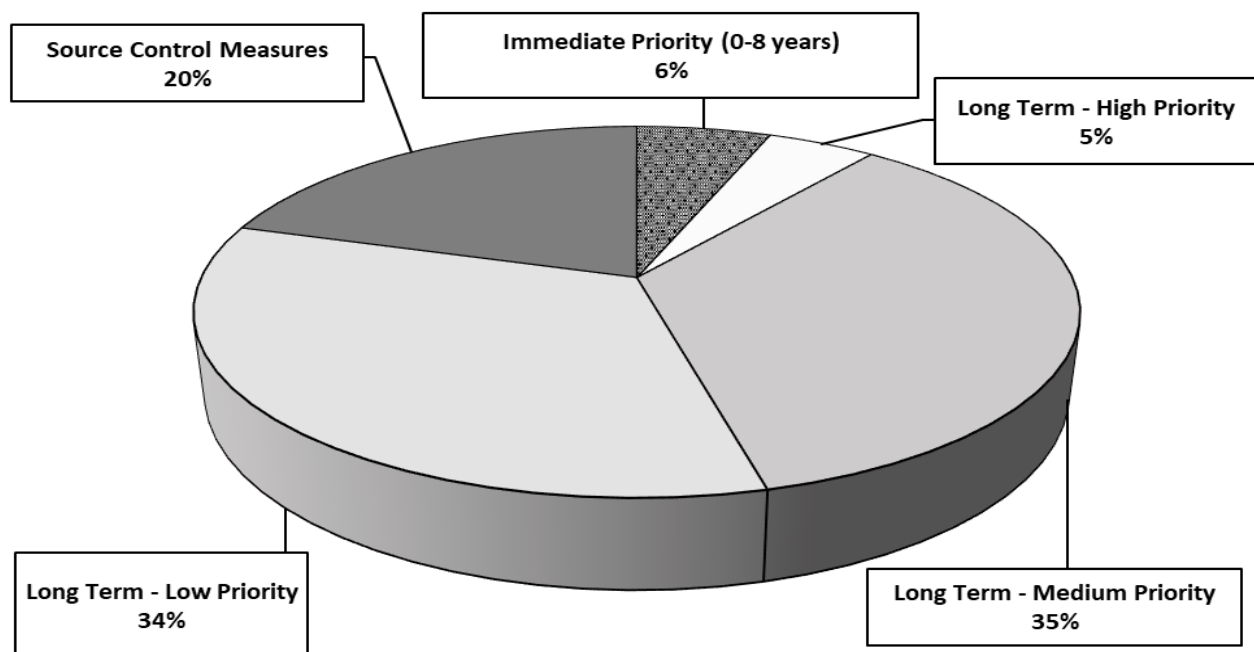
Overall risks to the SMPIP and DMAF Programs are primarily financial and economic in nature. This includes the following:

- Increased cost for future labour and materials beyond typical annual inflation due to disruptions in supply chains, labour market tightening and tariffs.
- Short-term fiscal and long-term economic impacts due to potential shortages of material and labour, delay in design and construction schedules, decline of City revenue, and expenditures resulting from future unforeseen circumstances such as another global pandemic or impacts to international trade (i.e. tariffs).
- Limited financial grant funding support for future priority projects and overall delay of SMP solutions.

## Financial Matters:

The City of Windsor has made significant infrastructure investments to reduce the risk of basement and surface flooding, both within the SMPIP, through the DMAF projects and beyond. Adhering to the SMP Project Charter, project priorities are reviewed annually, taking into account current and future needs and available government funding for both immediate and high-priority projects.

The SMP recommendations as endorsed by Council (CR379/2020) included a long-term nearly \$5 billion, 50+ year, implementation strategy, which identified numerous future projects to address the City's flood risk reduction needs, and were categorized as immediate, high, medium, or low priority. The estimated costs related to projects identified in the SMP are shown in Figure 1 outlining estimates for each SMP priority.



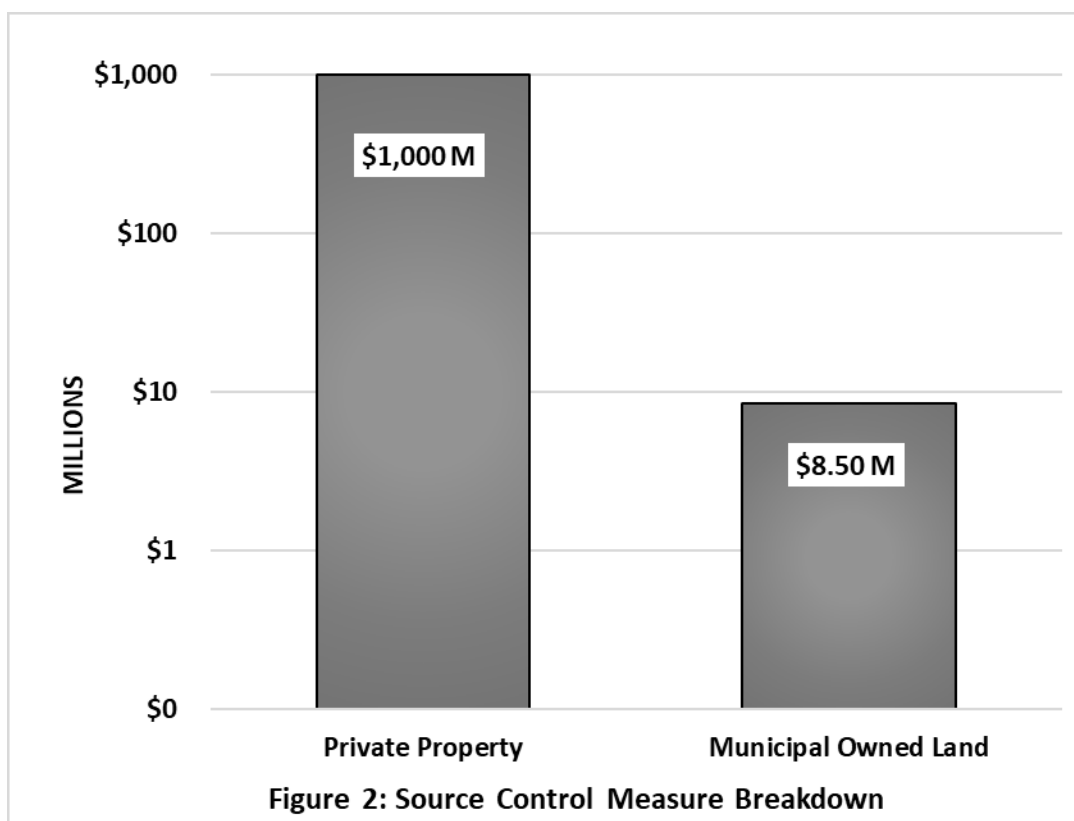
**Figure 1: Sewer Master Plan Solutions Financial Cost Breakdown**



Priority projects are broken down into the following:

- Immediate priority solutions expected to be completed within 0 – 8 years.
- Solutions beyond immediate priority were ranked into Long Term High Priority, Medium Priority and Low Priority. Rankings evaluated solutions on the below criteria:
  - Level of Basement Flooding Risk
  - Reduction of wet weather flow to the Treatment Plant
  - Emergency Access for Vulnerable Areas
  - Emergency Access for Major Roadways
  - Average Condition of combined sewers; and
  - Cost Effectiveness.

In addition, source control measures, which reduce the amount of rainwater entering the sewer systems, are estimated to represent approximately 20% of the total SMP costs. Source control measures can be completed on both private property and public property (City's right-of-way). A more specific breakdown of the estimated source control expenses are included for both private and public source control measures as shown in Figure 2, which highlights the importance of private property participation in source control flood mitigation programs.



To date, approximately \$419M in funding is available for immediate use. This budget amount includes the DMAF 1 and 4 Programs and other grant sources. This represents about 8.6% of the approximate \$5B in works identified in the SMP. As of February 28, 2025, approximately \$97.5M of this funding has been spent, including for Major Capital Projects within the SMP flooding solution priority list and the DMAF Programs.



In addition to the SMP/IP and the DMAF programs, since 2018, approximately \$25.9M has been invested through the Basement Flooding Abatement Program to help residents safeguard against flooding. Approximately \$13.9M of this amount was allocated to the Basement Flooding Protection Subsidy Program. Through CR743/2024 (stormwater finance incentive) funding for the Basement Flooding Protection Subsidy Program was increased to a \$3,500 maximum amount (from \$2,800), and the Sanitary Sewer Private Drain Connection (PDC) Replacement Program was increased to \$4,000 (from \$2,000) for qualifying connections. These incentive programs encourage voluntary actions by residents to enhance their property by managing runoff and building flood resiliency.

A summary of the 2024 financial tracking for approved projects under the SMP/IP and DMAF 1 and 4 Programs (as of February 28, 2025) is provided in Table 1. This summary compares the current approved capital budget to the actual budget spent.

**Table 1: Financial Status Update for SMP Projects**

<b>SMP Project Category</b>	<b>Total Approved Capital Budget (\$M)</b>	<b>Expenditures to Date (\$M)</b>	<b>Current Budget Remaining (\$M)</b>
Implementation Priority Projects	\$68.2	\$25.1	\$43.1
DMAF 1 & 4 Program*	\$309.4	\$39.7	\$269.7
Major Capital Projects and Studies	\$41.3	\$32.7	\$8.6
<b>TOTALS</b>	<b>\$418.9</b>	<b>\$97.5</b>	<b>\$321.4</b>

\*Notes:

- DMAF 1 Budget includes \$25.1M of funding outside of the Grant Program to support Riverside Vista Project.
- HICC contribution is \$32.1M for DMAF 1 and \$32.7M for DMAF 4.

The funding approved for the Basement Flooding Abatement Program, City Wide Sewer Rehabilitation, and Local Improvement projects will be further utilized to support additional initiatives under the SMP/IP through 2025.

### **Consultations:**

Jake Renaud – Executive Director of Pollution Control  
 Ed Valdez – Manager Process Engineering and Maintenance  
 Fahd Mikhael – Manager of Design  
 Natasha Gabbana – Senior Manager of Asset Planning  
 John Aquino – Asset Coordinator  
 JP Lovecky – Financial Planning Administrator  
 Kathy Buis – Financial Planning Administrator  
 Michael Dennis – Manager Strategic Capital Budget Development and Control  
 Adam Pillon – Manager of Right-of-Way



**Conclusion:**

The projects that make up the SMP/IP and DMAF Programs aim to implement recommended flood mitigation measures to decrease the likelihood of future basement and surface flooding in the City of Windsor. To date, the DMAF Programs and the SMP/IP are meeting the anticipated schedule timelines.

Administration will continue to provide annual program updates, with the focus on prioritizing projects in alignment with the approved SMP Project Charter. Administration recommends that this report be noted and filed.

**Approvals:**

<b>Name</b>	<b>Title</b>
Mark Spizzirri	Manager of Performance Measurement and Business Case Development
Patrick Winters	Manager of Development
Colleen Middaugh	Manager of Corporate Projects
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Ray Mensour acting for Joe Mancina	Chief Administrative Officer

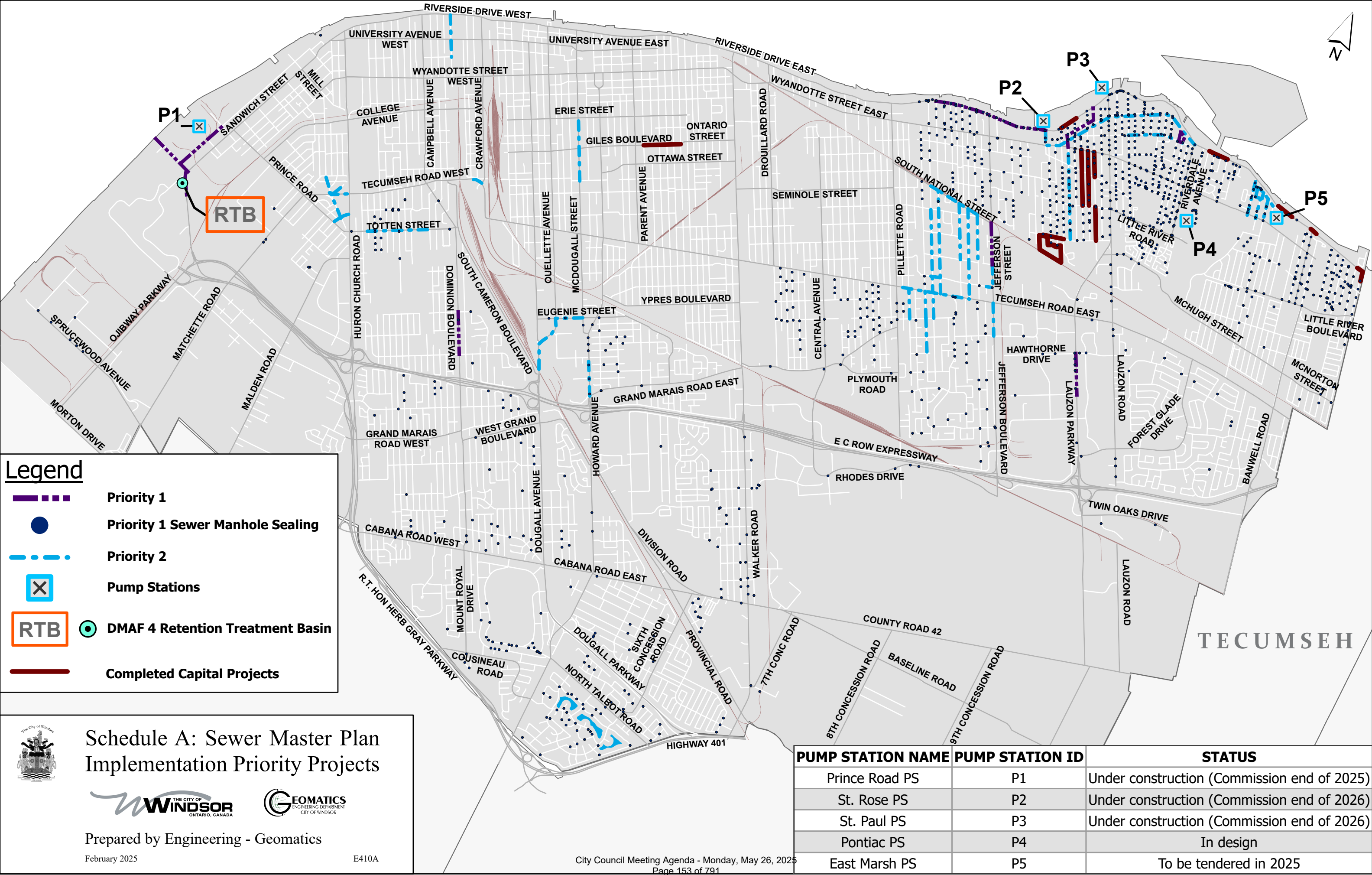
**Notifications:**

<b>Name</b>	<b>Address</b>

**Appendices:**

- 1 Schedule A - SMP Capital Project Map
- 2 Schedule B - SMP Pilot Project and Study Map
- 3 Schedule C - SMP and DMAFT Program Status Update Table





**Legend**

Priority 1

Priority 1 Sewer Manhole Sealing

Priority 2

Pump Stations

RTB

DMAF 4 Retention Treatment Basin

Completed Capital Projects

# Schedule A: Sewer Master Plan Implementation Priority Projects

Prepared by Engineering - Geomatics







February 2025

E410A

PUMP STATION NAME		PUMP STATION ID	STATUS
Prince Road PS		P1	Under construction (Commission end of 2025)
St. Rose PS		P2	Under construction (Commission end of 2026)
St. Paul PS		P3	Under construction (Commission end of 2026)
Pontiac PS		P4	In design
East Marsh PS		P5	To be tendered in 2025





STUDY TYPE	MARKING	PROJECT NAME	PRIORITY
FLOOD RISK STUDY		WEST WINDSOR FLOOD RISK ASSESSMENT	COMPLETE
FLOW MONITORING		DMAF FLOW MONITORING PROGRAM	PRIORITY 1
PILOT PROGRAM	CITY-WIDE	MANDATORY DOWNSPOUT DISCONNECTION PROGRAM	PRIORITY 1
EDUCATION PROGRAM	CITY-WIDE	SEWER MASTER PLAN EDUCATION PROGRAM	PRIORITY 1
PILOT PROGRAM		COLLABORATIVE LID PILOT PROJECT	PRIORITY 1
FLOW MONITORING		TRUNK SEWER FLOW MONITORING STUDY	PRIORITY 1
PILOT PROGRAM	CITY-WIDE	INFLOW & INFILTRATION REDUCTION WORKPLAN	PRIORITY 1
PILOT PROGRAM		GRAVEL ROAD DRAIN STORMWATER - STUDY	PRIORITY 1
FLOW MONITORING		PRECIPITATION MONITORING NETWORK	PRIORITY 1



### Schedule C – Sewer Master Plan and DMAF Program Status Update

#	Project Name	Year Approved	Approved Project Type	Planned Project Period (including maintenance)	March 2025 Project Status
1.	Greenhouse Gas Mitigation Assessment & Climate Change Study – DMAF-1	2018	Study	2019	Complete
2.	Matthew Brady, Phase 2 (Edgar to Tranby) – DMAF-1	2018	Design and Construction	2020	Complete
3.	Belle Isle View, Phase 1 (Wyandotte to St Rose) – DMAF-1	2018/2019	Design and Construction	2021	Complete
4.	Tranby Avenue Reconstruction (Parkview to Isabelle) and Tranby Park SWM – DMAF-1	2019	Design and Construction	2022	Complete
5.	Belle Isle View, Phase 2 (St Rose to Edgar) – DMAF-1	2018/2019	Design and Construction	2021	Complete
6.	West Windsor Flood Risk Assessment	2020	Study	2023	Complete
7.	St. Paul Pump Station Environmental Assessment Study	2020	Schedule B Environmental Assessment	2021	Completed under SMP project
8.	East Marsh Pump Station Environmental Assessment Study	2020	Schedule B Environmental Assessment	2021	Completed under SMP project
9.	Eastlawn Avenue (Wyandotte to Edgar) – DMAF-1	2019	Design and Construction	2023	Complete
10.	Matthew Brady, Phase 3 (Wyandotte to St Rose) – DMAF-1	2018	Design and Construction	2024	Complete
11.	Parent-McDougall Storm Relief Sewer Works – Giles Blvd. Storm Relief Sewer (Langlois to Gladstone)	2021	Design and Construction	2024	Completed construction on Giles Blvd.  Additional relief sewer upgrades to be designed in the future
12.	Dominion Boulevard Phase 2 (Northwood to Ojibway)	2021	Design and Construction	2025	Complete, under maintenance period
13.	Backflow Prevention Measures at Flood Protection Landform Barrier Crossings	2021	Design and Construction	2025	Complete, under maintenance period
14.	* Jefferson Drainage Area Improvements and Sewer Separation Project	2021	Study, Design and Construction	2021 – 2026	Phase 1 Construction ongoing (Jefferson - South National to Coronation)
15.	Seal Maintenance Hole Covers	2020	Design and Construction	2020 - 2026 (multi-phased)	Phase 1 & 2 Complete. Phase 3 in planning
16.	Low Impact Development Flow Monitoring Program – DMAF-1	2019	Monitoring and Reporting	2020 - 2025	Monitoring completed. Reporting in progress
17.	Mandatory Downspout Disconnection Pilot Program	2020	Study and Pilot Implementation	2020 - 2025	Monitoring completed. Reporting and recommendations in 2025
18.	Sewer Master Plan Education Program	2020	Program	2020 - Ongoing	Ongoing
19.	Foundation Drain Disconnection Pilot Program	2021	Study and Pilot Implementation	2021 - 2030	Pre-design, area investigation



### Schedule C – Sewer Master Plan and DMAF Program Status Update

#	Project Name	Year Approved	Approved Project Type	Planned Project Period (including maintenance)	March 2025 Project Status
20.	Riverside Drive Vista & Barrier Landform, Phase 2A (Ford to St Rose)	2017	Design and Construction	2018 - 2028 (incl. advanced relocation)	Design/Advance utility relocation
21.	East Marsh Pumping Station Improvements – DMAF-1	2018	Design and Construction	2021 - 2027	Retendering
22.	St. Paul Pumping Station Expansion – DMAF-1	2020	Design and Construction	2020 - 2027	Construction
23.	Belleperche Storm Trunk Sewer – DMAF-1 Phase 1: St. Paul PS through Kiwanis Park to Clairview. Phase 2A: Clairview Corridor (Ganatchio trail), Belleperche to Wyandotte.	2018	Design and Construction	2021 - 2028 (multi-phased)	<b>**Construction Schedule:</b> Phase 1: 2026 Phase 2A: 2027
24.	Lauzon Parkway Sewer & Road Rehabilitation (Hawthorne to Cantelon)	2020	Design and Construction	2021 - 2026	Construction
25.	Prince Rd. Storm Relief System Outlet to Detroit River	2021	Schedule C Environmental Assessment, Design & Construction	2021 - 2026	Construction
26.	St. Rose Pumping Station	2021	Schedule C Environmental Assessment, Design & Construction	2023 - 2026	Construction
27.	Pontiac Pumping Station Upgrades – DMAF-1	2019	Schedule C Environmental Assessment, Design & Construction	2024- 2028	Design
28.	Brumpton Park Stormwater Storage – DMAF-1	2019	Design and Construction	2024 - 2027	Design
29.	Tecumseh/Dorchester Rd. Sewer Separation	2021	Design and Construction	2029+	Pre-design
30.	Felix/Marlborough Sewer Separation	2021	Design and Construction	2029+	Pre-design



### Schedule C – Sewer Master Plan and DMAF Program Status Update

#	Project Name	Year Approved	Approved Project Type	Planned Project Period (including maintenance)	March 2025 Project Status
31.	Collaborative LID Pilot Project	2021	Study and Pilot Implementation	2022+	University Collaborative Research Study to commence Spring 2025
32.	Trunk Sewer Flow Monitoring	2021	Study	2022 - 2028	Data collection ongoing
33.	Inflow & Infiltration Reduction Workplan	2021	Study and Pilot Implementation	2022 - 2027+	Workplan in development
34.	Rain Guage Network	2020	Monitoring	Ongoing	Data collection ongoing
35.	InfoWorks Model Update and Future Development Sanitary Sewer Capacity Assessment	2024	Study	2025-2028	Pre-design
36.	Capital Improvements to East Riverside Flood Protection Landform Barrier	2020	Design and Construction	2029+	Pre-design
37.	Southwood Lakes Pond Flood Resiliency Enhancement	2022	Design and Construction	2023-2025	Study Complete – Pending funding for construction
38.	West Windsor Retention Treatment Basin (RTB) – DMAF-4	2024	Design and Construction	2024-2035	Pre-design including archaeological assessment

**Note:** \* Funds for Design and Construction beyond Phase 1 NOT included in approved Budget.  
 \*\*Schedule tentative based on anticipated progress of St. Paul Pumping Station Expansion.





**Committee Matters: SCM 137/2025**

**Subject: Open Air Burning**

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

Decision Number: **ETPS 1059**

THAT the report of the Fire Chief dated April 30, 2025 entitled “ Open Air Burning” **BE RECEIVED** for information.

Carried.

Report Number: C 58/2025  
Clerk’s File: AB2025

**Clerk’s Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.6 from the Environment, Transportation & Public Safety Standing Committee held on April 30, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250430/-1/10551>



**Subject: Open Air Burning**

**Reference:**

Date to Council: April 30, 2025

Author: James Waffle

Fire Chief

jwaffle@citywindsor.ca

519-253-3016 ext 3753

Fire and Rescue Services

Report Date: 4/15/2025

Clerk's File #:

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

**Recommendation:**

THAT the report of the Fire Chief dated April 30, 2025, regarding Open Air Burning **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

On August 8, 2023, Council received Council Report C 107/2023 from the Fire Chief entitled "Open Air Burning By-law – City Wide." Council, through CR316/2023 authorized a By-law to regulate open air burning. On September 5, 2023, By-law 113-2023, the "Open Air Burning By-law" came into force and took effect.

CR316/2023 also directed administration to "report back with statistics related to open air burning."

**Discussion:**

In Ontario, some municipalities regulate open air burning through the Ontario Fire Code and generally prohibit burning. In this case, approval for open-air burning is granted by the Chief Fire Official.

The Ontario Fire Code section 2.4.4.4 establishes:

***Open-air burning***

***2.4.4.4. (1) Open-air burning shall not take place unless***  
***(a) it has been **approved**, or***



- (b) the open-air burning consists of a small, confined fire that is
  - (i) used to cook food on a grill, barbecue or spit,*
  - (ii) commensurate with the type and quantity of food being cooked, and*
  - (iii) supervised at all times.**
- (2) Sentence (1) does not apply to the use of an **appliance** that
  - (a) meets the requirements of the **Technical Standards and Safety Act, 2000**,*
  - (b) is for outdoor use,*
  - (c) if assembled, has been assembled in accordance with the manufacturer's instructions, and*
  - (d) if installed, has been installed in accordance with the manufacturer's instructions.**

Alternatively, municipal councils may choose to regulate open air fires by implementing a By-law. Section 7.1(1) (b) of The Fire Protection and Prevention Act ("FPPA"), establishes:

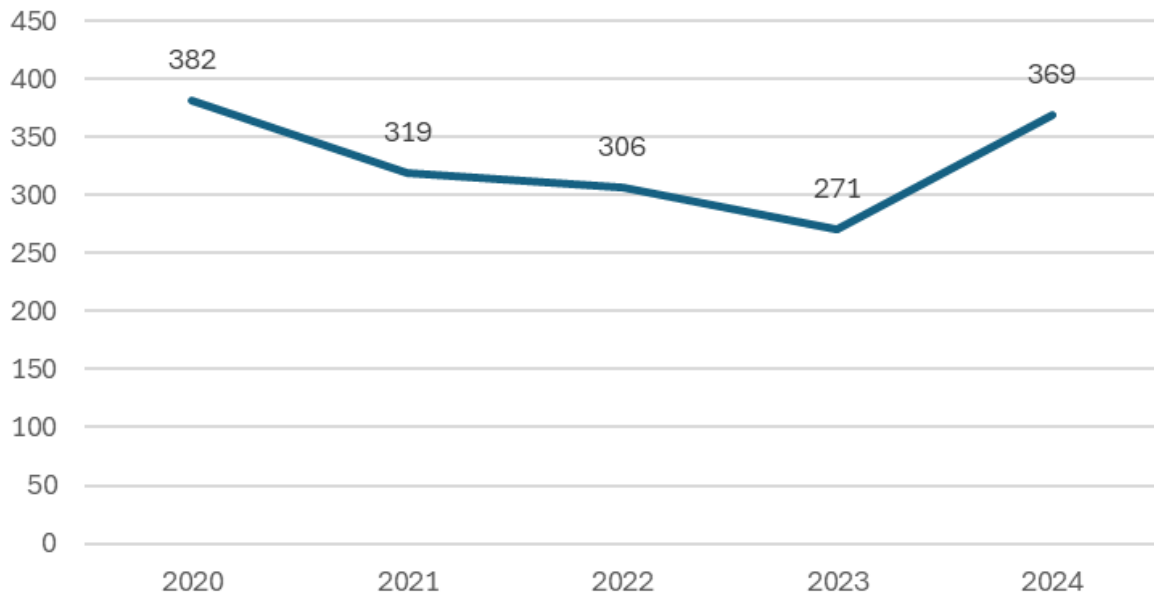
*A council of a municipality may pass by-laws, regulating the setting of open air fires, including establishing the times during which open air fires may be set;*

The Open Air Burning By-law approved by Council sets the conditions required for open air burning within the City. A permit process has been established for property owners and residents to follow and seek approval to burn, which is approved when all conditions are met.

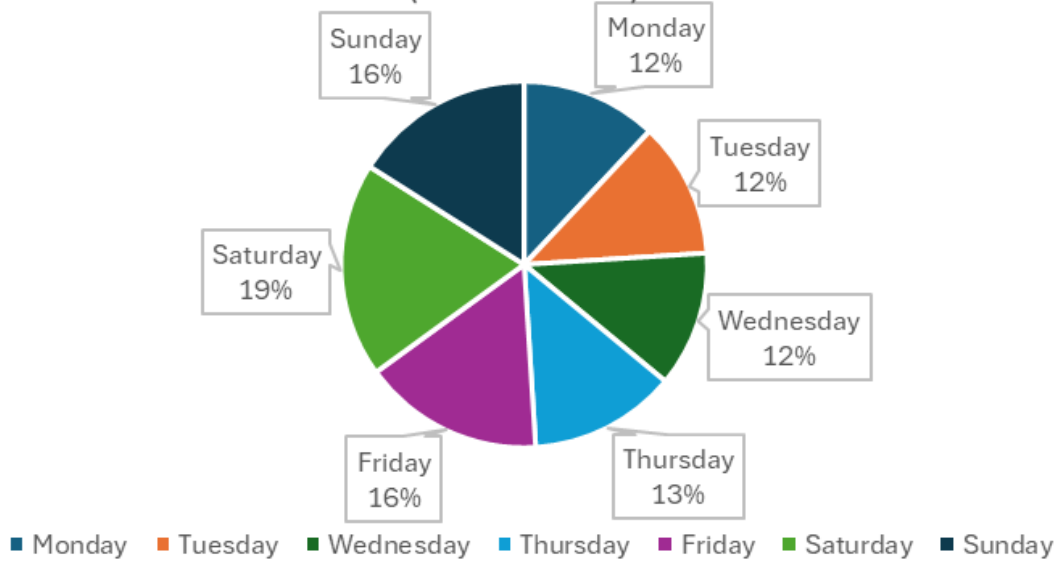
WFRS established a User fee for Open Air Burning permit in 2024 but still had hundreds of unapproved open burns which required fire crews' response. It is evident that Windsor residents need awareness of the process. WFRS attempts to educate the community regarding open air burning through education and media releases. Since the Open Air Burning By-law went into effect, WFRS has received 11 Open Air Burning Applications and approved two. The following tables illustrate open air burning activity within the City since 2020.



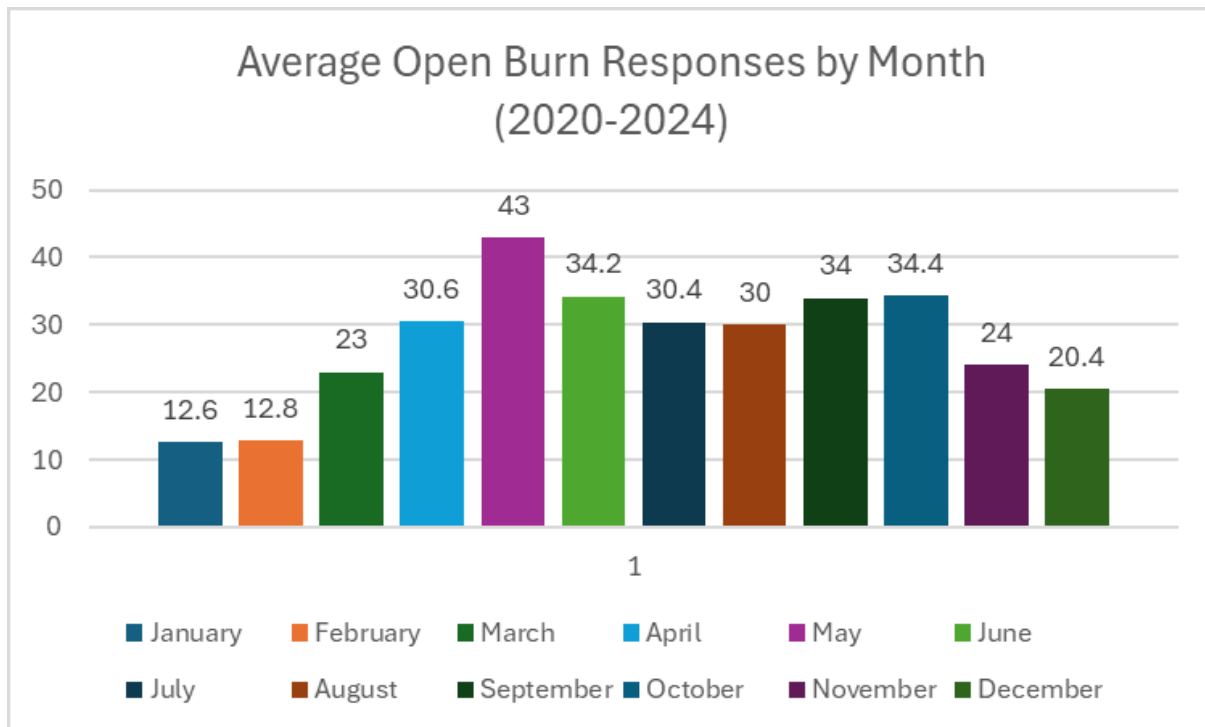
Open Burn Responses by Year (2020-2024)



Percent of Open Burns by Day of Week (2020-2024)







Open air burning continues to occur in the City. On average, the department responds to just under one open air burning call per day.

Although open air burning accounts for a small percentage of the department's annual call volume, responses to these incidents cause wear and tear on the emergency response vehicles and more importantly tie up a response crew and vehicle making them unavailable to respond to an emergency while they are dealing with the open air burn.

Initially the department contemplated sending a Fire Prevention Officer after the fact to an address where unapproved open air burning occurred. This method of enforcement has proven inefficient as the follow up visit is delayed far too long due to heavy workload in the Fire Prevention Division. During the 2025 operating budget process Council approved changes to the department's user fee schedule.

Beginning in 2025, WFRS is invoicing persons who fail to obtain an Open Air Burning permit the cost of the response when they are found to be in violation of the Open Air Burning By-law. The Failure to Obtain Open Air Burning Permit fee is set at \$570.50 per hour per apparatus (at MTO response rate) as per the approved 2025 Operating budget process (B3/2025).

### **Risk Analysis:**

There is minimal risk associated with this report.



## **Climate Change Risks**

### **Climate Change Mitigation:**

There is no increased climate change risk associated with this initiative. Large unauthorized fires, especially fires where inappropriate fuels/material are burned, increase local air pollution levels. The effect on the environment associated with these types of fires, particularly during hot humid days, can be immediately noticed. Residents with respiratory conditions such as asthma would likely feel the greatest impacts from increased air pollution due to smoke. Reducing the amount of local air pollution to any degree creates a better quality of life for residents.

### **Climate Change Adaptation:**

No climate change adaptation risk.

### **Financial Matters:**

WFRS established a User fee for Open Air Burning permit in 2024 but has generated minimal revenues. The new Failure to Obtain Open Air Burning Permit fee was approved through the 2025 Operating budget process (B3/2025) and set at \$570.50 per hour per apparatus (MTO response rate). WFRS hopes that community and education efforts will discourage resident from violating the Open Air Burning By-Law. Any revenues generated in 2025 will be reported through the quarterly and year end operating variance reports.

### **Consultations:**

Monika Schneider, Financial Planning Administrator

Ryerson Fitzpatrick, Assistant Deputy Fire Chief – Support Services

Michael Coste, Chief Fire Prevention Officer

Wira Vendrasco, City Solicitor

### **Conclusion:**

This report is brought to Council for information. On average, WFRS responds to approximately one open air burning call per day and extinguishes all unauthorized fires. WFRS continues its education and enforcement efforts regarding open air burning to reduce these incidents to the lowest level possible.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Emilie Dunnigan	Manager, Development Revenue &



<b>Name</b>	<b>Title</b>
	Financial Administration
James Waffle	Fire Chief
Michael Chantler	Senior Executive Director, Community Services (A)
Ray Mensour	Commissioner, Community and Corporate Services/Deputy CAO
Janice Guthrie	Commissioner, Finance & City Treasurer
Ray Mensour acting for Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

N/A





Committee Matters: SCM 139/2025

**Subject: OPA & Rezoning – 593067 Ontario Ltd - 960 Hanna Street East -OPA 193  
OPA/7277 Z-004/25 ZNG/7276 – Ward 4**

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

Decision Number: **DHSC 727**

1. THAT Schedule “A” of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; 960 Hanna Street East; Roll No. 030-440-04700), situated at the northwest corner of Hanna Street E and Langlois Street as a Special Policy Area.

2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

**1.X 960 HANNA STREET EAST**

<i>LOCATION</i>	1.X.1	The property described as Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; situated at the northwest corner of Hanna Street East and Langlois Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.
<i>ADDITIONAL PERMITTED MAIN USES</i>	1.X.2	<p>Notwithstanding the Residential designation of these lands on Schedule D: Land Use in Volume I: The Primary Plan, the uses and activities listed below shall be an additional permitted main use:</p> <p>Business Office, Contractor’s Office, Warehouse, Workshop</p> <p>An industrial facility for the following activities:</p> <ul style="list-style-type: none"> <li>• Assembling of laminate countertops including cutting, finishing, and repair.</li> <li>• Cutting and forming of kitchen tools, gadgets and other related accessories.</li> </ul>



- Display and storage of flooring, plumbing fixtures, and other related materials.
- Display of construction and other similar materials.
- Packaging and shipping of any of the above goods and materials.

All activities and uses shall take place entirely within a fully enclosed building and the outdoor storage and display of goods and materials is prohibited

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; known municipally as 960 Hanna Street East; Roll No. 030-440-04700), situated at the northwest corner of Hanna Street E & Langlois Street by adding a zoning exception to Section 20(1) as follows:

530. **NORTHWEST CORNER OF HANNA STREET EAST AND LANGLOIS STREET**

For the lands consisting of Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313), the following additional provisions shall apply:

a) Additional permitted *Main Uses*:

*Contractor's Office*

*Warehouse*

*Workshop*

An industrial facility for the following activities:

- Assembling of laminate countertops including cutting, finishing, and repair.
- Cutting and forming of kitchen tools, gadgets and other related accessories.
- Display and storage of flooring, plumbing fixtures, and other related materials.
- Display of construction and other similar materials.
- Packaging and shipping of any of the above goods and materials.



b) For any additional permitted *main use*:

1. The outdoor storage and display of goods and materials is prohibited.
2. All activities and uses shall take place entirely within a fully enclosed *building*.
3. Notwithstanding Section 24.20.5, a minimum of 7 *parking spaces* shall be provided.

(ZDM 7; ZNG/7276)

Carried.

Report Number: S 44/2025  
Clerk's File: Z/14940

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.1 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: OPA & Rezoning – 593067 Ontario Ltd - 960 Hanna Street East - OPA 193 OPA/7277 Z-004/25 ZNG/7276 – Ward 4**

**Reference:**

Date to Council: May 5, 2025  
Author: Adam Szymczak, MCIP, RPP  
Senior Planner - Development  
519-255-6543 x 6250  
aszymczak@citywindsor.ca

Planning & Building Services  
Report Date: 3/20/2025  
Clerk's File #: Z/14940

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

**Recommendation:**

1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; 960 Hanna Street East; Roll No. 030-440-04700), situated at the northwest corner of Hanna Street E and Langlois Street as a Special Policy Area.
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<i>LOCATION</i>	1.X.1	The property described as Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; situated at the northwest corner of Hanna Street East and Langlois Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.
<i>ADDITIONAL PERMITTED MAIN USES</i>	1.X.2	<p>Notwithstanding the Residential designation of these lands on Schedule D: Land Use in Volume I: The Primary Plan, the uses and activities listed below shall be an additional permitted main use:</p> <p>Business Office, Contractor's Office, Warehouse, Workshop</p> <p>An industrial facility for the following activities:</p> <ul style="list-style-type: none"><li>• Assembling of laminate countertops including cutting, finishing, and repair.</li><li>• Cutting and forming of kitchen tools, gadgets and other related accessories.</li></ul>



- Display and storage of flooring, plumbing fixtures, and other related materials.
- Display of construction and other similar materials.
- Packaging and shipping of any of the above goods and materials.

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1. The outdoor storage and display of goods and materials is prohibited.
2. All activities and uses shall take place entirely within a fully enclosed *building*.
3. Notwithstanding Section 24.20.5, a minimum of 7 *parking spaces* shall be provided.

(ZDM 7; ZNG/7276)



## Executive Summary:

N/A

## Background:

**Location:** 960 Hanna Street East; Lots 64 to 67, N Pt Lot 68, Registered Plan 430; PIN 01158-0312, 01158-0313; (Northwest corner of Hanna Street East and Langlois Street)

**Roll No:** 030-440-04700

**Ward:** 4      **Planning District:** Walkerville      **Zoning District Map:** 7

**Applicant:** 593067 Ontario Ltd. (Victor Wolanski)

**Owner:** 593067 Ontario Ltd. (Victor Wolanski)

**Agents:** Kal & Co. Design Group (Bob Tomoski)

**Proposal:** Amend the Official Plan (OP) and Zoning By-law to allow for the administrative / operational offices for a maintenance company and manufacturing as an additional permitted use for the following activities:

Assembling custom counter tops which requires cutting of premade laminate countertop pieces, assembling, and finishing custom counter tops. Package and delivery. Cut and form kitchen tools, gadgets, accessories. Package and shipping. Wholesale storage and display of flooring materials, plumbing fixtures (toilets, vanities, etc.) Display for wholesale of construction and other materials for contractors, metal roofing, siding, etc.

The Applicant indicates no expansion or changes to the exterior of the existing building or to the gravel parking area. Interior renovations are proposed with a 152.55 m<sup>2</sup> area in the existing building.

**Documents:** All documents are available [online](#) or by [email](#).

Attached to Report S 44/2025 as an Appendix: Planning Rationale Report (PRR); Site Plan; Floor Plan

Not attached to this report: Application Official Plan Amendment, Application Zoning By-law Amendment, Corporate Profile, Open House Notice, Official Plan – Schedule D

## Site Information:

OFFICIAL PLAN	ZONING B/L 8600	CURRENT USE	PREVIOUS USE
Residential	Commercial District 2.2 (CD2.2)	Vacant Building	Commercial
LOT FRONTAGE LANGLOIS ST	LOT FRONTAGE HANNA ST E	LOT AREA	LOT SHAPE
39.6 m	45.4 m	1,804.1 m <sup>2</sup>	Rectangular
All measurements are provided by the Applicant and are approximate.			



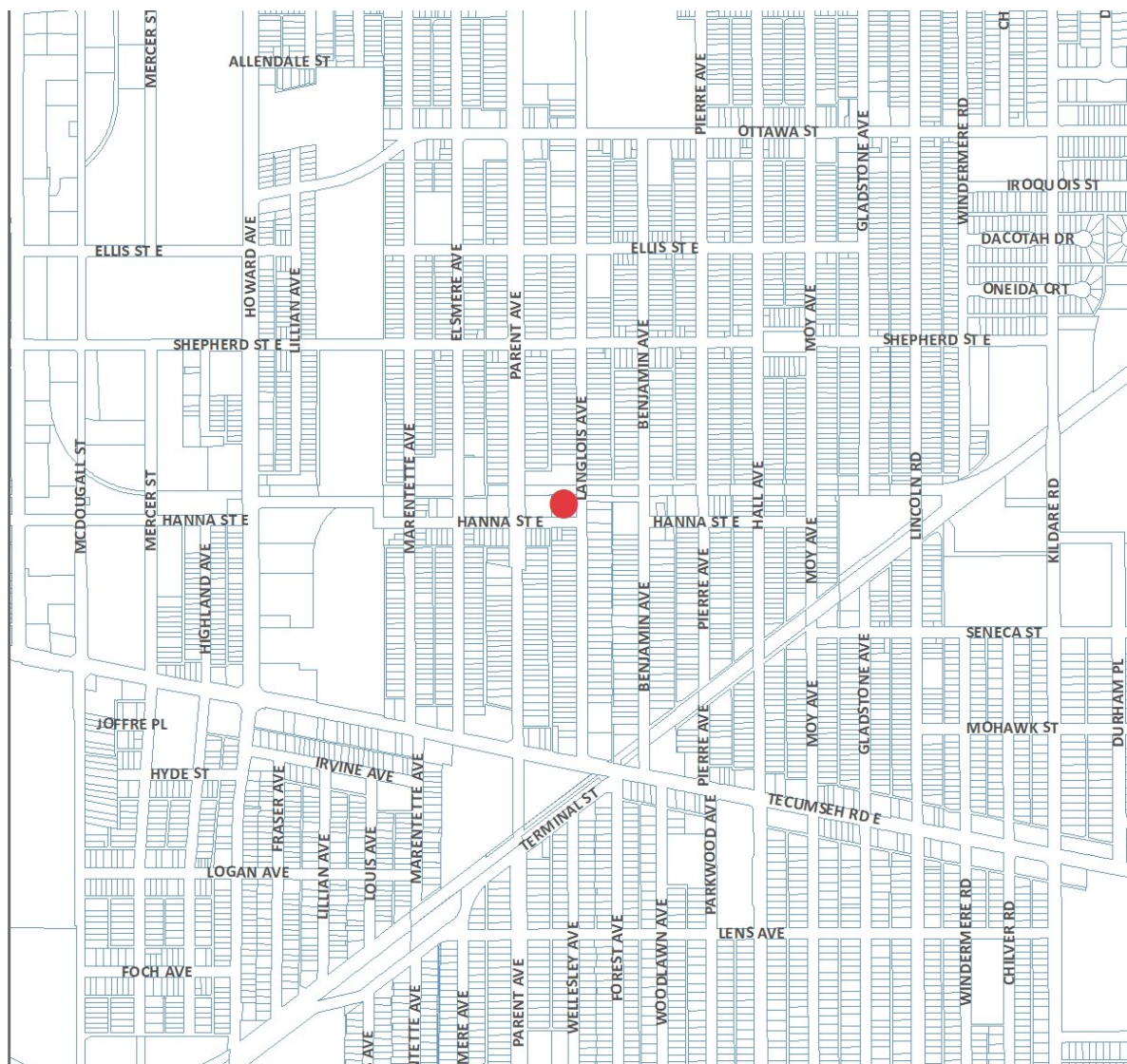
## Neighbourhood:

Sections 2.2 and 2.3 in the PRR provide details about the physical features of the site and surrounding land use including site photos.

The predominant use in the surrounding area is low-profile residential. The subject land was adjacent to a spur of the Essex Terminal Railway (ETR) that served various industrial and transport-related uses along the Hanna Street, Howard Avenue, McDougall Street, and Windsor Avenue corridors. The spur connected to the main ETR line east of Lincoln Road. The spur was closed, tracks removed, and the lands were sold during the 1980s and 1990s. The Hanna Street corridor has a range of non-residential uses including a Public Hall (Royal Canadian Legion, Hungarian Cultural Centre), Automobile Repair Garage, Contractor's Office, Child Care Centre, and Retail Store.

Public transit is available via the Transway 1C and Parent 14 with several stops within 470 m and 60 m of the subject parcel respectively. The Transit Master Plan will maintain similar service. The site is serviced by combined and storm sewers.

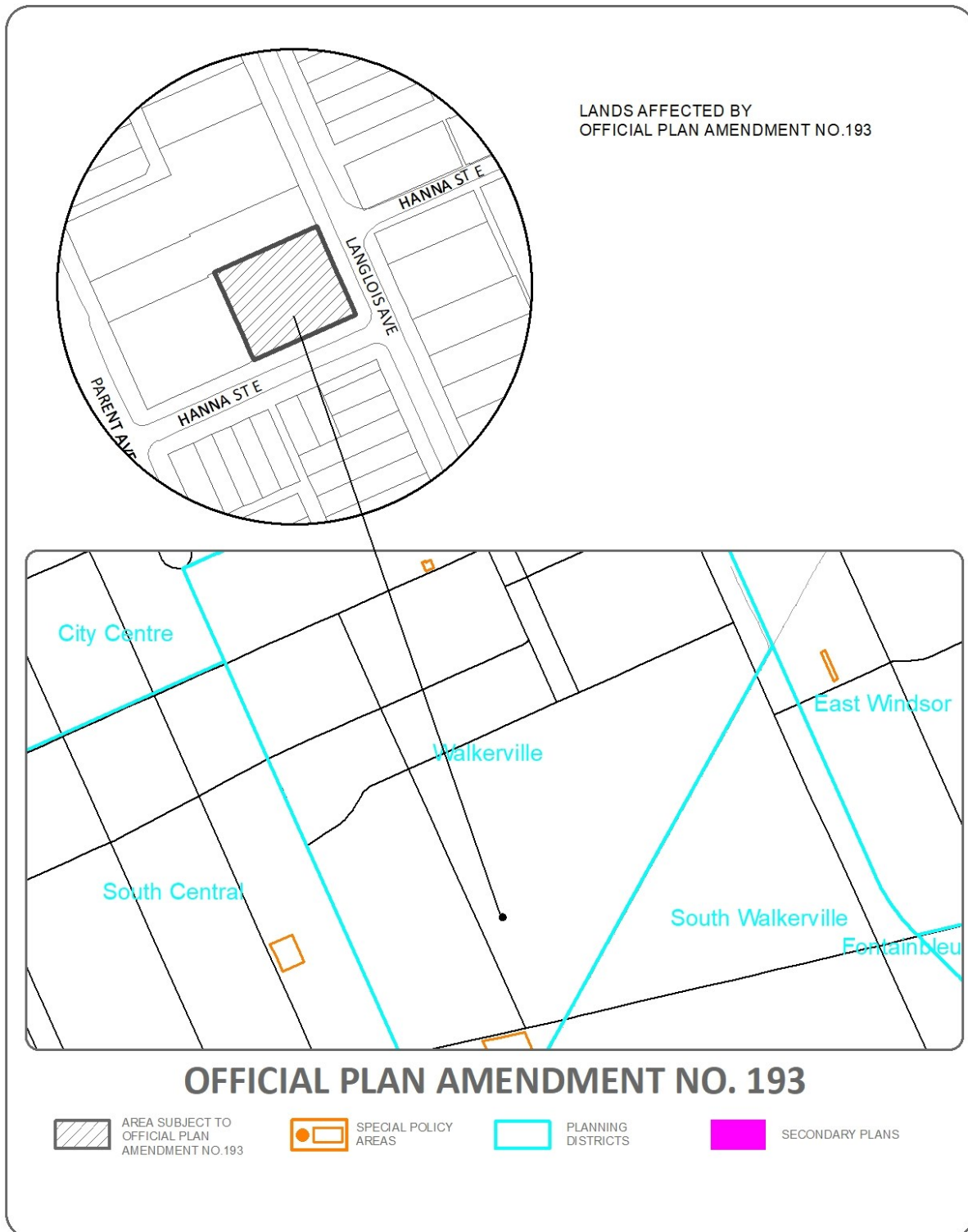
**Figure 1: Key Map**





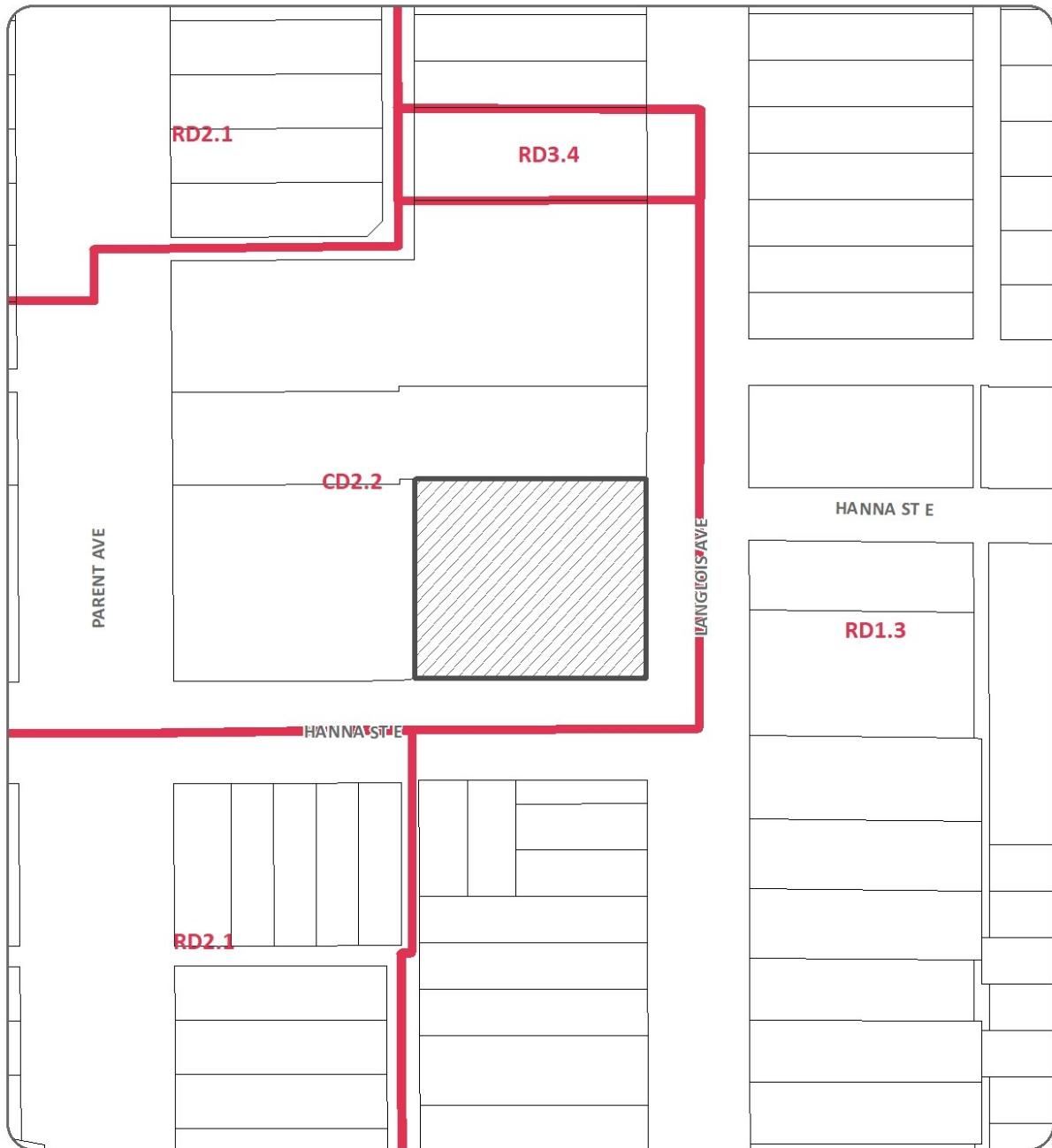
**Figure 2: Subject Parcel – Official Plan Amendment (OPA 193)**

## SCHEDULE A





**Figure 3: Subject Parcel - Rezoning**



PART OF ZONING DISTRICT MAP 7

N.T.S.

## REZONING

Applicant: 593067 Ontario Ltd.



SUBJECT LANDS

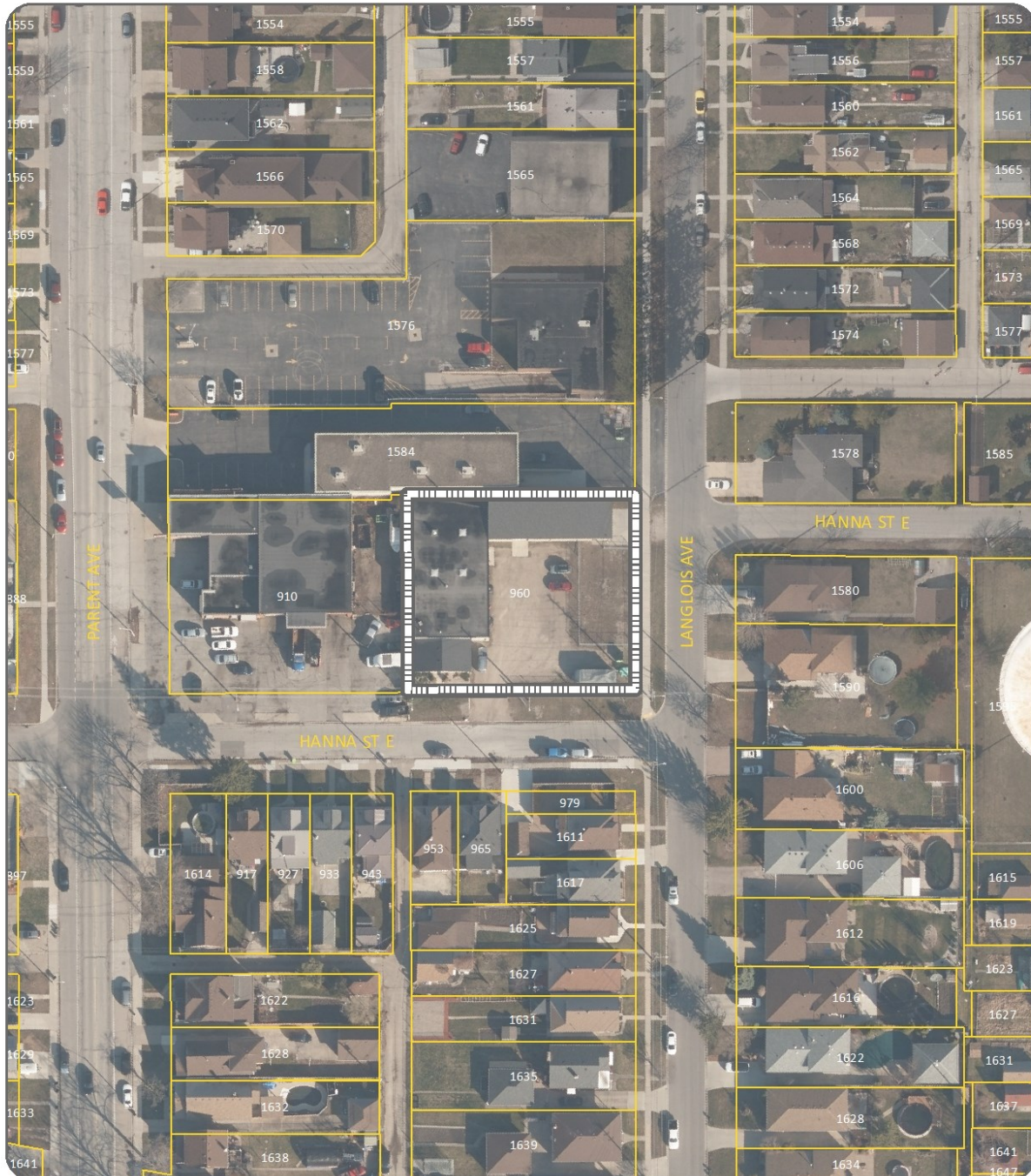
PLANNING & BUILDING DEPARTMENT



DATE : JANUARY, 2025  
FILE NO. : Z-004/25, ZNG/7276



**Figure 4: Neighborhood Map**



NEIGHBOURHOOD MAP - Z 004-25 [ZNG-7276] &  
OPA 193 [OPA-7277]



SUBJECT LANDS



## **Discussion:**

**Planning Rationale Report (PRR) (Pillon Abbs Inc., 2025 January 11)** – The PRR notes that the subject parcel is *“ideally suited for development”* for the reasons listed in Section 6.1.1 of the PRR. The proposed development is *“compatible with the surrounding area ... in terms of scale, massing, height and siting”*.

The PRR states that the *“existing building has been designed to be compatible with the existing built-up area and incorporates sufficient setbacks”*. The PRR notes that *“there are several similar uses in the immediate area”* and that the development *“represents an efficient development pattern that optimizes the use of the land ... and will not change lotting or street patterns in the area”*.

The PRR concludes that the proposal represents *“good planning as it addresses the need for the City to provide economic development and employment opportunities within the settlement area”* and that the proposed development is *“consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning”*. Planning & Development Services generally concurs with the information, analysis and conclusions in the PRR.

## **Provincial Planning Statement 2024 (PPS):**

The PPS provides policy direction on provincial interest matters related to land use planning. Section 5.1.1 in the PRR provides an analysis of the relevant PPS policies. The PRR notes that the site *“is located in the existing settlement area ... which is where growth should occur”* and that the proposed development *“promotes an efficient development and land use pattern”* and *“has access to full municipal infrastructure”*. Further, the proposed uses offer *“a new employment opportunity”* and *“all activities will be located inside the existing building”*. The PRR concludes that the *“proposed development is consistent with the PPS”*. Planning and Development Services concurs with this analysis and is of the opinion that the proposed amendments to the Official Plan & Zoning By-law 8600 are consistent with the overall policy direction of the PPS.

## **City of Windsor Official Plan (OP):**

The parcel is designated “Residential” on Schedule D: Land Use in Volume 1 of the OP. The Applicant is requesting an amendment by allowing a limited range of non-residential uses as additional permitted main uses. Section 5.1.2 in the PRR submitted by the Applicant has a complete review and analysis of appropriate Official Plan policies. The PRR notes that the development will *“support economic development in the area”* and *“help diversify employment opportunities”*. The PRR states that the site is currently zoned for a range of commercial uses and that similar uses are in the surrounding area. It concludes that the *“proposed development will conform with the purpose and intent of the City of Windsor OP when the OPA is adopted”*.

Planning and Development Services concurs with the analysis in the PRR. OPA 193 will allow specific additional uses and activities as additional permitted main uses, and that all activities take place within the building and that the outdoor storage of goods and materials is prohibited. When OPA 193 is approved, the requested zoning amendment will conform to the direction of the OP.



**Zoning By-Law 8600:**

The Applicant is requesting a zoning amendment by adding a zoning exception to allow a limited range of non-residential uses listed under Proposal in the Background section. Planning & Development Services. The existing CD2.2 zoning will remain. The recommended zoning exception differs from that requested by the Applicant to make use of existing defined terms (Contractor's Office, Warehouse, Workshop) in Zoning By-law 8600 and clear description of activities that are permitted within the industrial facility. This will minimize ambiguity in the interpretation of future uses.

Staff recommend that all activities and uses take place entirely within a fully enclosed building to mitigate concerns with noise and fumes and that outdoor storage and display of goods and materials is prohibited to minimize the visual impact on the residential uses in the area. The zoning exception also recognizes that a minimum of seven parking spaces shall be provided.

The proposed zoning exception is appropriate in terms of permitted use and provisions.

**Site Plan Control (SPC):**

No changes to the existing building or parking area are proposed, therefore, SPC will not apply to the change of use. Any addition to the exterior of the building or alterations to the parking area or storage areas may be subject to SPC.

**Risk Analysis:**

N/A

**Climate Change Risks****Climate Change Mitigation:**

In general, infill development will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available or planned infrastructure and facilities such as sewers, sidewalks, and public transit.

**Climate Change Adaptation:**

While not the subject of this report, any new construction or renovation is required to meet the current provisions of the Building Code, which will be implemented through the building permit process.

**Financial Matters:**

N/A

**Consultations:**

An Open House was held on August 15, 2024, 3 to 4 pm, at the subject property. 103 notices were mailed and a total of 28 people attended. A summary of comments from the public and responses from the Applicant are provided in Section 3.2 of the PRR. Statutory notice was advertised in the Windsor Star, a local newspaper. A courtesy notice was mailed to property owners within a 200 m of the subject lands. Comments from departments and agencies are attached as Appendix D.



## Conclusion:

Based on the information presented in this report, and the documents submitted by the Applicant, it is my opinion that the requested amendment to the City of Windsor Official Plan adding a new Special Policy Area to permit a limited range of non-residential uses is consistent with the PPS 2024 and is in general conformity with the Official Plan. The requested amendment to Zoning By-law is consistent with the PPS 2024 and will be in conformity with the Official Plan when OPA 193 is approved.

The recommendations to amend the Official Plan and Zoning By-law 8600 constitute good planning.

## Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*  
*Deputy City Planner - Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

I am not a registered Planner and have reviewed as a Corporate Team Leader

*JP*                      *JM*

## Approvals:

Name	Title
Adam Szymczak	Senior Planner - Development
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

## Notifications:

Name	Address	Email

## Appendices:

- 1 Appendix A - Planning Rationale Report
- 2 Appendix B - Site Plan
- 3 Appendix C - Floor Plan
- 4 Appendix D - Consultations



# PLANNING RATIONALE REPORT

## OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT PROPOSED DEVELOPMENT

960 Hanna Street East  
Windsor, Ontario

**January 11, 2025**

**Prepared by:**



Tracey Pillon-Abbs, RPP  
Principal Planner  
Chatham, ON  
226-340-1232  
[tracey@pillonabbs.ca](mailto:tracey@pillonabbs.ca)  
[www.pillonabbs.ca](http://www.pillonabbs.ca)



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## 1.0 INTRODUCTION

I have been retained by Kal & Co. Design Group (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed development located at 960 Hanna Street East (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is made up of one (1) parcel of land in Ward 4 in the Walkerville Planning District.

The Site currently has an existing one-storey commercial building and gravel parking area.

The existing building is currently vacant.

It is proposed that the Site be further developed to permit the administration / operational offices for a maintenance company with storage and allow for manufacturing uses.

No exterior renovations are proposed.

Interior renovations are proposed.

The Site has access to full municipal services.

Pre-consultation (stage 1) was completed by the Applicant. Comments dated May 23, 2024 (City File #PC-042/24) were received.

Pre-submission (stage 2) was completed by the Applicant. Comments dated December 11, 2024 (City File #PC-119/24) were received.

Applications for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) are required in order to permit the proposed development.

Once the OPA and ZBA have been approved, the Applicant will proceed with a building permit for any proposed interior renovations.

The purpose of this report is to review the relevant land use documents, including the Provincial Planning Statement 2024 (PPS), the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL).

This PRR will show that the proposed development is suitable, consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.



## 2.0 SITE AND SURROUNDING LAND USES

### 2.1 Description of Site and Ownership

The Site has been owned by 593067 ONTARIO LTD. since 2023.

The Site is made up of one (1) square-shaped corner parcel of land located on the north side of Hanna Street East and the west side of Langlois Avenue (see the area in **yellow** on Figure 1a – Site Location).

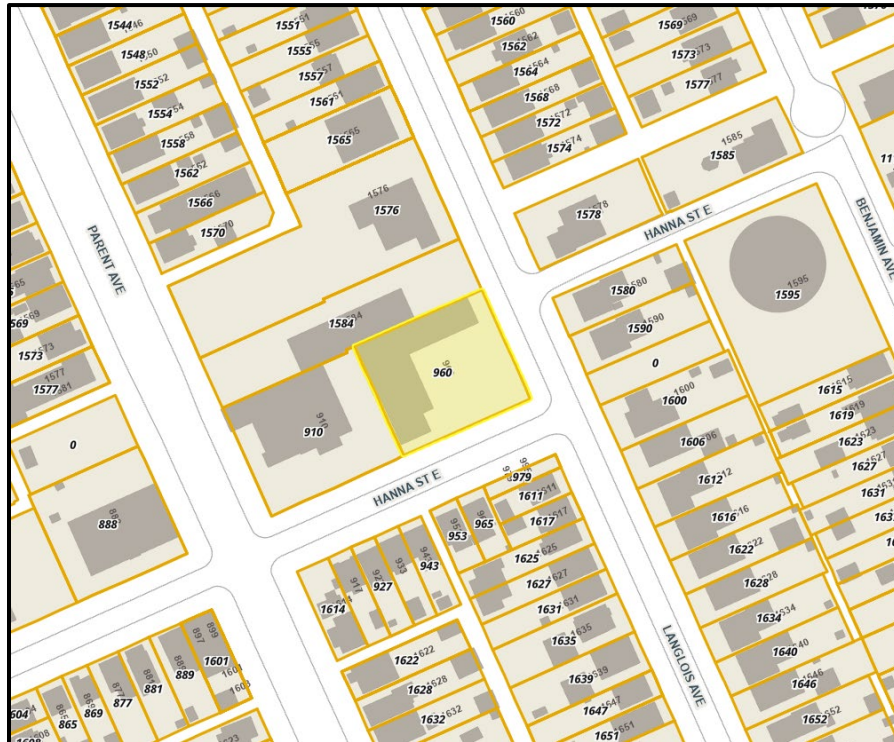


Figure 1a – Site Location (Source: City of Windsor GIS)

The Site is locally known as 960 Hanna Street East, City of Windsor, Province of Ontario and is legally described as LOT 66 PLAN 430 WINDSOR; LOT 67 PLAN 430 WINDSOR; PT LOT 64 PLAN 430 WINDSOR; PT LOT 65 PLAN 430 WINDSOR; PT LOT 68 PLAN 430 WINDSOR AS IN R460876; WINDSOR, PIN 01158-0313 LT (ARN 37-39-030-440-04700-0000).



## 2.2 Physical Features of the Site

### 2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 1,804.13 m<sup>2</sup>, with a lot frontage of 39.66 m along Langlois Street and a lot depth of 45.49 m along Hanna Street East.

### 2.2.2 Existing Structures and Previous Use

The Site currently has an existing one-storey commercial building and gravel parking area.

The existing building is currently vacant (see Figures 1b – Site Street View).







Figures 1b – Site Street View, From Hanna St E (Source: Pilon Abbs Inc.)

The previous use of the Site was used for an upholstery shop and warehouse for approximately 20 years.

### **2.2.3 Vegetation**

The Site has an existing grassed area and landscaping.

### **2.2.4 Topography, Drainage and Soil**

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA).

The Site is part of the Windsor Area Drainage.

The Site is not impacted by Source Water Protection.

The soil is made up of Brookstone Clay Loan (Bcl).

### **2.2.5 Other Physical Features**

There is existing fencing around the entire Site.

The main access to the Site is from an existing gated driveway along Hanna Street East. There is also an existing un-gated driveway along Langlois Avenue.



### **2.2.6 Municipal Services**

The property has access to municipal water, sewer and storm services.

Hanna Street East and Langlois Ave are local roads. Hanna Street East runs toward Parent Avenue to the west, which is a Class II collector road.

There is on-street parking along Hanna Street East and Langlois Avenue.

There are streetlights or sidewalks in the area of the Site.

The Site is in close proximity to major transportation corridors, including Tecumseh Road East and Howard Avenue.

The Site is close to transit, with the closest bus stop located at the corner of Parent Ave and Hanna St E (Stop ID 2071 and 2070, Bus 14).

### **2.2.7 Nearby Amenities**

There are several schools, parks and libraries nearby.

There is nearby shopping in the form of plazas and malls, as well as employment, residential, places of worship and local amenities.

## **2.3 Surrounding Land Uses**

Overall, the Site is located in an existing built up area in Ward 4 in the Walkerville Planning District.

There are a mix of land uses in the area.

There are residential lands to the south and east and employment lands to the north and west of the Site.

A site visit was undertaken on October 21, 2024.

**North** – The lands directly north of the Site are used for commercial (HQ Nutrition) with access from Parent Ave (see Photo 1 - North).





Photo 1 – North (Source: Google Maps)

**South** – The lands directly south of the Site are used for residential (low profile), with access from Hanna Street East and Langlois Avenue (see Photos 2 - South).







Photos 2 – South (Source: Pillon Abbs Inc.)

960 Hanna Street East, Windsor, Ontario



**East** – The lands directly east of the Site are used for residential (low profile) with access from Langlois Avenue (see Photo 3 - East).



Photo 3 – East (Source: Pilon Abbs Inc.)

**West** – The lands directly west of the Site are used for commercial (Slater Tire and Battery Centre), with access from Parent Avenue and Hanna Street East (see Photo 4 - West).

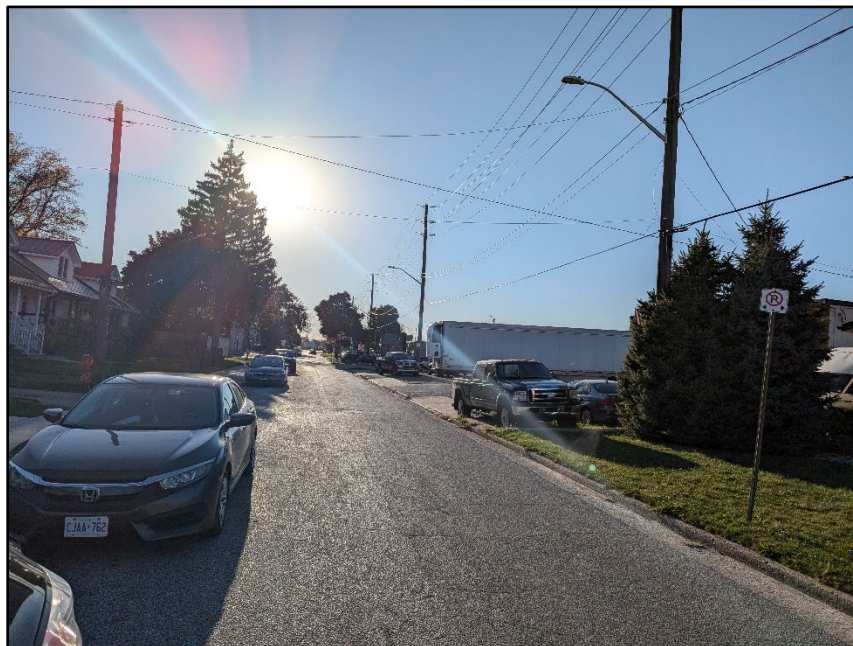


Photo 4 – West (Source: Pilon Abbs Inc.)



## 3.0 PROPOSAL AND CONSULTATION

### 3.1 Development Proposal

The Site is made up of one (1) parcel of land in Ward 4 in the Walkerville Planning District.

The Site currently has an existing one-storey 1,793.86 m<sup>2</sup> (19,309 ft<sup>2</sup>) commercial building and gravel parking area.

The existing building is currently vacant.

It is proposed that the Site be further developed to permit the administration / operational offices for a maintenance company with storage and allow for manufacturing uses.

A Site Plan has been provided (see Figure 2a – Site Plan).

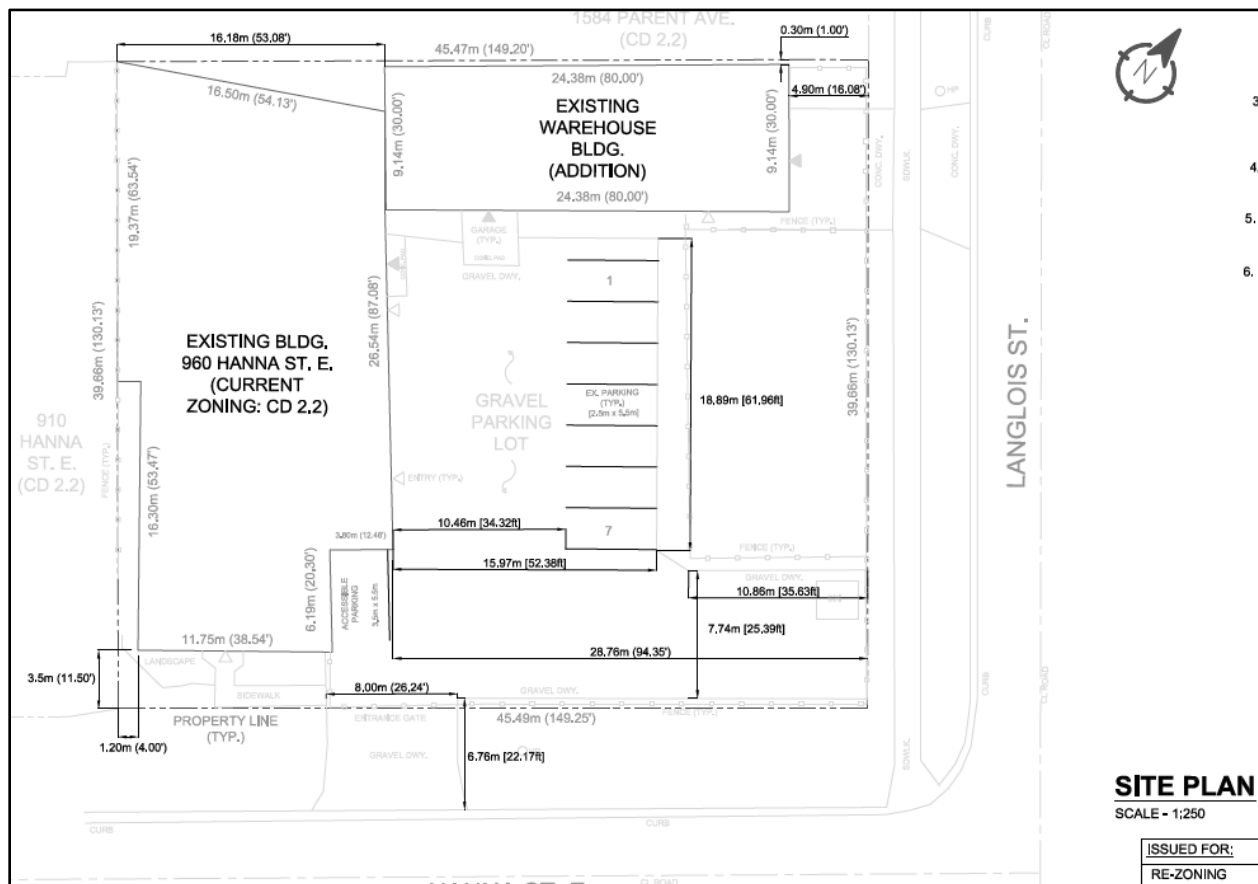


Figure 2a – Site Plan

The manufacturing use includes the following activities and uses:



- Assembling custom countertops which requires cutting premade laminate countertop pieces, assembling and finishing custom countertops.
- Package and delivery.
- Cut and form kitchen tools, gadgets, and accessories.
- Package and shipping.
- Wholesale storage and display of flooring materials, and plumbing fixtures (toilets, vanities, etc).
- Display for wholesale of construction and other material for contractors (metal roofing, siding, etc).
- For display and maintenance site.

No exterior renovations are proposed.

There will be no outdoor storage of goods and materials.

The existing building area will remain the same.

The main entrance into the building is from the south side and will remain.

The site plan illustrates the existing buildings and parking areas.

The number of existing parking spaces (7 total) and loading spaces will remain the same, as shown on the Site Plan.

Interior renovations are proposed with a 152.55 m<sup>2</sup> (1,642 ft<sup>2</sup>) area of the existing building.

Any noise, dust, or vibration can be mitigated through filters and ventilations.

A floor plan has been provided (see Figure 2b – Floor Plan).



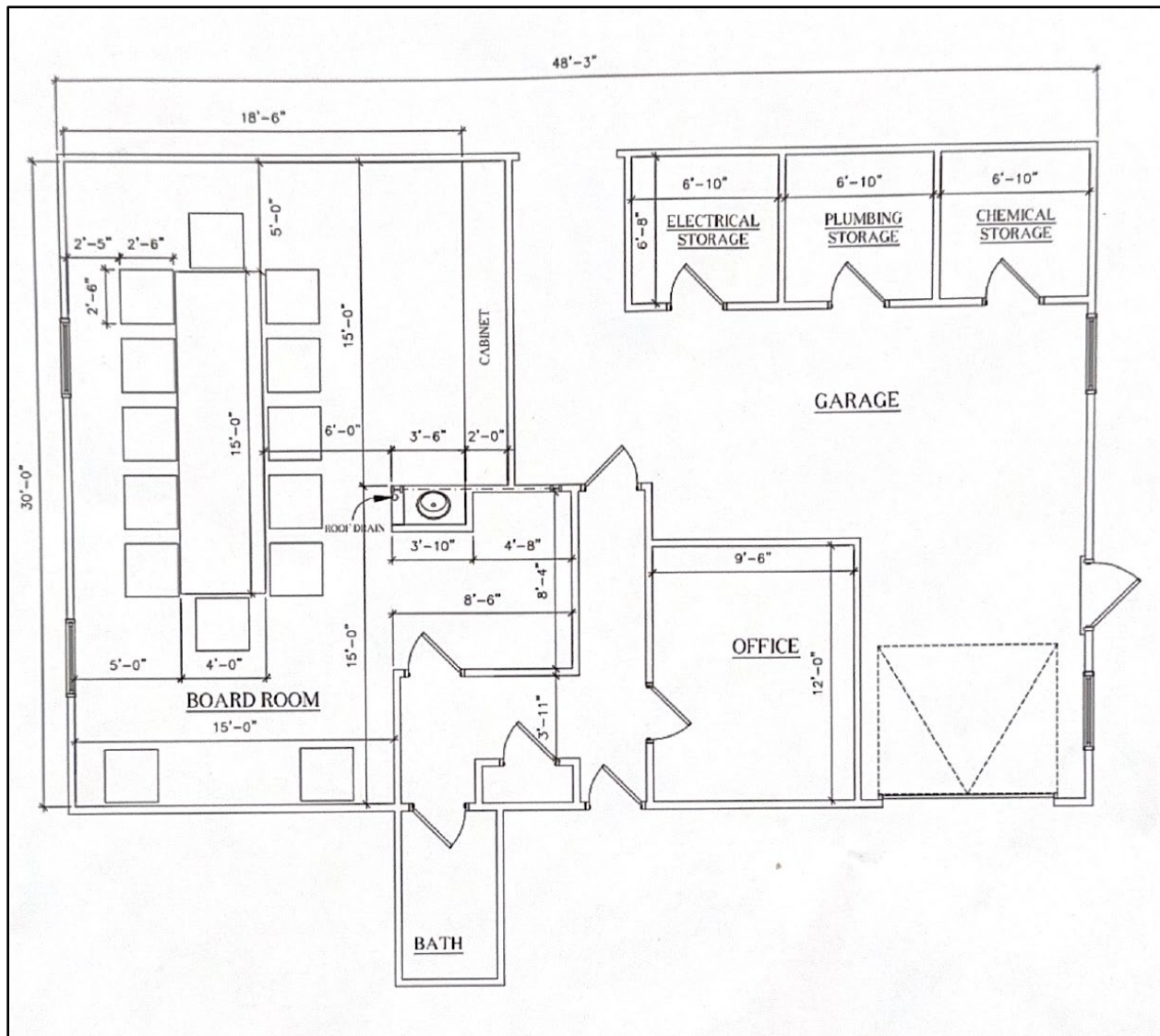


Figure 2b – Floor Plan

Each driveway access will remain the same.

The Site has full municipal services (water, sewer and drainage).

## 3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.



As part of a public consultation strategy, in addition to the statutory public meeting, an informal in-person public open house was held by the Applicant with area residents and property owners on August 15, 2024, from 3:00 pm to 4:00 pm.

A total of 103 notices were mailed out.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of 28 people attended.

The following is a summary of the comments and responses from the public open houses:

Topic Item	Comments and Questions	Response
Notices and Purpose	<p>Who was sent the notices?</p> <p>Who is hosting?</p> <p>What is the purpose?</p>	<p>The City provided the mailing labels.</p> <p>The open house is hosted by the Applicant before any application is submitted to the City.</p> <p>The open house provided members of the public with opportunities to review and comment on the proposed development.</p>
Proposal	<p>There was some support for the proposal.</p> <p>We will demolish the Building and put up high rise apartments?</p> <p>Will there be an Industrial Stamping Plant?</p>	<p>No, the proposed use is manufacturing.</p>
Noise and Pollution	<p>We do not want to create a manufacturing plant that becomes an industrial noise and pollution place.</p> <p>There is aluminum dust and gas that will be harmful to the neighbourhood residents.</p> <p>There is formaldehyde dust and gas that will be harmful to the neighborhood residents.</p>	<p>The Applicant may have to add some ventilation and filters.</p>



Topic Item	Comments and Questions	Response
	The ventilation and Heating System is inadequate and dangerous for the facilities.	
Safety	<p>The wood dust in the air is so dangerous that if one lit a match in the room, the building could explode.</p> <p>What guarantee is there that we will comply with safety regulations and Codes and when will the residents be shown proof of compliance.</p> <p>What equipment is used to cut countertops and is there carcinogenic from the dust and chemicals in the laminate and wood products.</p>	<p>The Countertop Business will operate safely.</p> <p>The Applicant will go through the permits and inspections that are required.</p>
Nearby Schools	There are 2 schools and a daycare Centre nearby whose children will be polluted by the Formaldehyde.	The proposed development will not have any impact on nearby schools and day cares.



## **4.0 APPLICATIONS AND STUDIES**

Pre-consultation (stage 1) was completed by the Applicant. Comments dated May 23, 2024 (City File #PC-042/24) were received.

Pre-submission (stage 2) was completed by the Applicant. Comments dated December 11, 2024 (City File #PC-119/24) were received.

Applications for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) are required in order to permit the proposed development.

The following explains the purpose of the application and other required approvals, as well as a summary of the required support studies.

### **4.1 Official Plan Amendment**

A site specific Official Plan Amendment (OPA) is required to permit the proposed development.

The current designation for the Site is "Residential," as shown on Schedule D of the City of Windsor Official Plan (OP).

It is proposed to maintain the existing designation and request that the proposed development be added as an additional permitted use.

The OP is detailed, and the justification is set out in Section 5.1.2 of this PRR.

### **4.2 Zoning By-Law Amendment**

A site specific Zoning By-law Amendment (ZBA) is required to permit the proposed development.

The current zoning for the Site is Commercial District 2.2 (CD2.2) category, as shown on Map 7 of the City of Windsor Zoning By-Law (ZBL).

It is proposed to maintain the existing CD2.2 zoning category and request that the proposed development be added as an additional permitted use.

Relief is also required to confirm the number of existing parking spaces.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

### **4.3 Other Application**

Once the OPA and ZBA has been approved, the Applicant will proceed with a building permit for any proposed interior renovations.



## 4.4 Supporting Studies

There were no supporting studies required for the application.

## 5.0 PLANNING ANALYSIS

### 5.1 Policy and Regulatory Overview

#### 5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development, providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS was issued under Section 3 of the Planning Act and came into effect on October 20, 2024.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
Chapter 1 - Vision	A prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.	Windsor has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns.  The OPA and ZBA are minor changes to the existing Site.
Chapter 2.1.1: Building Homes, Sustaining Strong and Competitive Communities	As informed by provincial guidance, planning authorities shall base population and <b>employment</b> growth forecasts on Ontario Population Projections published by the	The proposed development will support the City's need for employment growth.  The City OP also allows for existing land uses to be expanded subject to criteria.



PPS Policy #	Policy	Response
	Ministry of Finance and may modify, as appropriate.	
2.1.6	Planning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, <b>employment</b> , public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;	The proposed development will support the City's requirement to accommodate for employment to meet long-term needs.
2.3.1.1 – Settlement Areas	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	<p>The Site is located in an existing settlement area of the City of Windsor, which is where growth should occur.</p> <p>The proposed use of the Site represents an efficient development pattern that optimizes the use of land.</p> <p>The proposed development will not change lotting or street patterns in the area.</p>
2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities;	<p>The proposed development promotes an efficient development and land use pattern as it uses an existing building within a settlement area.</p> <p>The Site has access to full municipal infrastructure and is close to nearby public service facilities.</p>



PPS Policy #	Policy	Response
		<p>There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.</p> <p>The OPA and ZBA will not change the character of the Site in any way.</p>
2.8.1.1 - Employment	<p>Planning authorities shall promote economic development and competitiveness by:</p> <p>a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;</p> <p>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</p> <p>c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;</p> <p>d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and</p> <p>e) addressing land use compatibility adjacent to employment areas by providing</p>	<p>The proposed development offers a new employment opportunity.</p> <p>There is a need.</p> <p>The proposed development will be suitable to be located within the existing building.</p> <p>Infrastructure is provided.</p> <p>The proposed development has been designed to be compatible with the existing built-up area.</p> <p>The building is set back from the road and is away from the existing residential uses to the south and east.</p>



PPS Policy #	Policy	Response
	an appropriate transition to sensitive land uses.	
2.8.1.2	Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to sensitive land uses without adverse effects are encouraged in strategic growth areas and other mixed-use areas where frequent transit service is available, outside of employment areas.	<p>The proposed use can be located within the existing building as it is not immediately abutting any residential uses.</p> <p>Adverse effects are not anticipated.</p> <p>Existing buffering and setbacks are provided as a way to mitigate uses.</p>
2.8.1.3	In addition to policy 3.5, on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.	<p>The proposed use is appropriate for the Site.</p> <p>All activities will be located inside the existing building.</p> <p>Any noise, dust, or vibration can be mitigated through filters and ventilations.</p>
2.8.2.1 – Employment Areas	Planning authorities shall plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.	<p>The Site will continue to be used for employment, which is what it is currently used for.</p> <p>The OPA and ZBA are considered minor in terms of impact on the Site and its surroundings.</p>
2.8.2.3	Planning authorities shall designate, protect and plan for all employment areas in settlement areas by: a) planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing	The proposed development is considered an expansion of an existing employment use.



PPS Policy #	Policy	Response
	and goods movement, and associated retail and office uses and ancillary facilities;	
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The Site has access to infrastructure and nearby public service facilities.
3.5.1 – Land Use Compatibility	Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	<p>The proposed use is appropriate for the existing building.</p> <p>The land area is sufficient to accommodate the proposed development.</p> <p>Noise, dust, or vibration can be mitigated to ensure land use compatibility.</p> <p>The OPA and ZBA do address compatibility.</p>
3.6.2 – Sewage, Water and Stormwater	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	The development can proceed with existing municipal services.
3.6.8	Planning for stormwater management shall: a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and	Stormwater is existing.



PPS Policy #	Policy	Response
	financially viable over their full life cycle; b)minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;	
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural heritage features that impact the Site.
4.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: a)using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development; minimizing potential	The Site is outside the regulated area of ERCA.
4.6.1 - Cultural Heritage and Archaeology	Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.	There are no cultural heritage features that apply to this Site.
Chapter 5.1.1 - Protecting Public Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards.

Therefore, the proposed development is consistent with the PPS.

### 5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. The office consolidation version is dated September 7, 2012.



The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are designated "Residential" according to Schedule "D" Land Use attached to the OP for the City of Windsor (see Figure 3 – OP).

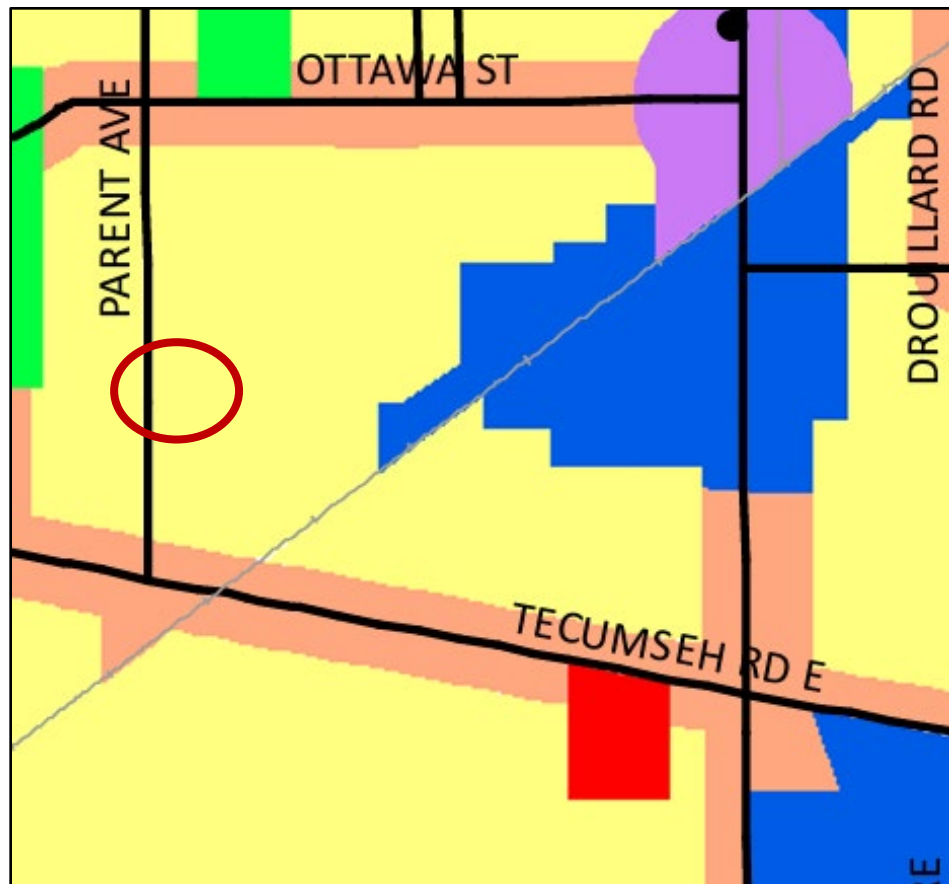


Figure 3 – OP

The Site is also subject to the following:

- Schedule 'B' – Greenway System – Parent Ave is designated as "recreationway"
- Schedule 'C-1' – Development Constraint Areas: Archaeological Potential – Designated within "Low Archaeological Potential"
- Schedule 'F' - Roads & Bikeways – Hanna St E is a local road, and Parent Ave is a Class II Collector

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.



OP Policy #	Policy	Response
3.1	The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan.	<p>The proposed development will support the City's vision by providing employment in an existing built-up area where citizens can live, work and play.</p> <p>The location of the proposed development is appropriate as there is a mix of uses in the area.</p> <p>Applications for an OPA and a ZBA are required in order to permit the proposed development.</p>
4.0 - Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	<p>The proposed development will support the City's goal of promoting a healthy community.</p> <p>The proposed development is close to nearby transit, residential, shopping, local/regional amenities and parks.</p> <p>The proposed development will help diversify employment opportunities needed in the area and will provide jobs.</p>
4.2.6.1 – Employment Opportunities	To provide for a wide range of employment opportunities at appropriate locations throughout Windsor.	<p>The proposed development will provide employment opportunities.</p> <p>Employment (jobs) will be provided.</p>
4.2.6.2 – Economic Development	To encourage a range of economic development opportunities to reach full employment.	The proposed development will support economic development in the area.



OP Policy #	Policy	Response
		The proposed development will help diversify employment opportunities.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a <b>vibrant economy</b> and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach, which balances environmental, social and economic considerations.	<p>The proposed development supports the policy set out in the OP as it is suited for the employment needs of the City.</p> <p>The OPA and ZBA are minor changes to the existing Site.</p>
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.4 The retention and expansion of Windsor's employment base.</p> <p>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</p>	<p>The proposed development supports the goals set out in the OP as it provides employment.</p> <p>Employment is encouraged in the area.</p> <p>The Site is currently zone for commercial uses.</p>
6.3 - Residential	The lands designated as "Residential" on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided. The following objectives and policies establish the framework for development decisions in Residential areas.	<p>The current designation for the Site is "Residential," as shown on Schedule D of the City OP.</p> <p>An OPA and ZBA are required to permit the proposed development.</p> <p>The OPA and ZBA are considered minor in terms of impact on the Site and its surroundings.</p>



OP Policy #	Policy	Response
6.3.2.2 – Ancillary Uses	<p>In addition to the uses permitted above, Council will encourage the achievement of diverse and self-sufficient neighbourhoods by permitting the following ancillary uses in areas designated Residential on Schedule D: Land Use without requiring an amendment to this Plan:</p> <p>c) Neighbourhood Commercial uses subject to the provisions of policy 6.3.2.9;</p>	<p>Currently, the Site is being used for commercial purposes.</p> <p>The additional uses are very similar to the current uses permitted in the CD2.2 zone.</p> <p>There are several similar uses in the immediate area.</p>
6.3.2.9 – Neighbourhood Commercial Evaluation Criteria	<p>Neighbourhood Commercial uses shall be encouraged to locate in Mixed Use Corridors and Mixed Use Nodes as shown on Schedule D. Ideally, these uses would form part of a multi-use building with residential uses located above or behind the non-residential uses on the street front.</p> <p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Neighbourhood Commercial development within a designated Residential area is: (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) adjacent to sources of</p>	<p>The PPS has been assessed as part of section 5.1.1 of this PRR.</p> <p>There are no anticipated nuisances that will cause any negative impact to the surrounding residential uses.</p> <p>The proposed use will be safe.</p> <p>Traffic and parking are not expected to be impacted.</p> <p>There are no heritage resources that impact the Site.</p> <p>There is a need.</p> <p>There are no secondary uses that impact the Site.</p> <p>The proposed use will be compatible as it will be located inside the existing building, which will not change the characteristic of the Site.</p>



OP Policy #	Policy	Response
	<p>nuisance, such as noise, odour, vibration and dust; (iii) within a site of potential or known contamination; (iv) where traffic generation and distribution is a provincial or municipal concern; (v) adjacent to heritage resources; and (vi) where market impact is identified as a municipal concern; (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; (d) capable of being provided with full municipal physical services and emergency services; and (e) provided with adequate off-street parking.</p>	<p>The existing building has been designed to be compatible with the existing built-up area.</p> <p>The Site is currently being serviced by municipal infrastructure.</p> <p>There is adequate off street parking.</p> <p>The Site is generally level, which is conducive to easy vehicular movements.</p>
6.3.2.10 – Ancillary Use Design Guidelines	<p>The following guidelines shall be considered when evaluating the proposed design of an ancillary use: (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan; (b) the provision of appropriate landscaping or other buffers to enhance: (i) all parking lots, and outdoor loading, storage and service areas; and (ii) the separation between the use and adjacent uses, where appropriate; (c) motorized vehicle access is oriented in such a manner that traffic will be discouraged from using</p>	<p>There are no exterior changes to the existing building, loading area or parking area.</p> <p>There is existing landscaping and buffering provided on the site.</p>



OP Policy #	Policy	Response
	Local Roads where other options are available; and (d) pedestrian and cycling access is accommodated in a manner that is distinguishable from the access provided to motorized vehicles and is safe and convenient.	
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The proposed development is close to nearby transit, off a major transportation corridor and has access to municipal services.
11.6.3.1 – Amendment Policies (Zoning)	All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.	<p>The proposed ZBA is used to permit the proposed development and does conform with the purpose and intent of the OP, as set out in this PRR, with the OPA.</p> <p>The Site was always used for manufacturing.</p> <p>There are several similar uses in the immediate area.</p>
11.6.3.3 – Evaluation Criteria	<p>When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:</p> <p>(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans &amp; Special Policy Areas and other</p>	<p>The OP policies have been considered in the analysis of the ZBA.</p> <p>This PRR has undertaken the required evaluation of OP policies.</p> <p>There are no Secondary Plans that impact the Site.</p> <p>Support studies have been summarized in Section 4.3 of this PRR.</p>



OP Policy #	Policy	Response
	<p>relevant standards and guidelines; (b) Relevant support studies; (c) The comments and recommendations from municipal staff and circularized agencies; (d) Relevant provincial legislation, policies and appropriate guidelines; and (e) The ramifications of the decision on the use of adjacent or similar lands.</p>	<p>Comments and recommendations from staff and agencies have been provided as part of the Stage 2 application review.</p> <p>This PRR has undertaken the required evaluation of provincial legislation in Section 5.1.1.</p> <p>There are no design guidelines that impact this type of development.</p> <p>Allowing the proposed use will result in a vacant parcel of land to be used.</p> <p>The OPA and ZBA are considered minor in terms of impact on the Site and its surroundings.</p>
11.6.10.1 – Existing Land Uses	<p>Certain lawfully existing uses may, by their nature or location, not satisfy or conform to the land use policies or applicable land use designation in this Plan. They may have been established at their location for a long period of time and accepted as such within the neighbourhood or constructed more recently in compliance with the previous zoning. Notwithstanding any other provisions of this Plan in conflict herewith, such uses may be zoned as conforming uses in the zoning by-law provided that: (a) The use does not constitute a danger, a nuisance or blight to the adjacent neighbourhood by</p>	<p>The proposed additional use does is safe and will not cause any danger or nuisance.</p> <p>The operation will be kept inside the existing building and will not change the character of the Site.</p> <p>The proposed use will not have any negative impact on the nearby residential uses.</p> <p>The OPA and ZBA will not change the character of the Site in any way.</p>



OP Policy #	Policy	Response
	virtue of its function or operational characteristics; and (b) The extension or <b>enlargement</b> of the use or change in its functionality would not be detrimental to nor pose a nuisance to the adjacent neighbourhood; or (c) Where the use is deemed to be a sensitive land use, it shall be part of a viable larger grouping of similar land uses.	

Therefore, based on the above-noted analysis in this PRR, the proposed development will conform to the policy direction of the OP when the OPA is adopted.

### 5.1.3 Zoning By-law

The City of Windsor Zoning By-Law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and providing for its day-to-day administration.

According to Map 7 attached to the ZBL the Site is currently zoned Commercial District 2.2 (CD2.2) category (see Figure 4 – ZBL).



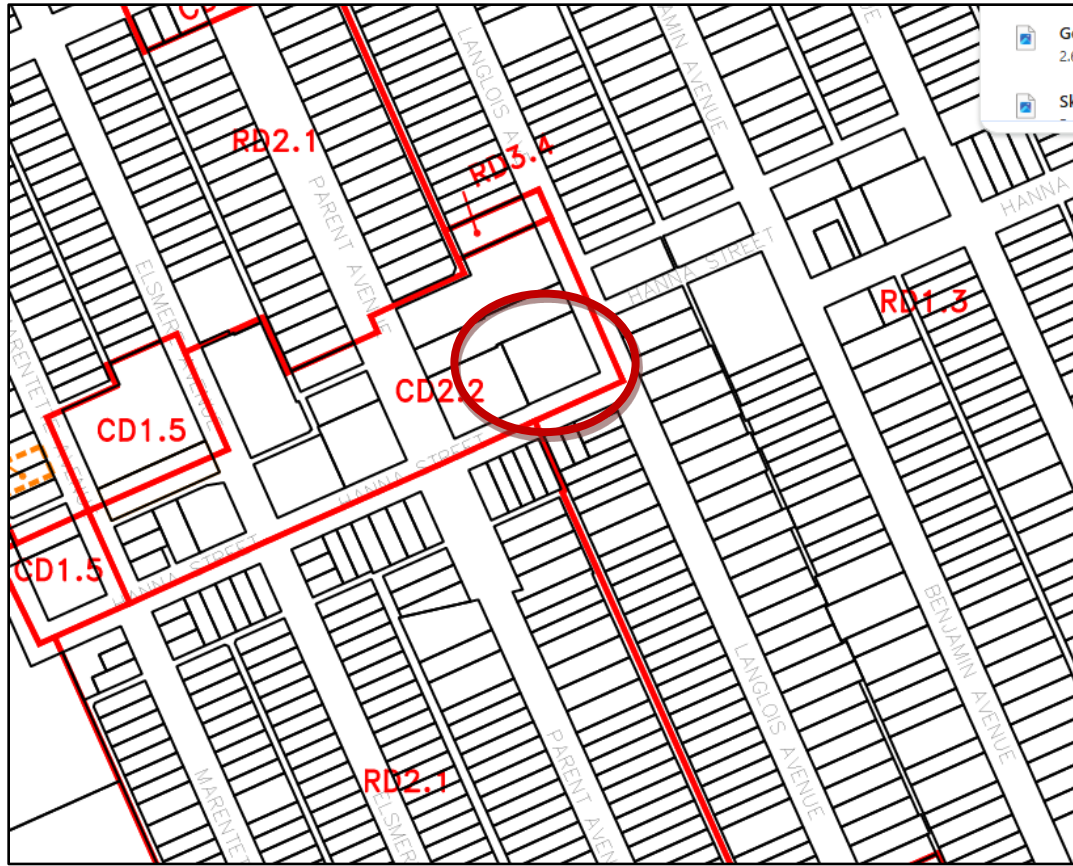


Figure 4 –ZBL

The zoning for the Site is proposed to be changed to a site specific Commercial District 2.2 (CD2-2 - S.20(1)(XXX)) category in order to permit the proposed development as an additional permitted use.

A review of the CD2.2 zone provisions, as set out in Section 15.2 of the ZBL is as follows:

Zone Regulations (Section 18.4.5)	Required CD2.2 Zone	Proposed	Compliance and/or Relief Requested Justification
Permitted Uses (Section 15.2.1)	Bakery Business Office Child Care Centre Commercial School Confectionery Food Outlet – Take-Out Funeral	Administration / operational offices for a maintenance company and allow for manufacturing uses as additional permitted uses.	Shall comply, subject to the OPA and ZBA being approved.  The proposed use is very similar to some of the uses in the CD2.2, such as light



Zone Regulations (Section 18.4.5)	Required CD2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	Establishment Medical Office Micro-Brewery Personal Service Shop Place of Entertainment and Recreation Place of Worship Professional Studio Public Hall <b>Repair Shop – Light</b> Restaurant Retail Store Veterinary Office <b>Wholesale Store</b> Dwelling Units in a Combined Use Building with any one or more of the above uses Gas Bar Outdoor Market Parking Garage Public Parking Area Tourist Home Existing Automobile Repair Garage Existing Service Station Any use accessory to any of the preceding uses. An Outdoor Storage Yard is prohibited, save and except, in combination with the following main uses: Outdoor Market, Existing Automobile Repair Garage.		repair shop, and wholesale store.  There will be no outdoor storage of goods and materials.
Min. Lot Width	N/A	Existing	Complies



<b>Zone Regulations (Section 18.4.5)</b>	<b>Required CD2.2 Zone</b>	<b>Proposed</b>	<b>Compliance and/or Relief Requested with Justification</b>
Max. Building Height	14.0 m	Existing	Complies
Amenity Area – Per Dwelling Unit – minimum	N/A	N/A	Complies
Max. Gross Floor Area – main building	Bakery or Confectionary – N/A	N/A	Complies
Other	For a Combined Use Building, all dwelling units, not including entrances thereto, shall be located above the non-residential uses.	N/A	Complies
	An Outdoor Market is permitted within a Business Improvement Area. An Outdoor Market is prohibited elsewhere.	N/A	Complies
Min. Parking Spaces Required (Table 24.20.20.5.1)	Warehousing 1 for each 200 m <sup>2</sup> GFA: 24.38 m x 9.14 m = 222.83 m <sup>2</sup> <b>TOTAL = 1.11 (1 rounded down)</b> Other Industrial 1 for each 45 m <sup>2</sup> GFA for the first 2,700 m <sup>2</sup> GFA AND 1 for each additional 180 m <sup>2</sup> GFA : 1,571.09 m <sup>2</sup>	Existing – 7 parking spaces	Shall comply, subject to the OPA and ZBA being approved. A fixed number of parking spaces is requested.



Zone Regulations (Section 18.4.5)	Required CD2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	TOTAL – 34.91 (34 rounded down)  <b>TOTAL COMBINED – 35 parking spaces</b>		

Therefore, the proposed development will comply with all zone provisions set out in the CD2.2 zone with the exception of the following requested relief:

- *Permit a total of 7 existing parking spaces.*

No other zoning relief is required.



## **6.0 SUMMARY AND CONCLUSION**

### **6.1 Context and Site Suitability Summary**

#### **6.1.1 Site Suitability**

The Site is ideally suited for development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic or parking concerns,
- There are no natural heritage concerns,
- There are no cultural heritage concerns,
- There are no hazards, and
- The location of the proposed development is appropriate.

#### **6.1.2 Compatibility of Design**

The existing building has been designed to be compatible with the existing built-up area and incorporates sufficient setbacks and buffering.

There are no external changes to the existing building, which will not change the characteristics of the area.

The proposed development is an appropriate use of the Site and will not cause any noise, dust or vibration.

The proposed development will help diversify employment opportunities needed in the area and provide jobs.

#### **6.1.3 Good Planning**

The proposal represents good planning as it addresses the need for the City to provide economic development and employment opportunities within the settlement area.

The building is existing and is an expansion of an existing commercial use, similar to some of the uses currently permitted in the CD2.2 zone.

There are several similar uses in the immediate area.

The proposed use on the Site represents an efficient development pattern that optimizes the use of land.

The proposed development will not change lotting or street patterns in the area.



The City OP does allow for existing land uses to be expanded subject to criteria.

#### **6.1.4 Natural Environment Impacts**

The proposal does not have any negative natural environmental impacts.

#### **6.1.5 Municipal Services Impacts**

Municipal services are available, which is the preferred form for development.

There are no parking or traffic concerns.

#### **6.1.6 Social, Heritage and/or Economic Conditions**

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, transit, residential, open space and community amenities.

Development in an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposal does not cause any public health and safety concerns. The proposal represents a cost effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

There are no cultural heritage resources that impact the Site.

## **6.2 Conclusion**

In summary, it would be appropriate for Council for the City of Windsor to approve the OPA and the ZBA to permit the proposed development on the Site.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.



**Planner's Certificate:**

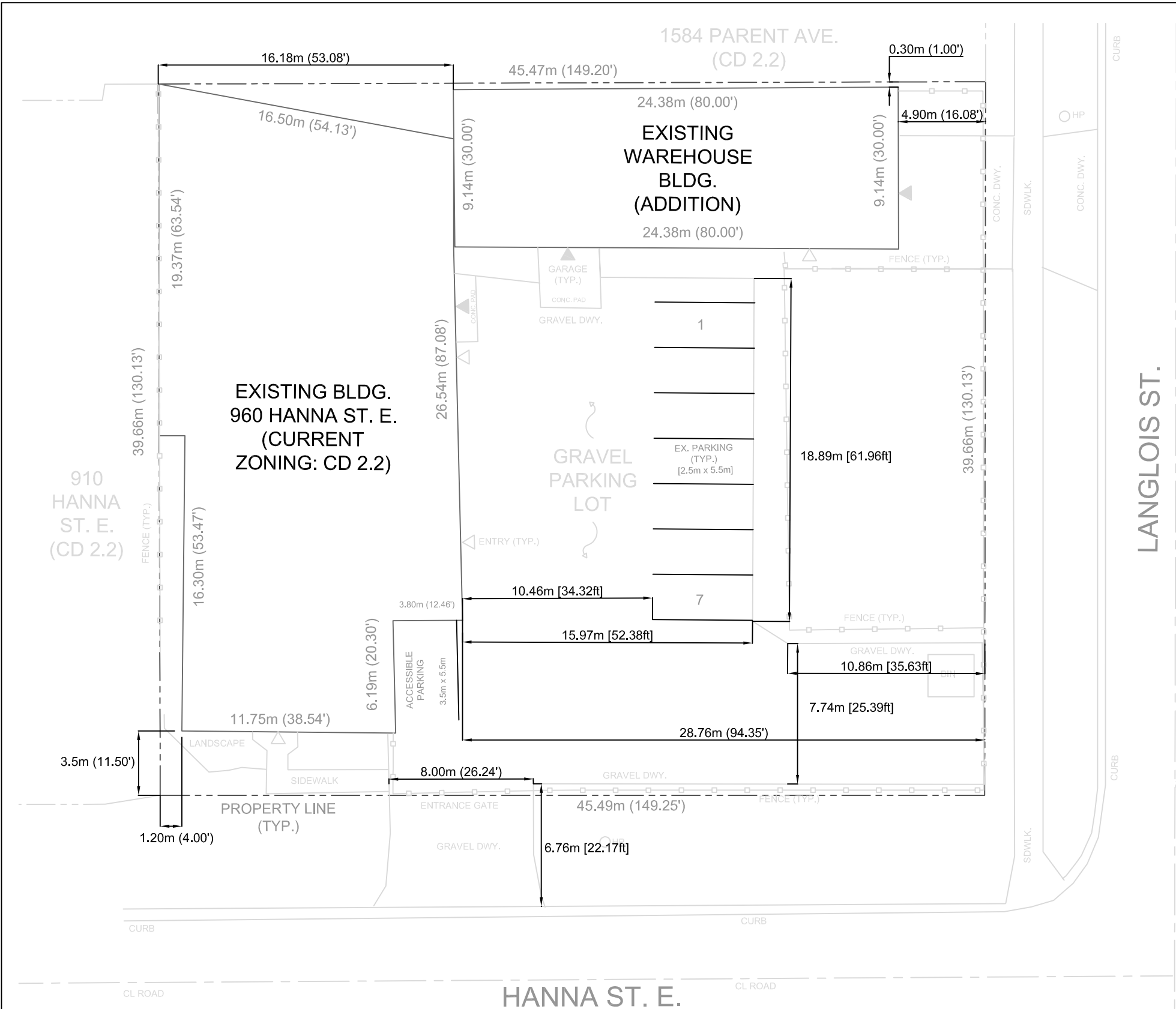
I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



**Tracey Pillon-Abbs, RPP**  
**Principal Planner**







- GENERAL NOTES:**
- 1. DRAWINGS ARE NOT TO BE SCALED.
  - 2. THE LOCATION OF UTILITIES IS APPROXIMATE ONLY AND ARE SHOWN FROM THE MOST CURRENT INFORMATION AVAILABLE.
  - 3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING UTILITY LOCATES PRIOR TO CONSTRUCTION AND PROTECTING THE UTILITIES DURING CONSTRUCTION.
  - 4. ALL WORK SHALL CONFORM TO THE CITY OF WINDSOR AND ONTARIO PROVINCIAL STANDARDS AS APPLICABLE.
  - 5. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED TO PRE-CONSTRUCTION CONDITION OR BETTER.
  - 6. DRAWING/SITE PLAN DOES NOT REPRESENT A LEGAL SURVEY NOR SHOULD BE USED IN PLACE OF ONE..

SITE STATISTICS	
CURRENT ZONING	CD2.2
LOT AREA	19,309 SQ.FT.
BUILDING AREA	7,889 SQ.FT
EX. PARKING SPACES	7 + 1

**REFERENCE:**

ALL LOT DIMENSIONS AND PROPERTY LINES ARE REFERENCED FROM TOPOGRAPHIC SURVEY DONE BY KING ENGINEERING + DESIGN ON MARCH 27, 2024 (SURVEY NOT DONE BY O.L.S., AND FOR REFERENCE PURPOSES ONLY) , DRAWINGS PROVIDED BY CLIENT ON MARCH 22, 2024, AND ONLINE CITY OF WINDSOR GIS MAPPING.

**SITE PLAN**  
SCALE - 1:250

ISSUED FOR:	DATE:	STAMP:
RE-ZONING	2024/04/04	
REVISION (PARKING)	2024/01/09	

1650 Shawnee Rd.  
Tecumseh, ON  
N8N 1S5

SITE PLAN

960 HANNA ST. E.

DATE: 2025/01/09

CITY OF WINDSOR

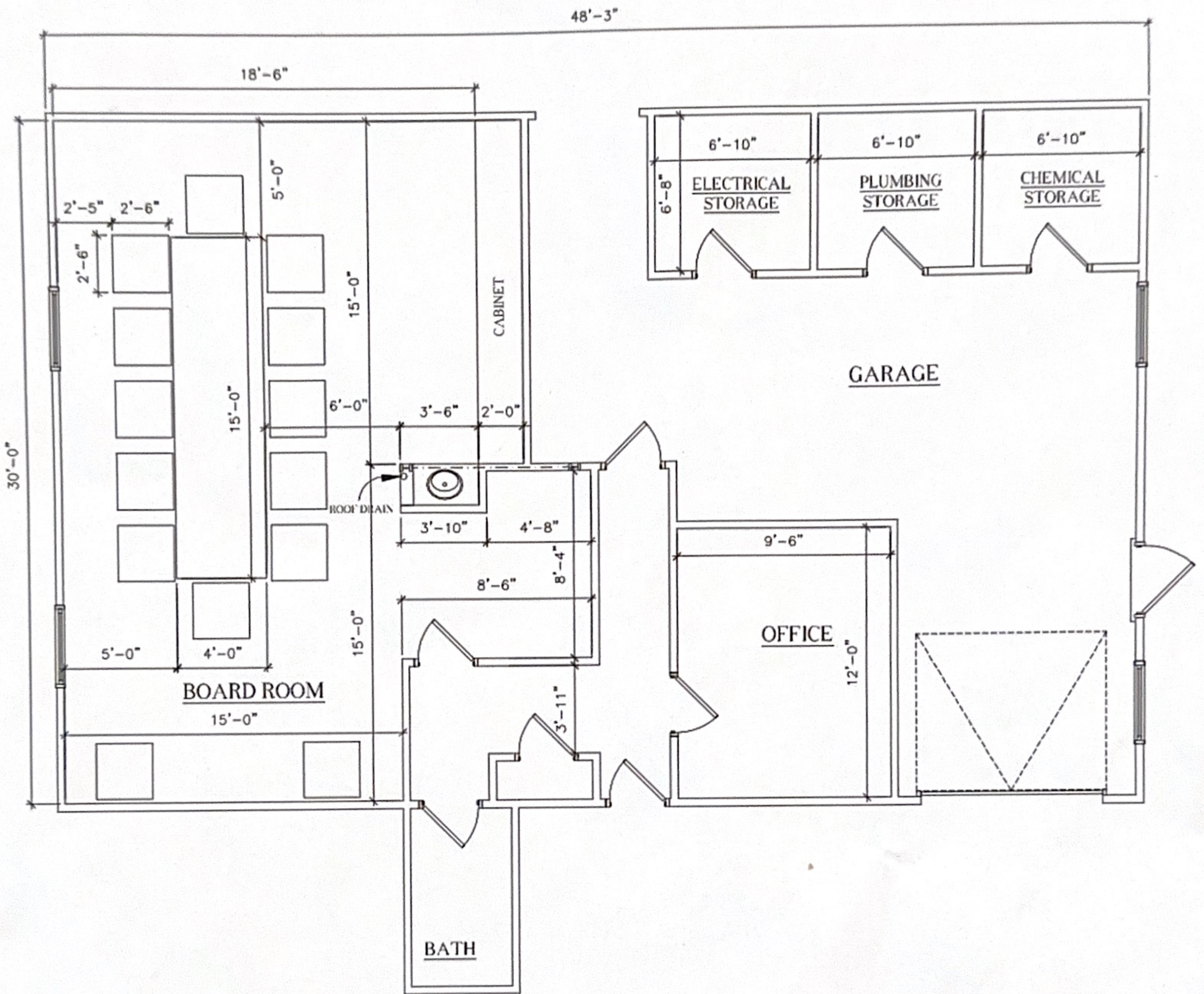
CH'KD BY: JJK

PROJECT No: 24-010

DSGN BY: JJK

DRAWING No: SP-1





AREA

1642 sq.ft

Prelim Floorplan

960 Hanna



## **APPENDIX D – CONSULTATIONS**

### **CITY OF WINDSOR - DEVELOPMENT ENGINEERING – JUAN PARAMO**

**Sewers** - The site may be serviced by a 450mm combined sewer within the Langlois Avenue right-of-way and a 1050mm storm sewer located north of 960 Hanna Street East. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3. The level of service for the sewer system in this area is not expected to experience any significant degradation because of the proposed change in use.

**Right of-Way** - Hanna Street East is classified as a residential Road according to the Official Plan requiring a right-of-way width of 20.1m; the current right-of-way is sufficient, and a conveyance is not required.

In summary we have no objection to the subject proposal.

Contact: Juan Paramo, [jparamo@citywindsor.ca](mailto:jparamo@citywindsor.ca)

### **CITY OF WINDSOR - ENVIRONMENTAL SERVICES – JIM LEETHER**

No Issues.

### **CITY OF WINDSOR - FORESTRY – MITCHELL SCHINKEL**

There are two City owned trees on the property. There is one Private Tree. Based on the site plan provided, no exterior renovations are proposed. There will be no outdoor storage of goods and materials, and the existing building area will remain the same.

Forestry has no further concerns regarding tree preservation currently. Forestry requests the opportunity to review any future landscaping plans in order to provide comment and suggestion regarding new tree species selection, stock types and long-term tree care that would enhance tree survival, performance and aesthetics on-site and would maximize future on-site Tree Canopy and City-wide Tree Canopy Resilience.

Please let us know if you have any further questions regarding Tree Protection and Replacement issues.

### **CITY OF WINDSOR - NATURAL AREAS – KAREN ALEXANDER**

No site plan control is required, so no concerns or comments.

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - SITE PLAN CONTROL**

If parking area is not in compliance with ZBL 8600, Site Plan Control will be required.

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - ZONING COORDINATOR – STEFAN PAVLICA**

Current Zoning: Commercial District 2.2 (CD2.2)

Existing Use: Commercial building (vacant)

Section 5 – General Provisions: COMPLY

Section 15.2.5 – Commercial District 2.2 (CD2.2) - Maximum Building Height [15.2.5.4]:  
Required: 14.0 m; Provided: As Existing



## APPENDIX D – CONSULTATIONS

Section 20 – Site Specific Zoning Exemptions: NOT APPLICABLE

Section 24 – Parking, Loading, and Stacking Provisions: COMPLY

Section 25 – Parking Area Regulations - Construction and Maintenance of Parking Area:

[25.5.10.17] Subject to Section 25.5.1.5, a refuse bin may be located within a parking area and **shall be fully screened by a screening fence having a minimum height of 1.80 metres.**

### CITY OF WINDSOR – RIGHT-OF-WAY – MARK SCHAFFHAUSER

#### Required Drawing Revisions:

1. **Driveway Approaches** – Do not conform to City of Windsor Standards, which must be constructed with straight flares and no raised curbs within the right-of-way.
  - Modify as per Standard Engineering Drawing AS-204.
2. **Sewer Connections** – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.
  - Modify drawings to include all sewer connections and water services.
  - Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
3. **Encroachment Agreement** – There are existing items encroaching into the right-of way, which require either removal or an encroachment agreement to legalize said items.
  - Modify drawings to remove encroaching items or identify that an encroachment agreement with the City of Windsor will be required for the landscaping, boulders and raised curbs along Hanna St. E. and Langlois Ave.

#### Right-of-Way Permit Requirements

**Driveway Approaches** – The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

- Commercial/Industrial Property - Unless otherwise noted, to construct all non-residential driveway approaches of concrete in accordance with City of Windsor Standard Drawing AS-204.

**Encroachment Agreement** – The owner agrees to remove or submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (i.e. landscaping, boulders and raised curbs along Hanna) to the satisfaction of the City Engineer.

**Sewer Connections** – The site is serviced by a 450mm combined sewer located within the Langlois Street right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- Modify drawings to include all sewer connections and water services.



## APPENDIX D – CONSULTATIONS

- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

If you have any further questions or concerns, please contact Dan Perissinotti, of this department at [dperissinotti@citywindsor.ca](mailto:dperissinotti@citywindsor.ca)

### CITY OF WINDSOR – TRANSPORTATION PLANNING – ELARA MEHRILLOU

**Parking** - All parking must comply with ZBL 8600. Parking area must be a hard surface, gravel is not accepted. All parking stalls must be painted including accessible parking space and the access aisle.

**Access** - All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings. The applicant must ensure that the loading/unloading from Langlois Ave access does not block the sidewalk and/or right-of-way. Raised curb and the boulder at the Hanna St E access must be removed.

**Exterior Path** - All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

**Other Comments** - The gate of the fence at Hanna St access must open inward only and does not swing out.

Contact: Ellie MehriLou, [EMehrilou@citywindsor.ca](mailto:EMehrilou@citywindsor.ca).

### ENWIN - HYDRO ENGINEERING - JEREMY ALLOSSERY

No objection provided adequate clearances are achieved and maintained. Take note of the existing overhead, secondary service and communication conductors running along the eastern and southern edges of the property.

### ENWIN - WATER ENGINEERING - BRUCE OGG

ENWIN Water has no objections.

### WINDSOR FIRE & RESCUE SERVICES – MICHAEL COSTE

No issues.





**Committee Matters: SCM 140/2025**

**Subject: Proposed Official Plan Residential Corridor Land Use Designation - City Wide**

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 728 DHSC 705**

1. THAT Official Plan Amendment 194 **BE APPROVED** and Volume 1: The Primary Plan of the City of Windsor Official Plan ("Official Plan") **BE AMENDED** as follows:
  - Chapter 6: Land Use of the Official Plan **IS AMENDED** by adding section 6.3.3 Residential Corridors as shown on Appendix A of this Report.
2. THAT administration **BE DIRECTED** to hold further public consultation on the candidate areas for Residential Corridor designations.
3. THAT administration **BRING BACK** Official Plan amendments to designate the candidate areas as Residential Corridors.

Carried

Councillor Kieran McKenzie voting nay.

Report Number: S 15/2025 AI 10/2025  
Clerk's File: Z2025

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.2 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Proposed Official Plan Residential Corridor Land Use Designation - City Wide**

**Reference:**

Date to Council: March 3, 2025  
Author: Frank Garardo, MCIP, RPP  
Planner III – Policy and Special Studies  
(519) 255-6543 x 6446  
Planning & Building Services  
Report Date: 2/11/2025  
Clerk's File #: Z2025

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

**Recommendation:**

THAT the report of the Planner III – Policy and Special Studies dated February 11, 2025 entitled "Proposed Official Plan Residential Corridor Land Use Designation-City Wide" **BE TABLED** at the Development & Heritage Standing Committee meeting to allow for further discussion and input regarding the proposed Official Plan policies prior to formal consideration by the Standing Committee and Council..

**Executive Summary:**

The City of Windsor is advancing a new Residential Corridor land use designation within its Official Plan to support intensification in alignment with provincial and municipal growth objectives. This initiative follows the completion of intensification studies undertaken as part of Interim Control By-law 103-2020, which temporarily paused multi-unit residential development to allow for further study. These studies identified key locations within the city that can accommodate additional residential density, provided strategies for guiding growth, and assessed how to ensure compatibility within existing neighbourhoods. The findings support directing multi-residential growth to areas with strong transit networks, accessible services, and adequate infrastructure while ensuring an appropriate transition with surrounding areas.

The proposed Residential Corridor designation aims to focus exclusively on housing to optimize infrastructure use, promote residential intensification (e.g. townhouses, stacked rowhouses, and mid-rise apartments), and provide connectivity between mixed-use areas and residential neighbourhoods. The designation is intended to direct growth along arterial and collector roads where frequent transit service is available, helping to increase the range and mix of housing options. The initiative also responds to the Provincial Planning Statement (PPS) 2024, which came into effect on October 20, 2024,



and mandates that municipalities facilitate intensification and housing diversity. The PPS identifies Strategic Growth Areas, including corridors and nodes, as priority locations for higher-density residential and mixed-use development. Windsor's adoption of the Residential Corridor designation aligns with these directives by refining the city's intensification framework to focus growth in appropriate locations.

Policy refinements will expand the city's Intensification Priority Areas to include Residential Corridors, ensuring a balanced transition between higher-density mixed-use areas and low-density residential neighbourhoods. The policy will implement design guidelines that address height, massing, setbacks, and landscape buffering to maintain compatibility. Additionally, zoning by-law updates will help streamline approvals for developments that align with the city's housing strategy.

The Residential Corridor designation is expected to deliver multiple benefits, including encouraging a diverse range of housing options to accommodate different household needs, promoting walkability and transit use by focusing growth along well-served corridors, reducing development pressures on established low-density neighbourhoods, and ensuring sustainable urban expansion. The designation will provide predictability for developers, city staff, and residents by outlining clear policies for intensification that take into account the surrounding neighbourhood character.

Future updates to the Official Plan and Zoning By-law will ensure consistency with Windsor's broader intensification strategy and compliance with provincial directives. The Residential Corridor designation represents a proactive approach to managing growth by fostering complete communities, enhancing housing supply, and optimizing land use while maintaining a high quality of life for Windsor residents.

## **Background:**

On July 13th, 2020, Council approved Interim Control By-law 103-2020 (MRICBL) which paused development on all lands, buildings, and structures for a Group Home, Shelter, Lodging House, and multi-unit residential with five or more dwelling units, unless exempted in the Interim Control By-law, in order to conduct intensification studies. Council approved an extension to By-law 99-2021 on May 18, 2022 for an additional year. The Interim Control By-law was lifted in July 2022 (By-Law 101-2022) with the adoption of an intensification framework in the City of Windsor Official Plan.

To support this initiative, the City engaged a consortium of consultants made up of Municipal Planning Consultants, The Planning Partnership and The Altus Group (the "consultants") to undertake intensification studies to determine the following:

- The appropriate locations within the city that can accommodate additional residential density;
- How to appropriately guide growth to those geographic areas;
- The extent to which a designated area can accommodate growth; and
- How to ensure compatibility within the existing neighbourhood context;



To address the above items, the consultants completed reports on Demographics and Economic Analysis, Multi-Residential Interim Control By-Law Study, and Intensification Guidelines. Some of the recommendations have already been implemented through Official Plan amendments, while others are part of the City's ongoing work program.

## **Key Findings**

The MRICBL Study led to several key findings and recommendations, primarily focused on enabling mixed-use (including multi-unit residential) development along public transit corridors and nodes (major intersections and concentrated land use areas). The reaction from the development community was considered to be supportive, as the resulting amendments sought to streamline the development process by removing the need for Official Plan amendments in some areas of the City.

Key findings include:

- Multi-residential growth should be directed to areas of the city that have:
  - Strong transit and transportation networks
  - Goods and services within walking distance
  - Adequate municipal services
  - Limited development constraints
- To facilitate development in these areas, the following strategies should be employed:
  - Reducing uncertainty in planning approvals by providing clear guidelines
  - Investing in infrastructure improvements, such as Community Improvement grants and land rezoning

Promoting development in designated areas will help reduce pressure for changes in other parts of the city, particularly in local neighbourhoods and surrounding areas.

## **Intensification Framework**

Enabling infilling and intensification within the city aligns with both provincial and municipal objectives. A comprehensive approach to residential intensification provides clarity and certainty for developers and neighbourhoods. The City has a responsibility to identify areas where intensification is appropriate and where more significant planning is necessary. Fundamental principles for this framework include recommendations from the Multi-Residential Interim Control By-law Study Background Report. The framework encourages growth in suitable areas while ensuring compatibility and transition with surrounding neighbourhoods.

At its February 10, 2025 meeting, Council received an update report about the Provincial Planning Statement (PPS), 2024 that came into effect on October 20, 2024. The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the Planning Act, and explicitly states that planning authorities must ensure that all decisions regarding land use planning, development approvals, and municipal planning documents are consistent with the PPS.



All of the policies that fall under Section 2.2 Housing of the PPS are written as specific Provincial directives, with the expectation that municipalities increase the range and mix of housing options and densities across the city.

The PPS 2024 amends the PPS 2020 Housing Policies so that planning authorities shall provide for an appropriate range and mix of housing options and densities by, among other things, permitting and facilitating all types of residential intensification and development, and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential units (Policy 2.2.1.b).

Provincial Planning Statement 2024 now imposes general policies for strategic growth areas defined as:

*areas, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form.*

The recommendations from the PPS report recognized that Planning Authorities across Ontario will have to further review and refine existing planning documents including Official Plans and Zoning by-laws. Some of the future policy updates described in this report included:

- Expanding on the existing Intensification Framework of mixed-use centres, nodes and corridors by establishing residential corridors and identifying all of them as Strategic Growth Areas;
- Refining the existing corridors and nodes within strategic growth areas which provide an appropriate type and scale of developments;
- Implementing Intensification Targets within designated growth areas;
- Reviewing and updating Chapter 3: Urban Growth Strategy of the Official Plan to identify the Designated Growth Areas (Sandwich South) and Strategic Growth Areas (centres, nodes and corridors), and to establish density and intensification targets respectively;
- Reviewing and updating Chapter 6: Land Use of the Official Plan to implement the Strategic Growth Areas and to ensure compatible intensification of the Strategic Growth Areas and neighbourhoods; and,
- Reviewing and updating the Additional Dwelling Unit (ADU) Official Plan policies and Zoning Bylaw regulations based on monitoring development activity and to comply with the recently released Ontario Regulation 462/24 (November 20, 2024).

At the February 10, 2025 Council meeting; Council approved the following recommendation to review the existing intensification framework to include residential corridors as follows:

*THAT administration BE DIRECTED to review and refine Windsor's existing intensification framework of mixed use centres, nodes and corridors to include residential corridors and identify all of the areas*



*identified for intensification as Strategic Growth Areas in conformity with section 2.4.1 of the Provincial Planning Statement, 2024...*

The Provincial Planning Statement (PPS), 2024 is a streamlined province-wide land use planning policy framework that replaces the previous Provincial Policy Statement 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the Growth Plan), while building upon housing-supportive policies from both documents.

## **Discussion:**

## **Implementation**

The framework for the above recommendations has been integrated into the Official Plan through Official Plan amendment 159, which outlines an intensification strategy and corresponding guidelines. Other recommendations remain part of the City's ongoing work program.

The Official Plan implements a macro policy direction around infill and intensification. This policy direction focuses intensification to areas that can support it and where it is most appropriate – places that have access to transit, goods, services, and infrastructure. The intensification has been guided to “Intensification Priority Areas” made up of Mixed-Use Centres, Mixed-Use Corridors and Mixed-Use Nodes.

Currently, the Official Plan (OPA 159) provides a one-size-fits all approach to intensification across all identified “Intensification Priority Areas”. However, recognizes the need for flexibility by adopting the corresponding City of Windsor's intensification/Design guidelines. These guidelines recognize that neighborhoods across the City vary, and therefore, intensification should be tailored to the specific needs and characteristics of each area. The policies and regulations guiding development should reflect this diversity. Below is a summary of previous phases of work completed as part of the Official Plan residential intensification projects within the City of Windsor:

<u><i>Regional Centres become Mixed Use Centres</i></u>	<ul style="list-style-type: none"><li>• Permit Medium and High profile residential and mixed-use buildings.</li><li>• The Zoning By-law would utilize separate zones to regulate the height of buildings adjacent to low profile residential uses, ensuring an appropriate transition</li><li>• Design Guidelines will provide additional development details/examples</li></ul>
<u><i>Mixed Use Corridors</i></u>	<ul style="list-style-type: none"><li>• Permit Medium and High profile residential buildings</li><li>• Parkland dedication and Parking requirements revised to encourage intensification</li><li>• The Zoning By-law to regulate height adjacent to low profile residential areas, ensuring an appropriate transition</li></ul>



	<ul style="list-style-type: none"> <li>• Direction regarding permitting non-residential uses on ground floor or requiring non-residential uses on the ground floor would be included in policy</li> <li>• The Zoning By-law to regulate areas where ground floor non-residential uses are required.</li> <li>• Design Guidelines will provide additional development details/examples</li> </ul>
<u>Mixed Use Nodes</u>	<ul style="list-style-type: none"> <li>• Permit medium profile buildings up to 20 m</li> <li>• The Zoning By-law to regulate height adjacent to low profile residential areas, ensuring an appropriate transition</li> <li>• Require 50 per cent of ground floor facing arterial or collector roads to be non-residential uses.</li> <li>• Parkland dedication and Parking requirements revised to encourage intensification</li> <li>• Zone Nodes to permit residential and mixed use areas</li> <li>• Design Guidelines will provide additional development details/examples</li> </ul>
<i>Low Profile Residential Areas – Stable Neighborhoods</i>	<ul style="list-style-type: none"> <li>• Policies to protect character through limits of gross floor area and height</li> <li>• Zoning By-law revised to include maximum height (9.0 m) and</li> <li>• Maximum gross floor area (400 sq m)</li> <li>• Require design brief as part of application process to define character and demonstrate compatibility</li> <li>• Design Guidelines will provide additional development details/examples</li> </ul>
<i>Design Guidelines - to address built form and transition in heights</i>	<ul style="list-style-type: none"> <li>• City of Windsor Intensification as the Design Guidelines referenced in the Official Plan to evaluate Infill and Intensification development proposals.</li> </ul>

## Growth Strategy/Strategic Growth Areas

In October 2024, the Provincial Planning Statement 2024 was released and implements a series of changes regarding planning for future growth. The PPS introduces new land-use planning rules designed to provide municipalities with the tools and flexibility needed to meet housing targets while addressing local challenges and priorities. Notably, the PPS introduces policies for strategic growth areas that emphasize complete communities, a range and mix of housing options, and intensification goals.



The PPS 2024 emphasizes the need for municipalities to promote growth within Strategic Growth Areas, which include areas, nodes, and corridors served with frequent transit, similar to the existing “intensification priority areas” identified in the City of Windsor Official Plan.

Planning authorities are encouraged to identify and focus growth and development in strategic growth areas. *(Policy 2.4.1) Planning authorities should:*

- a) Prioritize planning and investment for infrastructure and public service facilities in strategic growth areas;*
- b) Identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas;*
- c) Permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;*

Additionally, the PPS 2024 introduces Policy 2.4.3, which mandates that planning authorities plan for intensification on lands adjacent to existing and planned frequent transit corridors. *“Frequent transit” is defined as public transit services that run at least every 15 minutes in both directions, throughout the day and into the evening,...”*

## **Work Programs**

These Provincial directives are in keeping with the City of Windsor’s existing focus on intensification priority areas, reinforcing the City’s ongoing efforts to promote development within corridors with access to transit, goods, services, and optimizing infrastructure.

As a continuation of Provincial legislation and part of an ongoing work program for the City; Official Plan amendments will continue to be undertaken to provide refinements within the existing growth strategy and intensification framework.

As an initial step, amendments will be initiated for land uses that relate to intensification priority areas within the City. Policy refinements and a new land use designation is being proposed, which would facilitate housing options and densities in areas that can support it, while taking into consideration the transition of built form to adjacent areas and key provisions within the City of Windsor Intensification/Design Guidelines. A Residential Corridor land use designation and draft policy is being proposed.

The proposed policy objectives:

- Focus exclusively on housing
- Revisit existing intensification priority areas where surrounding land uses are predominately residential
- Focus on areas which include frequent transit
- Provide connectivity between mixed-use areas and neighbourhoods
- Provide guidelines for residential intensification on corridors where the surrounding land uses are primarily low profile residential



- Increase the range of housing options and densities to be realized through redevelopment, while taking into consideration the surrounding neighbourhood characteristics
- Provide objectives for modest intensification in areas which exhibit a characteristic lotting and/or development profile (i.e existing developed residential lot patterns)
- Provide opportunity for higher density intensification in areas which exhibit a characteristic lotting and/or undeveloped profile (i.e existing larger undevelopment lot patterns)
- Focus on residential redevelopment within corridors (Arterial and Collector roads) to increase housing options and facilitate the transition of built form to adjacent areas
- Focus on a net increase in residential units to facilitate intensification and infill development in existing areas of the city by reducing the requirement for development applications in some circumstances.
- Continue to implement the recommendations from OPA 159, while providing further direction in the policy as they relate to the adopted City of Windsor intensification/design guidelines and built form
- Provide predictability for applicants, the City, and stakeholders, by providing consistent direction about the criteria for the design of proposed development
- Provide opportunities for clarity and streamlining applications
- Provide policy objectives for the expansion of growth areas to accommodate future growth. Policies can be expanded to future areas within the City of Windsor
- Expand on Provincial direction for identifying strategic growth areas within the City of Windsor Official Plan.

## **Benefits of Establishing the Residential Corridor Designation**

The Residential Corridor Land Use Designation in the Official Plan would serve as a key policy tool to facilitate a gradual transition between high-intensity Mixed-Use Nodes and Corridors and established lower-density residential neighborhoods. Through well-defined policies, it enables a balanced approach to growth by introducing moderate-density housing types, such as townhomes, stacked rowhouses, and mid-rise apartments, in strategically located corridors. These policies help prevent abrupt shifts in building height and density by promoting context-sensitive development that complements surrounding areas. Design guidelines ensure that setbacks, step-backs, landscaping, and architectural treatments create a smooth visual and functional transition, maintaining neighborhood character while supporting increased housing diversity. Additionally, Residential Corridor policies emphasize enhanced connectivity, pedestrian-oriented design, and transit access, reinforcing walkability and reducing reliance on private vehicles. By providing a structured framework for density increases while preserving livability, the Residential Corridor designation plays a crucial role in promoting sustainable, well-integrated growth within the urban fabric.



- Encourage a range of housing types, including townhomes, stacked rowhouses, mid-rise apartments, and live-work units, to accommodate different household needs.
- Support affordable housing opportunities by allowing increased density in well-served areas while maintaining livability.
- Promote aging-in-place strategies by integrating housing options that support seniors, young professionals, and families.
- Establish gradual transitions from high-intensity Mixed-Use Nodes and Corridors to lower-density residential neighborhoods.
- Prevent abrupt shifts in building height, density, and activity levels by integrating medium-density housing such as townhouses and low-rise apartments.
- Use landscaping, setbacks, and architectural design to maintain compatibility with adjacent areas.
- Facilitate moderate-density growth in areas with strong transit connectivity and access to community amenities.
- Reduce development pressures in established neighborhoods by directing growth to designated corridors.

### **Residential Corridor Range of Permitted Uses**

The Residential Corridor land use designation aims to support the development of housing options while respecting the character of existing residential areas. The permitted uses focus on residential forms that complement the surrounding areas including low profile residential development and smaller multiple dwellings. The Residential Corridor would recognize existing low profile residential uses to not create legal-non-conforming circumstances, while permitting an increase in density. The policy would include some flexibility for permitting medium and higher density development within residential corridors in carefully considered circumstances, particularly where there is opportunity for growth without disrupting the established parcel fabrics.

Uses permitted in the Residential Corridor land use designation are generally low-profile residential uses, as well as institutional uses that are generally no more than three stories height.

In addition to the permitted uses in a Residential Corridor; Council may permit medium and high-density residential development and profiles provided:

- The proposal is located within a largely undeveloped area which does not have a characteristic lot or development profile;
- Council is satisfied that the proposal provides appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane;



- The proposal is located on a site of suitable size for the proposed development, and shall provide adequate landscaping, on-site amenity features and spaces, on-site waste pickup, on-site parking, buffering and on-site stormwater management features.

### **Examples of Residential Corridors Structures (Appendix A)**

- Wyandotte Street East (Fairview Blvd intersection)
- St Anne's Arms/Lesperance Road samples (Tecumseh)
- Walker Road - Walkerville Stones

### **Where they would be**

The Residential Corridor designation is intended to guide development in areas where growth can be thoughtfully integrated with existing infrastructure. Residential Corridors are ideally located on certain collector and arterial roads where full municipal services and frequent transit opportunities are available or planned to be available. Furthermore the locations should be well positioned to connect to mixed use areas, ensuring that development serves as a transition from low density residential areas to higher density mixed use areas.

Residential Corridor development shall be located where:

- there is direct access to Class I or Class II Arterial Roads or Class I Collector Roads;
- full municipal physical services can be provided; and
- there is a logical connectivity to Mixed Use Corridors, Mixed Use Nodes, and Mixed Use Centres
- can create gradual transitions between lower-density neighbourhoods and higher-density mixed use centres, mixed-use nodes, and mixed-use corridors;
- public transportation services and alternative forms of transportation are accessible; available or are planned to be available;

### **Evaluation Criteria**

The purpose of the evaluation policies is to provide a framework for assessing new developments within a residential corridor. The policies outline considerations and criteria to be used when reviewing development applications. The policy reflects an evaluation based on certain criteria including the existing parcel fabrics as it relates to lot sizes, lot depths, massing, and the relationship to adjacent buildings. Proposed evaluation criteria includes consideration of the following:

- compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- the consideration of transitions in height and density to adjacent buildings;



At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed development within a Residential Corridor is:

- feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
  - within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
  - within a site of potential or known contamination;
  - where traffic generation and distribution is a provincial or municipal concern; and
  - adjacent to sensitive land uses and/or heritage resources.
- in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;
- capable of being provided with full municipal physical services and emergency services;
- provided with adequate off-street parking;
- compatible with adjacent land uses including matters such as shadowing, overview, noise, lighting, traffic, and other nuisance effects;
- compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- the consideration of transitions in height and density to adjacent buildings;

### **Extending or Establishing New Corridors**

As the City of Windsor continues to experience growth and development pressures, the need for new or extended Residential Corridors will become more evident. The expansion or extension of new Residential Corridors will be carefully considered to ensure that they align with the overall vision of the Official Plan. The policies for establishing or extending new Residential Corridors reflect the following considerations:

Council will only designate or extend a Residential Corridor when the Municipality is satisfied that:

- there is demonstrated market demand for residential development, and the need for diverse housing options;
- new forms of residential development can be achieved in a way that is compatible with the surrounding neighbourhood;
- the environmental, traffic, and infrastructure impacts can be addressed;
- It can be coordinated with major infrastructure improvements along the proposed corridor;
- existing Residential Corridors have seen significant progress towards intensification;
- expansion will provide continuity and not impact existing lotting patterns;



- the area represents a logical extension of growth for the corridor, and can appropriately integrate with existing development

## **Design Guidance – Compatibility**

In planning terms, compatibility refers to the ability of land uses or developments to coexist, even when they are not identical or similar. The definition of “compatible” most often referred to can be found in *Motisi v. Bernardi*, 1987 CarswellOnt 3719, (1987) O.M.B.D. No. 2, 20 O.M.B.R. 129:

*Being compatible with is not the same thing as being the same as. Being compatible with is not even the same thing as being similar to. Being similar to implies having a resemblance to another thing; they are like one another, but not completely identical. Being Compatible with implies nothing more than being capable of existing together in harmony.*

In evaluating development proposals within a Residential corridor, the design policies are intended to foster development that is compatible and complementary to the existing characteristics. The design guidance focuses on connectivity to mixed use areas, site orientation, pedestrian-friendly design, and minimizing disruptive traffic impacts.

The following guidelines shall be considered when evaluating the proposed design of a development within a Residential Corridor:

- the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;
- the provision of appropriate landscaping or other buffers to:
  - enhance all parking lots, and outdoor loading and service areas; and
  - enhance the separation between the use and adjacent sensitive uses, where appropriate;
- where possible, parking is located in the rear of the buildings to create continuous building facades adjacent to the street;
- Council will encourage Residential Corridor development to provide a continuous street frontage and presence.
- measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is distinguishable from access provided for vehicles;
- minimize the number of vehicular access points to the adjacent Class I or Class II Arterial Roads or Class I Collector Roads;
- Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies;
- Council may adopt a Special Policy Areas to provide additional detail for addressing specific planning issues affective or characterizing a defined Residential Corridor.



In addition to the above design guidelines, Council may go beyond the residential corridor and address specific planning issues or unique characteristics within a particular residential corridor. The use of Special Policy areas and section 20 zoning provisions could provide additional guidance on addressing development challenges.

## **Provincial Planning Statement (PPS) 2024**

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

The vision of the PPS focuses growth and development within urban settlement areas, that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Planning authorities are encouraged to permit and facilitate a range of housing options, including residential intensification, to respond to current and future needs. Land use patterns should promote a mix of housing, including opportunities for infill and intensification that support a broad range of housing options. Specific Provincial Policy that applies to housing and growth are summarized below.

### **2.1 Planning for People and Homes**

Policy 2.1.6 states:

*Planning authorities should support the achievement of complete communities by:*

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

Land use policies would focus on residential intensification, further diversifying the range and mix of housing options available within the City of Windsor. Intensification could provide more options for individuals who wish to live or remain within the Planning Areas however prefer an alternative form of housing.

### **2.2 Housing**

Policy 2.2.1 states:

*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*



- c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
- d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

Official Plan policies will continue to guide intensification to areas which optimize the existing municipal infrastructure and public service facilities, and avoid unnecessary land consumption.

Policy 2.2.1(b)(2) states that: *all types of residential intensification, including the ...., development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

Official Plan policies would focus on providing a range of housing and opportunities for net increase in residential units.

## **2.3 Settlement Areas and Settlement Area Boundary Expansions**

### **2.3.1 General Policies for Settlement Areas**

**2.3.1.1** - *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

**2.3.1.2** - *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*

- a) *efficiently use land and resources,*
- b) *optimize existing and planned infrastructure and public service facilities,*
- c) *support active transportation,*
- d) *are transit-supportive, as appropriate*

**2.3.1.3** - *Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

Official Plan policies will continue to allow for the redevelopment of lands within settlement areas through intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.

## **2.4 Strategic Growth Areas**

### **2.4.1 General Policies for Strategic Growth Areas**

Planning authorities are encouraged to identify and focus growth and development in *strategic growth areas*.



Planning authorities should:

- a) *prioritize planning and investment for infrastructure and public service facilities in strategic growth areas;*
- b) *identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas;*
- c) *permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;*

Official Plan policies will focus on identifying areas which can strategically support growth and intensification, while providing guidance for transition of built form to adjacent areas.

### **2.4.3 Frequent Transit Corridors**

*Planning authorities shall plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.*

Intensification would be promoted along major roads which can support frequent transit opportunities. Residential Corridors would be proposed in areas which include public transportation or multi-modal transportation options.

## **2.9 Energy Conservation, Air Quality and Climate Change**

**Policy 2.9.1** - *Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:*

- a) *support the achievement of compact, transit-supportive, and complete communities*

## **Chapter 3: Infrastructure and Facilities**

### **3.6 Sewage, Water and Stormwater**

**Policy 3.6.2** - *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems*

### **City of Windsor Official Plan (OP)**

**Growth Concept, S 3.2, OP Vol 1:** “The policies of this Plan are directed toward accommodating the projected growth through practical and efficient land use management strategies that promote a compact pattern of development and balanced transportation system. Compatible residential, commercial and employment growth will be directed to appropriate locations within existing and planned neighbourhoods to reduce development and infrastructure costs and provide opportunities to live, work and shop in close proximity”.



**Infrastructure, s. 7.0 of OP Vol. 1:** “The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion”.

Official Plan amendments would continue to ensure that the goals and objectives of the plan allow for the orderly development of land.

### **Financial Matters:**

There are no immediate financial implications with the tabling of this report.

### **Risk Analysis:**

#### **Climate Change Risks**

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

The proposed Residential Corridor land use designation and policy direction implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas.

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

Redevelopment within the proposed Residential Corridor land use designation may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices.

### **Consultations:**

This report is being tabled to facilitate discussion and input regarding proposed Official Plan changes. Courtesy notice was provided in the Windsor Star. Further notification in the Windsor Star is mandatory under the Planning Act prior to the formal consideration of any amendments to the Official Plan or Corresponding Zoning By-Law by the Development and Heritage Standing Committee.

### **Planners Opinion:**

This report provides an overview of draft policy initiatives as it relates to a Residential Corridor land use designation within the City of Windsor Official Plan. Further refinements and input is being sought by tabling the report at the Development and Heritage Standing Committee.

### **Conclusion:**

This report has been prepared to provide further information on draft policy initiatives within the City of Windsor Official Plan.



## Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*  
Deputy City Planner - Development

*Neil Robertson, MCIP, RPP*  
City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

## Approvals:

Name	Title
Frank Garardo	Planner III – Policy and Special Studies
Jason Campigotto	Deputy City Planner - Growth
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Janice Guthrie acting for Joe Mancina	Chief Administrative Officer

## Notifications:

Name	Address	Email

## Appendices:

### 1. Appendix A – Examples of Residential Corridor Structure Types



## Appendix A

Wyandotte Street East (Fairview Blvd intersection) – low-rise multiple dwelling





Lesperance Road (Town of Tecumseh)- Low rise multiple dwellings









Walkerville Stones- Walker Road





**Subject: Additional Information Memo to S 15/2025 - Official Plan Amendment 194- Residential Corridor Land Use Policy- City Wide**

**Reference:**

Date to Council: May 5, 2025  
Author: Frank Garardo MCIP, RPP  
Planner III - Special Projects  
519-255-6543 (ext. 6446)  
Planning & Building Services

Report Date: 4/10/2025  
Clerk's File #: Z2025

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

**Subject: Additional Information Memo to S15/2025,**

**Additional Recommendations for Report # S15/2025:**

1. THAT Official Plan Amendment 194 **BE APPROVED** and Volume 1: The Primary Plan of the City of Windsor Official Plan ("Official Plan") **BE AMENDED** as follows:
  - Chapter 6: Land Use of the Official Plan **IS AMENDED** by adding section 6.3.3 Residential Corridors as shown on Appendix A of this Report.
2. THAT administration **BE DIRECTED** to hold further public consultation on the candidate areas for Residential Corridor designations.
3. THAT administration **BRING BACK** Official Plan amendments to designate the candidate areas as Residential Corridors.

**Background:**

The Development & Heritage Standing Committee (DHSC) considered report S15/2025 concerning the advancement of new Official Plan Policy at their March 5, 2025 meeting.

DHSC approved the following motion:

*THAT the report of the Planner III – Policy and Special Studies dated February 11, 2025 entitled "Proposed Official Plan Residential Corridor Land Use Designation-City Wide" **BE TABLED** at the Development & Heritage Standing Committee meeting to allow for*



*further discussion and input regarding the proposed Official Plan policies prior to formal consideration by the Standing Committee and Council.*

The purpose of this memo is to provide an update and recommendations on the proposed Official Plan Amendment (OPA194) - Residential Corridor Land Use Policy. The original report (S15/2025) included the policy framework for introducing a new land use policy in the Official Plan.

## **Discussion:**

### **Proposed Residential Corridor Land Use Policy**

The proposed amendment introduces a new land use designation and corresponding policies that will increase the range of housing options and densities in areas that have access to transit, goods and services, infrastructure, etc., while taking into consideration the transition of built form to adjacent areas and key provisions within the City of Windsor Intensification/Design Guidelines.

### **Permitted Uses**

The permitted uses focus on residential forms that complement the surrounding areas including low profile residential development and "missing middle" housing types like triplexes, townhouses, stacked dwellings, and low to mid-rise apartments.

The Residential Corridor would recognize existing low profile residential uses to not create legal-non-conforming circumstances, while permitting an increase in density. The policy would include some flexibility for permitting medium and higher density development within residential corridors in carefully considered circumstances, particularly where there is opportunity for growth and sufficient area to provide a separation and/or transition to existing low profile development.

Uses permitted in the Residential Corridor land use designation are generally low-profile residential uses, as well as institutional uses that are generally no more than three stories height. In addition to the permitted uses in a Residential Corridor; Council may permit higher density medium and high-profile residential development provided:

- The proposal is located within a largely undeveloped area which does not have a characteristic lot or development profile;
- Council is satisfied that the proposal provides appropriate transitions to abutting lower scale development. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane;
- The proposal is located on a site of suitable size for the proposed development, and shall provide adequate landscaping, on-site amenity features and spaces, on-site waste pickup, on-site parking, buffering and on-site stormwater management features.



## **Locational Criteria**

The Residential Corridor designation is intended to guide development in areas where growth can be thoughtfully integrated with existing infrastructure. Residential Corridors are ideally located on select collector and arterial roads where full municipal services and frequent transit opportunities are available or planned to be available. Furthermore the locations should be well positioned to connect to mixed use areas, ensuring that development serves as a transition from low density residential areas to higher density mixed use areas.

Residential Corridor development shall be located where:

- there is direct access to Class I or Class II Arterial Roads or Class I Collector Roads;
- full municipal physical services can be provided;
- there is a logical connectivity to Mixed Use Corridors, Mixed Use Nodes, and Mixed Use Centres;
- gradual transitions between lower-density neighbourhoods and higher-density mixed use centres, mixed-use nodes, and mixed-use corridors can be achieved; and
- public transportation services and alternative forms of transportation are accessible; available or are planned to be available;

## **Evaluation Criteria**

The purpose of the evaluation policies is to provide a framework for assessing new developments within a residential corridor. The policies outline considerations and criteria to be used when reviewing development applications. The policy reflects an evaluation based on certain criteria including the existing parcel fabrics as it relates to lot sizes, lot depths, massing, and the relationship to adjacent buildings. Proposed evaluation criteria includes consideration of the following:

- compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- the consideration of transitions in height and density to adjacent buildings;
- feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
  - within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
  - within a site of potential or known contamination;
  - where traffic generation and distribution is a provincial or municipal concern; and
  - adjacent to sensitive land uses and/or heritage resources.
- in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;



- capable of being provided with full municipal physical services and emergency services;
- provided with adequate off-street parking;
- compatible with adjacent land uses including matters such as shadowing, noise, lighting, traffic, and other nuisance effects;
- compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- the consideration of transitions in height and density to adjacent buildings;

**Recommendation 1 is recommending that the City of Windsor Official Plan policies be amended as shown on Appendix A.**

### **Next Steps- Locations**

As an initial step, it is recommended that a refinement of previously identified “intensification priority areas” be undertaken. The candidate locations listed below are situated within predominately residential areas and are well-suited to accommodate additional housing. These areas benefit from direct access to public transit, bike lanes, and pedestrian walkways, making them strong candidates for Residential Corridor policies.

These locations were originally identified as “intensification priority areas” during the Official Plan amendment 159 process which implemented uniform policies across the City of Windsor, with the recognition that intensification should be tailored to the specific needs and characteristics of each area. The Residential Corridor land use designation builds upon the intensification framework and provides more detailed guidance based on the characteristics of the area.

**Howard Avenue:** The corridor on Howard Avenue from Cabana Road West to Division Road is currently undergoing a guideline plan to identify more detailed planning framework for the area. The attributes of the area include large, underutilized lots which include opportunities for medium to higher density residential development along the corridor. Furthermore, the area is well positioned to connect to already existing mixed-use centres located to the North. Designating this area as a Residential Corridor would provide direction for future residential intensification projects.

**Wyandotte Street East:** Wyandotte Street East is currently designated as a mixed-use corridor which includes a variety of sections which include low density residential, medium density residential, mixed use, and commercial areas. The existing areas with low profile homes are ideal candidates for contextually appropriate residential intensification with gradual transitions to the higher density sections.

**Cabana Road West:** The corridor between Randolph Street and Howard Avenue includes predominantly low profile residential development with existing lotting patterns which resemble typical low density residential lots. A residential corridor designation would continue to encourage a net increase in residential units, with the additional



policies in the residential corridor outlining the necessary transition requirements for the type and scale of development.

**Lauzon Road:** The corridor between Wyandotte St E and St. Rose Ave includes predominantly low profile residential development with existing lotting patterns which resemble typical low density residential lots. A residential corridor designation would continue to encourage a net increase in residential units, with the additional policies outlining the necessary transition requirements for the type and scale of development.

Administration would host further public consultation on the candidate areas, including open house events with an opportunity for public consultation prior to Council consideration.

## **Provincial Planning Statement (PPS) 2024**

The Provincial Planning Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

The vision of the PPS focuses growth and development within urban settlement areas, requires that land use be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Planning authorities are encouraged to permit and facilitate a range of housing options, including residential intensification, to respond to current and future needs. Land use patterns should promote a mix of housing, including opportunities for infill and intensification that support a broad range of housing options.

## **Financial Matters:**

There are no immediate financial implications with adoption of these recommendations. The implementation of the recommendations from this report and subsequent Zoning By-law Amendments will provide more housing options in a fiscally responsible way.

## **Consultations:**

A meeting of the Development & Heritage Standing Committee was held on March 3, 2025 to discuss the Background Report and preliminary direction coming from the recommendations. This meeting was advertised in the Windsor Star and open to the public.

An in-person public engagement event was held at City Hall on April 22, 2025 between the hours of 4:00-6:00pm to present and consult the public on the draft Official Plan Amendment. Additionally, a virtual public engagement session was held on April 22, 2025 between the hours of 6:30-7:30pm.

A lets talk-Windsor interactive site has been made available to invite the public to share further feedback, ideas, and questions on the proposed Policy.

Courtesy notice was provided in the Windsor Star.



## Conclusion:

This report has been prepared to provide further recommendations on draft policy initiatives within the City of Windsor Official Plan. The original report (S15/2025) included the policy framework for introducing a new land use policy in the Official Plan.

## Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*  
Deputy City Planner - Development

*Neil Robertson, MCIP, RPP*  
City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

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Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

## Appendices:

1. Appendix A – Official Plan Amendment 194
2. Appendix B – Public Engagement Comments



## **APPENDIX A**

### **PROPOSED AMENDMENT TO THE OFFICIAL PLAN CITY OF WINDSOR**

Part B (Details of the Amendment) contained in the following text of  
the City of Windsor Official Plan constitute  
Proposed Amendments

Also included, but not constituting part of the Amendment are Part A  
(Basis); Part C (Implementation)



This Official Plan Amendment contains the following Parts:

Part A: Basis

Part B: Details of the Amendment

Part C: Implementation

DRAFT



## **PART A: BASIS**

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### **1.0 PURPOSE**

#### **RESIDENTIAL CORRIDORS**

Land use policies are being proposed to provide a framework for residential redevelopment within intensification priority areas where present and future residents will be in proximity to goods and services, public transportation and employment areas.

The proposed Residential Corridor land use designation is intended to encourage residential development that supports compatible residential development, while acknowledging the transition of the proposed built form to adjacent areas. Land uses within a Residential Corridor will focus exclusively on opportunities for housing while optimizing the use of existing infrastructure and transit.

### **2.0 LOCATION AND DESCRIPTION OF LANDS AFFECTED BY THE AMENDMENT**

The amendment would affect lands on *Schedule D: Land Use* of the City of Windsor Official Plan designated as Residential Corridor.

### **3.0 BACKGROUND**

The Official Plan implements a macro policy direction around infill and intensification. This policy direction focuses intensification to areas that can support it and where it is most appropriate – places that have access to transit, goods and services, and infrastructure. The intensification has been guided to “Intensification Priority Areas” made up of Mixed-Use Centres, Mixed-Use Corridors and Mixed-Use Nodes.

Currently, the Official Plan provides a one-size-fits all approach to intensification across all identified “Intensification Priority Areas”. However, recognizes the need for flexibility by adopting the corresponding City of Windsor intensification Guidelines. These guidelines recognize that neighborhoods across the City vary, and therefore, intensification should be tailored to the specific needs and characteristics of each area. The policies and regulations guiding development should reflect this diversity.



The proposed amendment provides an additional framework for “intensification priority areas” and introduces a new land use designation – Residential Corridors. The Residential Corridor Land Use Designation serves as a key policy tool to facilitate a gradual transition between high-intensity Mixed-Use Nodes and Corridors and established lower-density residential neighborhoods. Through well-defined policies, it enables a balanced approach to growth by introducing housing types, such as townhomes, stacked dwellings, and low to mid-rise apartments, in strategically located corridors.

## **PART B: DETAILS OF THE AMENDMENT**

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Volume 1 of the Official Plan for the City of Windsor is hereby amended as follows:

- 1. Section 6.2.1.1 is hereby amended by adding the following:**
  - x) Residential Corridors**
- 2. Section 6.3 Residential is hereby amended by adding the following section:**

### **6.3.3 Residential Corridor**

*The Residential Corridor land use designation is intended for residential development that supports a range of housing options to optimize the use of existing infrastructure and transit.*

*The Residential Corridor Designation provides a connection between Windsor neighbourhoods and Mixed Use Corridors, Mixed Use Nodes, and Mixed Use Centres.*

*Transit service, cycling and pedestrian facilities are provided or planned to be provided along Residential Corridors. These services are intended to encourage options for multi-modal transportation while also supporting complete communities.*

*Where there is a conflict between the policies of Chapter 3 and the policies of this section, the policies of this Section shall prevail.*



PERMITTED USES	6.3.3.1	Uses permitted in the Residential Corridor land use designation are a range of low-profile residential uses (as defined in policy 6.3.2.3) that are generally no more than three stories in height. Townhomes, low profile apartments, and multiple dwelling structures are encouraged.
NEW OR EXTENDED CORRIDORS	6.3.3.2	<p>Council will only designate or extend a Residential Corridor when the Municipality is satisfied that:</p> <ul style="list-style-type: none"> <li>a) There is demonstrated market demand for residential development, and the need for diverse housing options;</li> <li>b) New forms of residential development can be achieved in a way that is compatible with the surrounding neighbourhood;</li> <li>c) The environmental, traffic, and infrastructure impacts can be addressed;</li> <li>d) It can be coordinated with major infrastructure improvements along the proposed corridor;</li> <li>e) Existing Residential Corridors have seen significant progress towards intensification;</li> <li>f) Expansion will provide continuity and not impact existing lotting patterns; and</li> <li>g) The area represents a logical extension of growth for the corridor, and can appropriately integrate with existing development.</li> </ul>
LOCATIONAL CRITERIA	6.3.3.3	<p>Residential Corridor development shall be located where:</p> <ul style="list-style-type: none"> <li>a) there is direct access to Class I or Class II Arterial Roads or Class I Collector Roads;</li> <li>b) full municipal physical services can be provided;</li> </ul>



- c) *there is a logical connectivity to Mixed Use Corridors, Mixed Use Nodes, and Mixed Use Centres;*
- d) *gradual transitions between lower-density neighbourhoods and higher-density mixed use centres, mixed-use nodes, and mixed-use corridors can be achieved; and*
- e) *public transportation services and alternative forms of transportation are accessible; available or are planned to be available;*

*EVALUATION  
CRITERIA OF  
DEVELOPMENT  
WITHIN A  
RESIDENTIAL  
CORRIDOR*

**6.3.3.4**

*At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed development within a Residential Corridor is:*

- (a) *feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
  - (i) *within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
  - (ii) *within a site of potential or known contamination;*
  - (iii) *where traffic generation and distribution is a provincial or municipal concern; and*
  - (iv) *adjacent to sensitive land uses and/or heritage resources.*
- (b) *in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;*



- (c) *capable of being provided with full municipal physical services and emergency services;*
- (d) *provided with adequate off-street parking;*
- (e) *compatible with adjacent land uses including matters such as shadowing, noise, lighting, traffic, and other nuisance effects;*
- (f) *compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;*
- (g) *the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;*
- (h) *the consideration of transitions in height and density to adjacent buildings;*

*DESIGN  
GUIDELINES*

**6.3.3.5**

*The following guidelines shall be considered when evaluating the proposed design of a development within a Residential Corridor:*

- (a) *the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;*
- (b) *the provision of appropriate landscaping or other buffers to:*
  - i) *enhance all parking lots, and outdoor loading and service areas; and*
  - ii) *enhance the separation between the use and adjacent sensitive uses, where appropriate;*
- (c) *where possible, parking is located in the rear of the buildings to create continuous building facades adjacent to the street;*



- (d) council will encourage Residential Corridor development to provide a continuous street frontage and presence.*
- (e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is-distinguishable from access provided for vehicles;*
- (f) minimize the number of vehicular access points to the adjacent Class I or Class II Arterial Roads or Class I Collector Roads;*
- (g) council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies;*
- (h) council may adopt a Special Policy Areas to provide additional detail for addressing specific planning issues affective or characterizing a defined Residential Corridor.*



*ADDITIONAL  
PERMITTED  
USES  
(INCREASE IN  
DENSITY)*

**6.3.3.6**

*In addition to the permitted uses in a Residential Corridor; Council may permit medium and high-density residential development and profiles provided:*

- a) The proposal is located within a largely undeveloped area which does not have a characteristic lotting or development profile as defined in section 6.2.1.3 b);*
- b) Lot sizes are larger than the existing lot pattern found in the surrounding area;*
- c) Council is satisfied that the proposal provides appropriate transitions to abutting lower scale development. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane;*
- d) The proposal is located on a site of suitable size for the proposed development, and shall provide adequate landscaping, on-site amenity features and spaces, on-site waste pickup, on-site parking, buffering and on- site stormwater management features;*
- e) The ability to conform with sections 6.3.3.4 to 6.3.3.5 of this plan.*

**PART C: IMPLEMENTATION**

Official Plan Amendments would be implemented by making the referenced changes to the land use schedules and text of the City of Windsor Official Plan and Council passing of the required zoning by-laws.



## RESIDENTIAL CORRIDOR LAND USE POLICY (OPA 194) COMMENT FORM

Name: <u>Terry Kennedy</u>	Email:
Address: <u>[REDACTED]</u>	Phone #: <u>[REDACTED]</u>
<p>Comments: My concerns, for Sandwich Town, is <del>the</del> the on-going problems, of Quality-of-Life. The environment and the push-back, of having too much population growth — without the services.</p> <p>Homes, should not be, set-upon, by politician — with unreasonable agendas.</p> <p>Councillors, should understand the <u>character</u>, of Communities, before passing judgement, or weaponizing poverty for the benefit — of multi-millionaires.</p> <p>★ I'm still looking, for the view of the planning Dept. — as <u>they have not</u>, included the elements of the Transportation Masterplan — with the mis-givings of "The Residential Corridor Project."</p>	





**Committee Matters: SCM 141/2025**

**Subject: Walkerville Heritage Conservation District Study – Results and Findings (Ward 4)**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 729 DHSC 706**

- I. THAT the Walkerville Heritage Conservation District (HCD) Study Main Report and Appendices, (a copy of Appendix A is available on the City of Windsor Website due to size (the “Walkerville HCD Study Report”) **BE RECEIVED**; and
- II. THAT the six recommendations within the Walkerville HCD Study Report **BE ADOPTED**:
  1. THAT Administration **BE DIRECTED** to proceed with the Plan and Guidelines (Stage 2) for the Walkerville Heritage Conservation District;
  2. THAT the boundary identified by the black dashed line in Figure 2 herein, as further shown in Appendix “B” (the “Recommended Boundary”) **BE ADOPTED** as the boundary for the Walkerville Heritage Conservation District;
  3. THAT the recommended policy and process changes identified within Appendix C of the Walkerville HCD Study Report **BE ADOPTED** and Administration **BE DIRECTED** to pursue their implementation;
  4. THAT Administration **BE DIRECTED** to explore the eligibility of those properties identified in Appendix E of the Walkerville HCD Study Report for individual property designation under Section 29 Part IV of the *Ontario Heritage Act (OHA)*;
  5. THAT the objectives of the Walkerville HCD Study Report **BE ADOPTED** and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines; and,
  6. THAT the Statements of Cultural Heritage Value or Interest (SCHVIs) for the Walkerville Heritage Conservation District as set forth in Chapter 10 of the Walkerville HCD Study Report **BE ADOPTED** and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines.



- III. THAT Administration **BE DIRECTED** to report back with information related to forming of a committee or working group for the next phase of the Heritage Conservation District Study, based on the Consultant's best practices.

Carried.

Report Number: S 6/2025  
Clerk's File: MBA/1700

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 10.1 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Walkerville Heritage Conservation District Study – Results and Findings (Ward 4)**

**Reference:**

Date to Council: March 3, 2025  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (A)  
Email: ttang@citywindsor.ca  
Phone: 519-255-6543 X 6179

Sophia Di Blasi, M. Arch  
Planner II – Policy & Research Support  
Email: sdiblasi@citywindsor.ca  
Phone: 519-255-6543 X 6820  
Planning & Building Services  
Report Date: January 15, 2025  
Clerk's File #: MBA/1700

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

**Recommendation:**

- I. THAT the Walkerville Heritage Conservation District (HCD) Study Main Report and Appendices, (a copy of Appendix A is available on the City of Windsor Website due to size (the "Walkerville HCD Study Report") **BE RECEIVED**; and
- II. THAT the six recommendations within the Walkerville HCD Study Report **BE ADOPTED**:
  1. THAT Administration **BE DIRECTED** to proceed with the Plan and Guidelines (Stage 2) for the Walkerville Heritage Conservation District;
  2. THAT the boundary identified by the black dashed line in Figure 2 herein, as further shown in Appendix "B" (the "Recommended Boundary") **BE ADOPTED** as the boundary for the Walkerville Heritage Conservation District;
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  4. THAT Administration **BE DIRECTED** to explore the eligibility of those properties identified in Appendix E of the Walkerville HCD Study Report for



individual property designation under Section 29 Part IV of the *Ontario Heritage Act (OHA)*;

5. THAT the objectives of the Walkerville HCD Study Report **BE ADOPTED** and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines; and,
6. THAT the Statements of Cultural Heritage Value or Interest (SCHVIs) for the Walkerville Heritage Conservation District as set forth in Chapter 10 of the Walkerville HCD Study Report **BE ADOPTED** and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines.

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

### **Background:**

On July 8, 2019, City Council directed Administration to proceed with implementation of the Walkerville Heritage Conservation District Study (the “Walkerville HCD Study”) (CR 334/2019). Subsequently, project updates were received and available funds were approved by City Council on January 18, 2021 (CR 32/2021). The pursuit of the Walkerville HCD Study was further endorsed by City Council through the approval of the recommendations from the Walkerville Districting Plan on July 25, 2022 (CR330/2022) which included references to the Walkerville HCD Study, as well as the approval of seven strategies in response to Provincial Bill 23’s requirement for municipalities to evaluate their municipal heritage registers on September 5, 2023 (CR 366/2023).

In September 2023, Dr. Marcus R. Letourneau and Dr. Carl Bray of M. R. Letourneau and Associates Inc. (MRLA) were retained to assist City Staff with the process of developing a Walkerville HCD Study. City Staff and the supporting consultants worked jointly to develop a work plan that addresses the required scope as legislated by the Province. MRLA provided a presentation of the Walkerville HCD Study project kick-off to Development & Heritage Standing Committee (DHSC) on December 4, 2023. The presentation was received by City Council on January 15, 2024 (CR 21/2024) and included an overview about the study process, informative legislative background, historical summary of Walkerville and its significance, project scope of work, and consultation summary to-date.

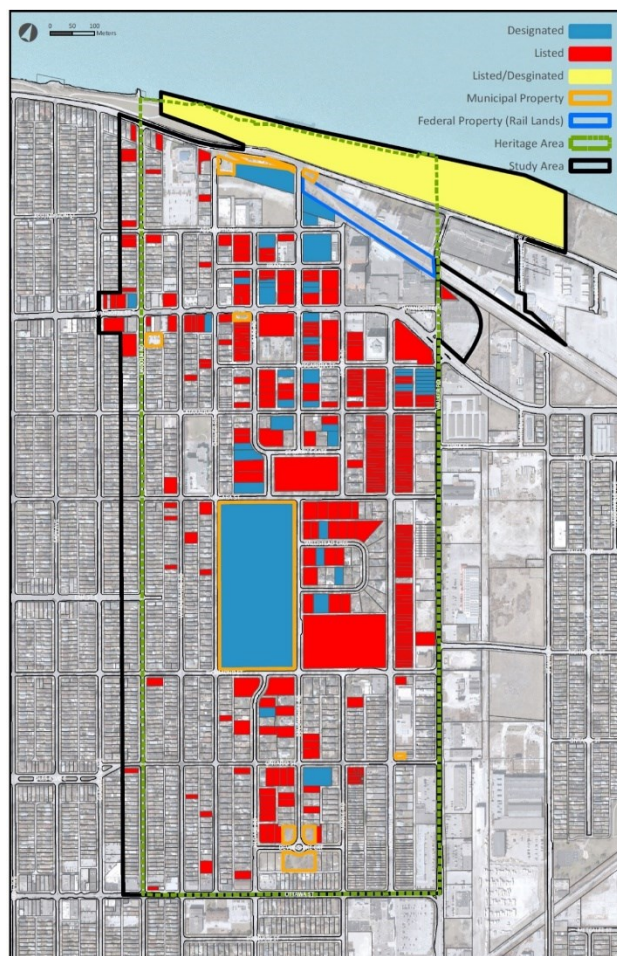
The purpose of this report is to summarize the work completed since January 2024 and present the findings and recommendations from the Walkerville HCD Study Report.

### **Discussion:**

The neighbourhood of Walkerville has long been an area of heritage interest for the City of Windsor. Currently, Walkerville is identified as a Heritage Area, as “an area or neighbourhood where there are collections of important heritage resources”, and a Mature Neighbourhood Area within the City of Windsor’s Official Plan (Schedule G: Civic Image and Schedule A-1: Special Policy Areas). However, a Heritage Area does not have official legal status under provincial legislation, and the City’s Official Plan policies do not require regulation of alterations.



Due to the recent legislative changes in Ontario and adoption of the Walkerville Districting Plan, a heritage conservation district (“HCD”) was identified as a logical next step to protect key heritage features of the area and effectively manage change. A HCD is defined under Part V of the *Ontario Heritage Act* (the “OHA”) as a “geographically defined area within a municipality that is noted for its distinct heritage character”. A HCD is established through a by-law adopted by a municipality and must be registered with the Ontario Heritage Trust. The study area for the Walkerville HCD Study project was based on the existing Heritage Area boundary, however slightly expanded. The study area covers the area bounded by the Detroit River, Walker Road, Ottawa Street, and the laneway between Lincoln Road and Gladstone Avenue (except for those properties on Wyandotte Street East where the limit extends to Gladstone Avenue proper). A total of 1362 properties (parcels) fall within the study area, with a concentration of 52 OHA Part IV individually designated properties and 292 listed heritage properties.



*Figure 1: Map illustrating the Study Area Boundary, the Heritage Area Boundary, and existing Section 27 Part IV ‘Listed’ OHA Properties and Section 29 Part IV Designated OHA Properties.*

the Ontario Heritage Trust. The study area for the Walkerville HCD Study project was based on the existing Heritage Area boundary, however slightly expanded. The study area covers the area bounded by the Detroit River, Walker Road, Ottawa Street, and the laneway between Lincoln Road and Gladstone Avenue (except for those properties on Wyandotte Street East where the limit extends to Gladstone Avenue proper). A total of 1362 properties (parcels) fall within the study area, with a concentration of 52 OHA Part IV individually designated properties and 292 listed heritage properties.

<b>Total Properties</b>	<b>1362</b>
Heritage Designated	52
Heritage Listed	292
Total Heritage	344 (25.26%)
Monmouth Rowhouse	111

*Table 1: Table summarizing the Heritage Status (protected under Sections 27 and 29 of Part IV of the OHA) of properties within the Study Area.*

## Purpose of the Walkerville HCD Study

According to the Ministry’s Ontario Heritage Toolkit, HCDs exist as a means for municipalities to “represent an area with a group or complex of buildings, or a larger area with many buildings and properties, or an area with a concentration of heritage resources with special character or historical association that distinguishes it from its surroundings.” It could include buildings, structures, streets, landscapes, and even views and vistas. Across Ontario, one of the ways to conserve and enhance these areas is to designate them as HCDs. Through legislation under Part V of the *OHA*, a municipality can control change (e.g. new development/infill) in ways that conserve an



area's heritage values and attributes while encouraging compatible development. A HCD designation is not meant to prevent change; it is meant to be a tool to manage change in ways that respect and are compatible with the existing heritage character of the area.

The Walkerville HCD Study is intended to evaluate the heritage resources within the Walkerville HCD Study area boundary and its merits to becoming a HCD according to the provisions under the *OHA (Section 40 (2))*, as well as identify alternative Planning tools that can help manage change. In undertaking the Walkerville HCD Study, it was acknowledged and emphasized that there was no predetermined outcome. Research and findings from the Study informed the recommendations on whether any further action is recommended to be taken, and if so, what tools or options they may be.

## **Methodology**

Building on the requirements of both the *OHA* and the City of Windsor, the Walkerville HCD Study was to consist of the following components:

- An analysis of the current planning policy framework, potential amendments, and municipal capacity;
- A historical overview of the area's development and inventory & analysis of heritage resources (i.e. all properties within the study area, including buildings, streetscapes, landmarks, and open spaces);
- An evaluation of the cultural heritage value, significance, and contribution of the heritage resource inventory;
- An undertaking of public engagement including public meetings and surveys; and
- A rationale for designation, recommended tools, recommended objectives for a potential HCD, and a proposed district boundary.

To conduct the research and evaluate contribution status of the heritage resource inventory, the following resources were used (but were not limited to):

- In-person site visits and photography;
- Existing municipal records and heritage property files;
- Historic Registered Plans, Land Registry Office books, fire insurance plans (1890; 1924; 1937; 1953), city directories, and newspapers
- Windsor Public Library Local History Branch & Community Archives;
- Local historical texts and publications, including works by Chris Edwards and Elaine Weeks and the International Metropolis blog by Andrew Foot.

The following deliverables were to be prepared as part of the Walkerville HCD Study:

- Recommended boundary for HCD designation under Part V of the *OHA*, scoped from the study area boundary;
- Recommendations for individual heritage designation under Part IV of the *OHA* for properties outside of the recommended HCD boundary;
- Recommendations for alternative tools for conserving cultural heritage within the study area, e.g. area-specific policy, regulations, or guidelines; and
- Final HCD Study Report including the evaluation and recommendations.



## Results and Findings

Based on the analysis presented in the Walkerville HCD Study Report, MRLA concludes that the Recommended Boundary satisfies the criteria set by both the Province and City of Windsor for designation as a HCD. As a result, the Walkerville HCD Study Report prepared by MRLA includes the following six recommendations:

**Recommendation 1:** That it be recommended that City of Windsor Council proceed with the Plan and Guidelines Stage for the Walkerville Heritage Conservation District.

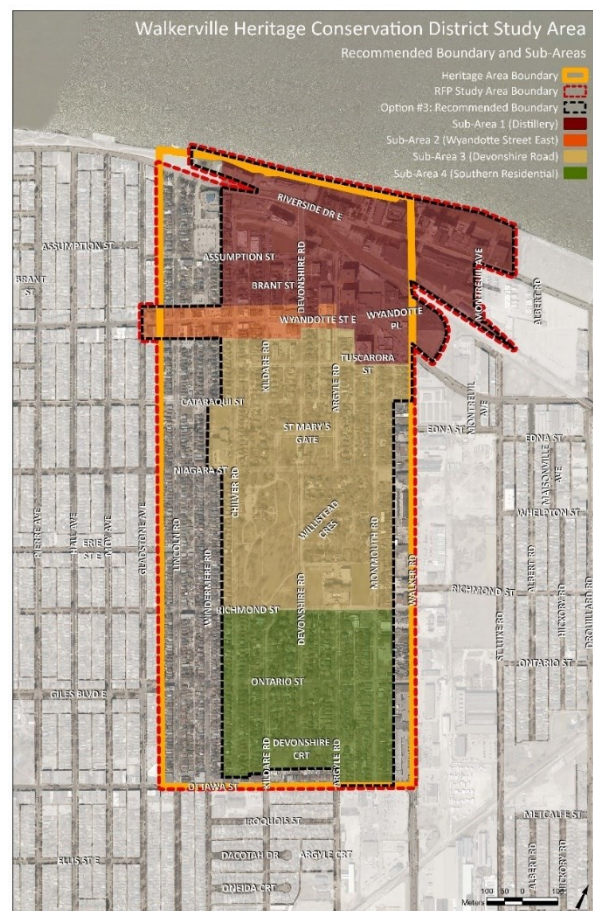
For reasons stated within the Walkerville HCD Study Report, including how Walkerville has merits to being designated as a HCD and meets both Provincial legislative requirements and City of Windsor Official Plan requirements. A HCD designation status is a chance to celebrate, identify, and inventory the rich heritage resources of Walkerville and provide a tool to manage change, ensuring that future developments or alterations enhance and complement Walkerville's heritage character.

**Recommendation 2:** That the Recommended Boundary be recommended to Council as the boundary for the Walkerville Heritage Conservation District.

The Recommended Boundary captures the highest concentration of heritage resources and properties within the study area and exceeds the OHA legislative requirements for 25% of properties within the HCD boundary to be "contributing", as it meets 2 of 9 criteria under O. Reg. 9/06, as set out in Appendix "C" attached hereto. The Recommended Boundary provides a balanced approach for administrative implementation, regulation, and resource capacity. The Walkerville HCD Study Report recommends protection of the properties outside of the Recommended Boundary through an expanded Heritage Area regulated under the Official Plan, as shown in Appendix "B".

**Recommendation 3:** That the recommended policy and process changes identified within Appendix C of the Walkerville HCD Study Report be adopted and implemented.

Section 40(2) of the OHA required that the Walkerville HCD Study provide recommendations for "(d) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district". The proposed policy framework amendments and



*Figure 2: Map illustrating the recommended Walkerville HCD Boundary*



procedural updates ensure that the visions, goals, and objectives of City Council through the Official Plan are strengthened and actionable to better preserve not only Walkerville's, but the whole of Windsor's, cultural heritage resources.

**Recommendation 4:** That the properties identified in Appendix E of the Walkerville HCD Study Report be subject to further analysis to determine their eligibility for individual property designation under Section 29 Part IV of the *OHA*.

There are many properties that were inventoried and researched that are located within the original study area but outside of the Recommended Boundary. As shown in the Walkerville HCD Study Report, MRLA assessed these properties and determined that several may have merits for individual property designation under Section 29, Part IV of the *OHA*.

**Recommendation 5:** That the objectives of the Walkerville HCD Study Report be adopted and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines

Under Section 40(2) of the *OHA*, the Walkerville HCD Study was required to also "(c) consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1." As shown in the Walkerville HCD Study Report, MRLA established five objectives for a future HCD Plan and Guidelines framework for Walkerville, including conservation and protection of identified heritage resources, maintenance and adaptive reuse, policies and guidelines for site alteration and development, processes and procedures for heritage approvals, and interpretation and celebration.

**Recommendation 6:** That the SCHVs for the Walkerville Heritage Conservation District as set forth in Chapter 10 of the Walkerville HCD Study Report be adopted and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines.

Under Section 41(1) (5) of the *OHA*, a HCD Plan must include "(b) a statement explaining the cultural heritage value or interest of the heritage conservation district; (c) a description of the heritage attributes of the heritage conservation district and of properties in the district;...". As shown in the Walkerville HCD Report, MRLA has prepared the SCHVs for the Walkerville HCD.

Heritage Planning Staff provided a thorough review of the Walkerville HCD Study Report, recommendations, and supporting appendices. Heritage Planning Staff support the findings and recommendations of the heritage consultants at MRLA.

## **Legal Provisions:**

### **Official Plan:**

With regards to the creation or designation of a new HCD, Official Plan policy 9.3.3.1 (b) states that "Council will recognize Windsor's heritage resources by Designating groups of buildings and areas as Heritage Conservation Districts under the Ontario Heritage Act".



Further, Official Plan policy 9.3.3.3 requires each designated HCD to meet criteria that “(a) the area will be comprised of buildings, structures or parts thereof, and sites or landscapes that would meet individual criteria for designation”, but also “(b) may include other elements that do not individually merit designation, but which constitute infilling among properties of architectural and/or historical significance and are necessary for the conservation of the overall character of the area.”

The results and findings of the Walkerville HCD Study Report demonstrate that the recommended HCD meets the City of Windsor’s Official Plan policies. Appendix B of the Walkerville HCD Study Report contains an in-depth review of the existing applicable plans and policies.

### **Ontario Heritage Act:**

Part IV of the *OHA* identifies key steps and outlines the basic information required for both a HCD Study and Plan. In December 2022, the Province revised the requirements of Ontario Regulation 9/06 to include specific criteria for the inclusion of properties within a HCD. 25% of all properties within a HCD must be “contributing” by meeting two of the nine criteria under O. Reg. 9/06 as set out in Appendix “C”.

MRLA recommended that the Recommended Boundary be strong and defensible against possible appeals at the Ontario Land Tribunal (OLT) by exceeding the provincial minimum (25% of properties meeting 2/9 criteria). A Walkerville-specific target was established to have a minimum of 30% of properties within the Recommended Boundary meeting 3/9 criteria. Table 2 provides a summary of how many properties within the Recommended Boundary meet each criterion based upon the preliminary assessment:

<b>Number of properties (parcels) within Recommended Boundary</b>	<b>742</b>
Section 29 Part IV ‘Designated’ properties within the area	45
Section 27 Part IV ‘Listed’ properties within the area	269
Total heritage properties within the area	314 (42%)
Properties that meet 3/9 provincial criteria	496 of 742 (67%)
Properties that meet 2/9 provincial criteria	606 of 742 (82%)

*Table 2: Table summarizing the properties within the recommended HCD boundary*

While these are preliminary assessments, the number of properties currently identified as meeting the provincial threshold has been surpassed by over 50% of the total properties in the Recommended Boundary.

### **Risk Analysis:**

Failure to designate the area within the Recommended Boundary as the Walkerville HCD poses significant risks in terms of heritage resource loss, lack of protections, and unregulated changes. This could have broader implications under current pressures like the nation-wide housing crisis and Bill 23, where listed properties (269 of which are in the Recommended Boundary) are slated to lose protection effective January 1, 2027.



Without HCD designation, Walkerville's heritage resources are vulnerable to demolition, incompatible new construction, and inappropriate alterations. Infill development and intensified redevelopment, enabled by provincial housing legislation (e.g., "as-of-right" permissions for additional dwelling units), could result in diminishment and disruption of the cohesive and unique character of the area.

The City of Windsor's current tools and frameworks are not sufficient enough to influence development, and Administration lacks mechanisms to ensure heritage-sensitive changes take place while preserving Walkerville's historical integrity. As noted above, this has been exacerbated by the significant changes to the Province's heritage and planning frameworks. The *OHA* provides mechanisms for conserving heritage within designated HCDs, including design guidelines and mandatory permitting procedures for alterations, erections, and demolitions. Designation as a HCD offers a critical opportunity to balance growth, manage change, and safeguard Walkerville's irreplaceable heritage amidst pressing development challenges.

There is no risk of appeal associated with the recommendations of this report. However, should Council decide to direct Administration to proceed with the Walkerville HCD Plan and Guidelines stage of the project and subsequent adoption of a designation by-law, the *OHA* provides provisions on notice requirements and ability to appeal to the Ontario Land Tribunal (OLT) when it comes forward. In the case of the 1997 Walkerville HCD designation attempt, there was a lack of public support for the designation as some of the residents viewed the designation as having been prepared without sufficient public consultation and the assumption that a HCD would impose onerous restrictions and controls. To mitigate misunderstandings and alleviate concerns, Administration and MRLA have conducted collaborative public consultation events, solicited public feedback through interactive maps and online surveys, spread awareness through news releases, media advisories, postcards, letters, social media outreach, and posted educational content on Let's Talk Windsor online engagement platform. Nevertheless, MRLA has advised from their previous experiences in completing and defending HCDs across Ontario, that it would be wise to consider a contingency amount for any potential appeals of the HCD designation to the OLT.

## **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

## **Financial Matters:**

The capital project 7141014 (Heritage Conservation District Study) was established in 2014 as part of the 2014 Capital Budget and has \$285,000 in budgeted funding for the Walkerville HCD project. MRLA was retained in September 2023 to assist Heritage Planning staff in the undertaking of the Walkerville HCD Study (Stage 1) project.

MRLA's consultation fee as budgeted for in their contract is \$89,956, inclusive of non-recoverable HST, for the Stage 1 Study. As of December 15, 2024, a total of \$73,397.80 has been paid to MRLA, with a remaining balance of \$16,558.20 to cover



work completed as well as any remaining work to conclude the Stage 1 project. In addition, expenditures have been incurred by staff from the Recreation and Culture department, University of Windsor researchers, and University of Waterloo co-op students. The financial status of capital project 7141014 is simplified in Table 3 below.

<b>Budget of capital project 7141014</b>	<b>\$285,000.00</b>
<b>Total anticipated costs (Stage 1)</b>	<b><u>(\$143,444.88)</u></b>
<b>Total anticipated balance remaining</b>	<b>\$141,555.12</b>

*Table 3: Table summarizing the costs incurred for the Walkerville HCD Study (Stage 1)*

Should Council provide direction to continue with the Stage 2 Plan and Guidelines of the Walkerville HCD project, it is proposed that the same firm, MRLA, be retained to undertake the works. Given MRLA's familiarity with the project and their effective execution of the Stage 1 Study project, this continuity will ensure efficiency and consistency in delivering the Walkerville HCD Plan. MRLA has estimated that the Stage 2 project can cost between \$120,000 and \$170,000 to execute, which includes MRLA consulting fees, architect sub-consulting fees, university co-op students, and other expenses. Stage 2 of the project involves the development of a HCD Plan report, detailed design guidelines, public engagement events, property inventory write-ups, and municipal policy work. A large portion of the cost estimate is due to public engagement events and the property inventory work. Should the designation by-law for the Walkerville HCD be adopted by City Council following the Stage 2 Plan & Guidelines, additional costs for legal registration for each property with the Land Registry Office and potential appeal(s) should be considered. Total estimated costs of \$281,840 for Stage 2 is included in Table 4 below.

<b>Total anticipated balance remaining (from Stage 1)</b>	<b>\$141,555.12</b>
<b>Total anticipated costs (Stage 2)</b>	<b><u>(\$281,840.00)</u></b>
<b>Total anticipated shortfall</b>	<b><u>(\$140,284.88)</u></b>

*Table 4: Table summarizing estimated costs for the Walkerville HCD Plan & Guidelines (Stage 2)*

MRLA has advised that working within the current budget of \$141,555.12 may come at the sacrifice of defensibility, producing a higher quality final deliverable Plan and Guidelines (particularly with regard to individual property statements), and more deeply engaging public consultations (which alleviate the risk of potential appeals to OLT). Thus, as a recommendation of concurrent Report S 7/2025 titled "Windsor Municipal Heritage Register – Updates about Bill 23 Strategies (City-wide)", additional funding in the amount of \$150,000 is being requested to be transferred from capital project 7241028 (Bill 23 Municipal Heritage Register) to capital project 7141014 to bring the total remaining balance from \$141,555.12 to \$291,555.12 and provide sufficient funding to complete Stage 2. A transfer recommendation and impact analysis to project 7241028 as a result of this transfer is addressed in report S 7/2025.



## Consultations:

On November 20, 2023 at the Willistead Manor, the City of Windsor conducted a kick-off public engagement event for the Walkerville HCD Study using both in-person and online platforms. To notify the community and garner awareness about the public engagement event, 5,702 invitation postcards were mailed to properties within the original Study Area boundary, a news release and media advisory were issued, and the City's social media platforms posted. A "Let's Talk Windsor" online engagement project page was created with project information and timelines, an online survey, and mapping tool to solicit feedback. In the afternoon of that day, an internal City Staff meeting was conducted including 49 attendees from the following departments: Planning, Building, Parks, Culture, Transportation, Engineering, Right-of-way, Real Estate Services, Asset Planning, and Operations. The hybrid in-person and virtual live-streamed-and-recorded public engagement event was held that evening with 70 in-person attendees and 3 virtual participants. The public event recording was uploaded on "Let's Talk Windsor", 64 survey responses were submitted, 12 significant locations within Walkerville were identified, and 4 potential HCD boundaries were identified. This consultation revealed community priorities, strengths, and concerns, emphasizing the desire for managed growth and heritage conservation.



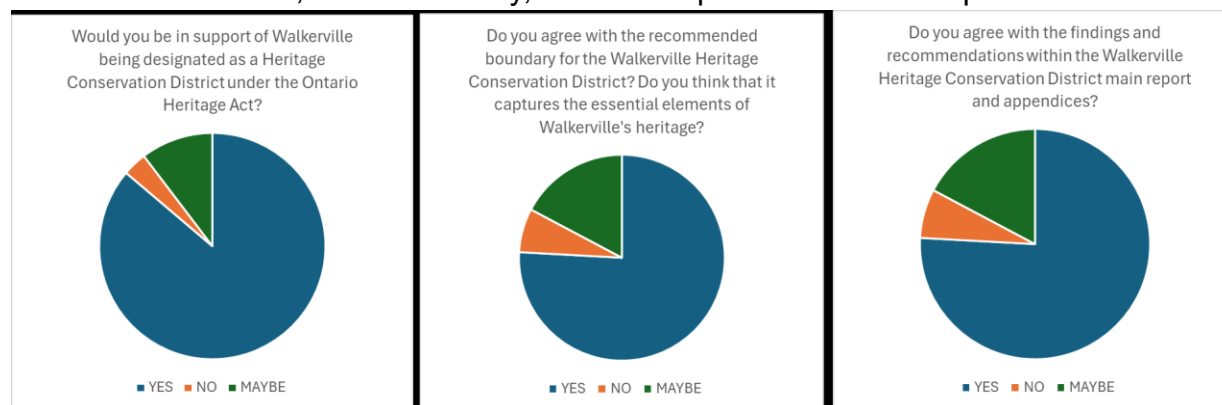
*Figure 3: The November 20, 2023 Public Meeting.*



*Figure 4: The November 25, 2024, Public Meeting.*



On November 25, 2024 the second public engagement event was held for the Walkerville HCD Study at the same location, Willistead Manor. Presentation materials and draft report contents were uploaded in advance on “Let’s Talk Windsor”, along with an online survey. Prior to the event, Heritage Planning Staff circulated the draft report and appendices to internal Planning Department staff for review, however no feedback or comments were received. 2,632 notification letters were mailed by Canada Post to all properties within the original Study Area boundary, email notices were sent to “Let’s Talk Windsor” subscribers, and a News Release, Media Advisory, and Social Media blast-outs helped to spread the word. 103 persons were in attendance at the event. The presentation and Q & A session were video-recorded and uploaded on “Let’s Talk Windsor” along with a write-up of the FAQs. 29 survey responses were submitted, the results of which are summarized in Figure 5 below. Participants expressed concerns about intensification, added density, and incompatible infill development in Walkerville,



however they were also extremely wary about private property restrictions and impacts. Overall, there was a strong emphasis on the need to recognize, celebrate, and conserve Walkerville’s heritage, while also not overstepping property owners’ rights, while also balancing land development and more housing units.

*Figure 5: Responses to Let’s Talk Windsor online survey questions.*

Heritage Planning staff have consulted with Josie Gualtieri, Financial Planning Administrator, Finance Department for confirmation of fund balances, as well as Kate Tracey and Aaron Farough, Senior Legal Counsels, Legal Department in the preparation of this report.

## Conclusion:

Walkerville's rich history, scenic streetscapes, unique buildings, and carefully planned aesthetic underscores its significant cultural heritage value. This distinctive neighbourhood is a critical area for heritage conservation in a time of rapid growth. With public support and a clear implementation plan, the pursuit of Walkerville’s heritage designation through a HCD ensures that Walkerville's historical and cultural legacy is preserved for future generations while responsibly managing inevitable changes.

The Walkerville HCD Study Report provides compelling evidence to support its designation under both the legal provisions of the *OHA* and the municipal requirements under Official Plan policies. The recommendations within the Walkerville HCD Study Report demonstrate a clear and actionable path forward for preserving Walkerville's



heritage character while accommodating compatible change. Furthermore, the Walkerville HCD Study Report addresses potential challenges such as municipal resource management and public concerns, offering practical solutions through detailed policies, guidelines, and community engagement strategies. Administration recommends that City Council receive the Walkerville HCD Study Report, inclusive of the adoption of the six recommendations herein, proceed with the Plan and Guidelines Stage, and allocate appropriate funds to execute the Plan and Guidelines (Stage 2) of the Walkerville HCD project.

**Planning Act Matters: N/A**

**Approvals:**

<b>Name</b>	<b>Title</b>
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Michael Dennis	Manager, Strategic Capital Budget Development & Control
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner/Executive Director – Planning and Development
Kate Tracey	Senior Legal Counsel
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Janice Guthrie acting for Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
List provided to clerk's office		

**Appendices:**

1 Appendix A – Walkerville HCD Study Main Report and Appendices available at [www.citywindsor.ca](http://www.citywindsor.ca) due to size.



- 2 Appendix B – Walkerville HCD Study Maps
- 3 Appendix C – *Ontario Heritage Act* HCD Provisions and Official Plan Policies



## **Appendix 'B' – Walkerville HCD Study Maps**

1. Walkerville HCD Study Area – Boundary Options
2. Walkerville HCD Study Area – Recommended Boundary and Sub-Areas
3. Walkerville HCD Study Area – Preliminary Assessment of Contributing and Non-Contributing Properties
4. Walkerville HCD Study Area – Proposed Extended Heritage Area Boundary



## Boundary Options



29

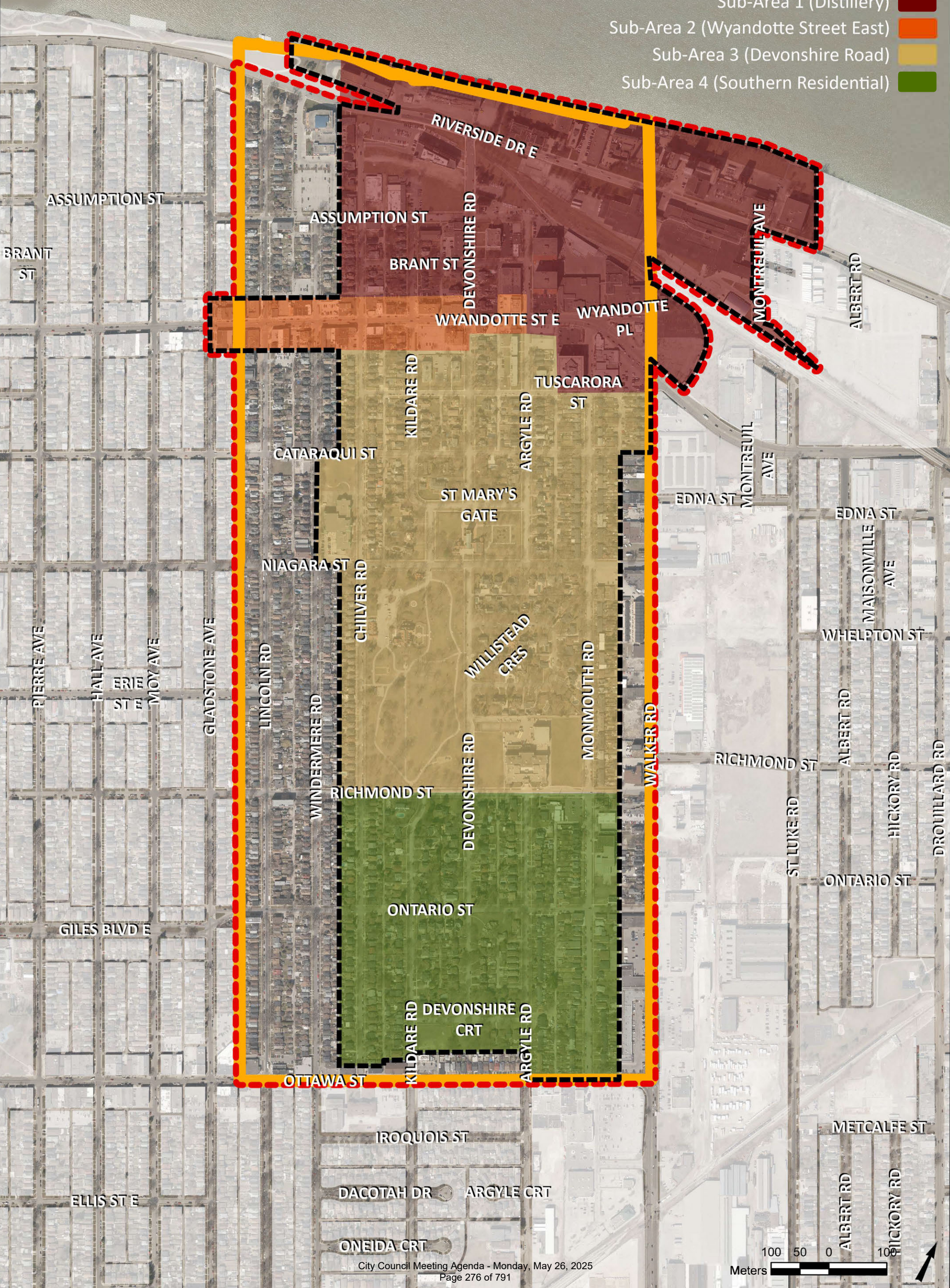




# Walkerville Heritage Conservation District Study Area

## Recommended Boundary and Sub-Areas

- Heritage Area Boundary
- RFP Study Area Boundary
- Option #3: Recommended Boundary
- Sub-Area 1 (Distillery)
- Sub-Area 2 (Wyandotte Street East)
- Sub-Area 3 (Devonshire Road)
- Sub-Area 4 (Southern Residential)

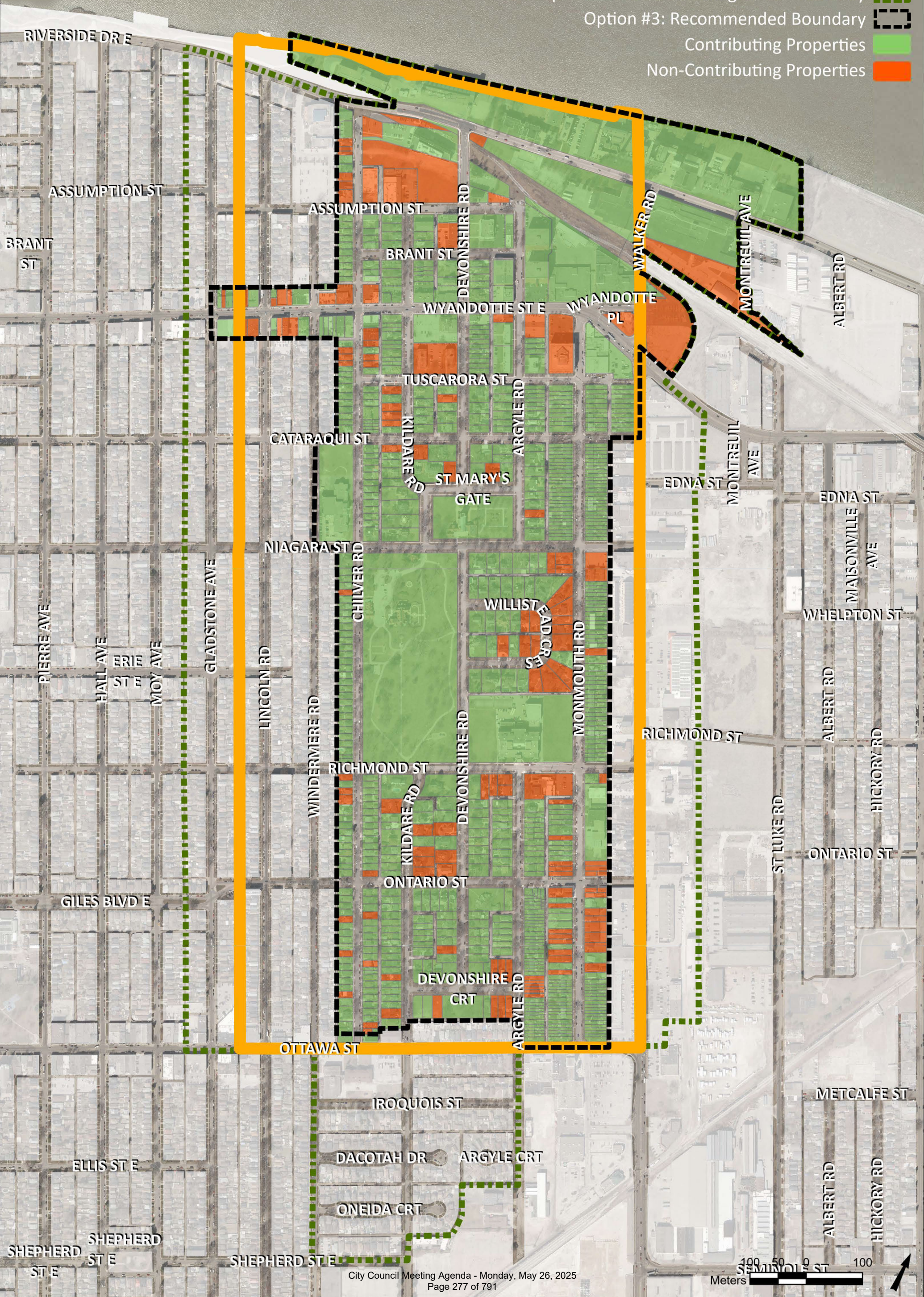




# Walkerville Heritage Conservation District Study Area

## Preliminary Assessment of Contributing and Non-Contributing Properties

- Heritage Area Boundary
- Proposed Extended Heritage Area Boundary
- Option #3: Recommended Boundary
- Contributing Properties
- Non-Contributing Properties



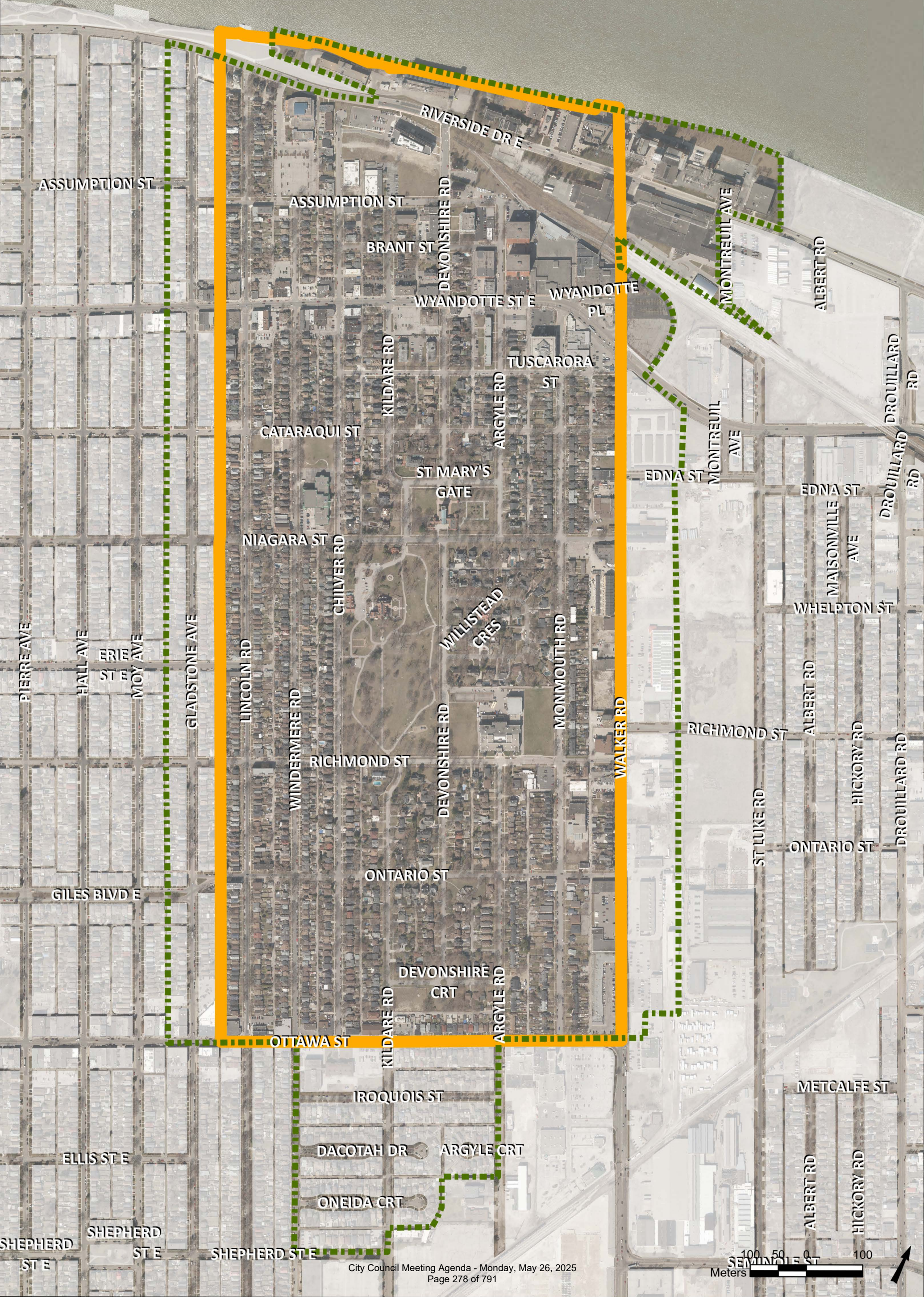


# Walkerville Heritage Conservation District Study Area

Proposed Extended Heritage Area Boundary

Heritage Area Boundary

Option #2: Public Workshop Boundary





## **Appendix 'C' – Ontario Heritage Act HCD Provisions and City of Windsor Official Plan Policy Tools to Regulate Heritage Changes**

### **Ontario Heritage Act PART V: HERITAGE CONSERVATION DISTRICTS**

#### **Area study**

**40** (1) The council of a municipality may undertake a study of any area of the municipality for the purpose of designating one or more heritage conservation districts. 2005, c. 6. s. 29.

#### **Scope of study**

(2) A study under subsection (1) shall,

(a) examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;

(b) examine and make recommendations as to the geographic boundaries of the area to be designated;

(c) consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1;

(d) make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws. 2005, c. 6. s. 29.

#### **Consultation**

(3) If the council of a municipality has established a municipal heritage committee under section 28, the council shall consult with the committee with respect to the study. 2005, c. 6. s. 29.

### **Ontario Heritage Act: ONTARIO REGULATION 9/06**

#### **Criteria for determining cultural heritage value or interest**

##### **Criteria, s. 41 (1) (b) of the Act**

**3.** (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 41 (1) (b) of the Act. O. Reg. 569/22, s. 1.

(2) Subject to subsection (3), in the case of a by-law passed under subsection 41 (1) of the Act on or after January 1, 2023, a municipality or any defined area or areas of it may be designated by such a by-law as a heritage conservation district under subsection 41 (1) of the Act if the municipality or the defined area or areas of it meets the following criteria:



1. At least 25 per cent of the properties within the municipality or defined area or areas satisfy two or more of the following:

- i. The properties have design value or physical value because they are rare, unique, representative or early examples of a style, type, expression, material or construction method.
- ii. The properties have design value or physical value because they display a high degree of craftsmanship or artistic merit.
- iii. The properties have design value or physical value because they demonstrate a high degree of technical or scientific achievement.
- iv. The properties have historical value or associative value because they have a direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.
- v. The properties have historical value or associative value because they yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
- vi. The properties have historical value or associative value because they demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- vii. The properties have contextual value because they define, maintain or support the character of the district.
- viii. The properties have contextual value because they are physically, functionally, visually or historically linked to each other.
- ix. The properties have contextual value because they are defined by, planned around or are themselves a landmark. O. Reg. 569/22, s. 1.

## City of Windsor Official Plan CHAPTER 9: HERITAGE CONSERVATION

The Official Plan designates Walkerville as a “Heritage Area” within Schedule G: Civic Image. The Walkerville Heritage Area is generally bound by the Detroit River to the north, Walker Road to the east, Ottawa Street to the south, and Lincoln Road to the west. The following policies apply:

	9.3.5	Enhancement of Heritage Resources
	9.3.5.1	Council will enhance heritage resources by:
<b>HERITAGE AREAS AND HERITAGE CONSERVATION DISTRICTS</b>	9.3.5.1 (a)	Ensuring that within any Heritage Area or Heritage Conservation District that:
<b>INFRASTRUCTURE</b>	9.3.5.1 (a) (i)	Infrastructure undertakings respect and enhance the historic character of the area;
<b>DEVELOPMENT</b>	9.3.5.1 (a) (ii)	Development be of compatible height, massing, scale, setback and architectural style;



## City of Windsor Official Plan CHAPTER 6: LAND USE

The Walkerville Heritage Area is also a Mature Neighbourhood area as per Official Plan Schedule A-1, where the Windsor Intensification Guidelines for Stable and Mature Neighbourhoods apply, as well as the following Official Plan policies:

	6.3	Residential
	6.3.2	Policies
<i>HERITAGE CONSERVATION</i>	6.3.2.17	Council shall encourage the retention, restoration and sensitive renovation of historic and/or architecturally significant residential buildings in accordance with the Heritage Conservation chapter of this Plan. Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.
<i>ADDITIONAL DWELLING UNIT REQUIREMENTS</i>	6.3.2.24	An additional dwelling unit shall be permitted within the primary dwelling unit and a building accessory to the primary dwelling unit subject to the following criteria: (e) Where located on a parcel of urban residential land identified on the Municipal Heritage Register or within a Mature Neighbourhood identified on Schedule A-1 the additional dwelling unit must not alter the exterior of an existing primary or accessory building visible from the street or other public space unless it is demonstrated, to the satisfaction of the City Planner, that the proposed alteration would not detract from the cultural heritage value and attributes of the property or Mature Neighbourhood...





**Committee Matters: SCM 143/2025**

**Subject: Windsor Municipal Heritage Register – Updates about Bill 23 Strategies (City-wide)**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 730 DHSC 707**

- I. THAT the report of the Acting Heritage Planner regarding 2025 Updates on the Implementation of the seven (7) Bill 23 Strategies **BE RECEIVED** for information.
  - Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines
  - Strategy 2: Part IV Designation of properties of “high” priority
  - Strategy 3: Exploring new ways to designate
  - Strategy 4: Designation through Development Review and Incentive Programs
  - Strategy 5: Protections through Demolition Control By-law
  - Strategy 6: Protection of City-Owned Heritage resources through Council direction
  - Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory
- II. THAT \$150,000 in available funds in the Capital Project 7241028 (Bill 23 Municipal Heritage Register) **BE TRANSFERRED** into the Capital Project 7141014 (Heritage Conservation District Study) for the funding of Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines; and,



- III. THAT \$25,000 in available funds in the Capital Project 7241028 (Bill 23 Municipal Heritage Register) **BE TRANSFERRED** into the Capital Project 7086006 (Windsor Archaeological Management Plan) for the funding of the outstanding archaeologist consulting fees.  
Carried.

Report Number: S 7/2025  
Clerk's File: MBA/14619

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.2 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Windsor Municipal Heritage Register – Updates about Bill 23 Strategies (City-wide)**

**Reference:**

Date to Council: March 3, 2025  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (A)  
Email: ttang@citywindsor.ca  
Phone: 519-255-6543 X 6179  
Planning & Building Services  
Report Date: January 15, 2025  
Clerk's File #: MBA/14619

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

**Recommendation:**

- I. THAT the report of the Acting Heritage Planner regarding 2025 Updates on the Implementation of the seven (7) Bill 23 Strategies **BE RECEIVED** for information.
  - Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines
  - Strategy 2: Part IV Designation of properties of “high” priority
  - Strategy 3: Exploring new ways to designate
  - Strategy 4: Designation through Development Review and Incentive Programs
  - Strategy 5: Protections through Demolition Control By-law
  - Strategy 6: Protection of City-Owned Heritage resources through Council direction
  - Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory
- II. THAT \$150,000 in available funds in the Capital Project 7241028 (Bill 23 Municipal Heritage Register) **BE TRANSFERRED** into the Capital Project 7141014 (Heritage Conservation District Study) for the funding of Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines; and,
- III. THAT \$25,000 in available funds in the Capital Project 7241028 (Bill 23 Municipal Heritage Register) **BE TRANSFERRED** into the Capital Project 7086006 (Windsor Archaeological Management Plan) for the funding of the outstanding archaeologist consulting fees.



## Executive Summary: N/A

### Background:

On November 28, 2022, *Bill 23, More Homes Built Faster Act* received Royal Assent and introduced amendments to the *Ontario Heritage Act (OHA)*. A summary of the impacts of the Bill were brought to Council on February 27, 2023 through Council Report C 19/2023. One significant change to the *OHA* requires that properties listed on a Municipal Heritage Register be removed from the Register if Council does not issue a Notice of Intention to Designate (NOID) the property by January 1, 2025. Once removed, the property cannot be listed again on the Register for a period of five years. After January 1, 2025, City Council could, however, consider the designation of a property that was removed from the Register as long as the designation of the property is based on prescribed criteria.

As of July 10, 2023, there were a total of 884 listed heritage properties on the Windsor Municipal Heritage Register. If no action were taken, the 884 listed properties would effectively lose all heritage protection on January 1, 2025 and could be subject to demolition. On September 5, 2023, City Council through CR 365/2023 approved the seven (7) strategies to evaluate the listed heritage properties within Council Report S 88/2023 titled “Windsor Municipal Heritage Register: Strategies in Response to Provincial Bill 23 (City-wide)”.

Further on April 22, 2024, City Council received a verbal update to the Municipal Heritage Register: Strategies and requested that the Heritage Planner report back at a future Development & Heritage Standing Committee (DHSC) date (CR 158/2024). On June 6, 2024, *Bill 200, the Homeowner Protection Act* received Royal Assent and extended the deadline for municipalities to issue a NOID for listed properties before they are removed from the register from January 1, 2025 to January 1, 2027. Subsequently on July 8, 2024, City Council through CR 158/2024 directed Administration to report back to DHSC on resource capacity and practicality given the two year extended deadline.

This report provides a brief update on the progress undertaken on the seven strategies since the verbal update received on April 22, 2024.

### Discussion:

The total number of properties recognized on the Windsor Municipal Heritage Register is 1,272. Table 1 below shows the breakdown of properties with heritage status through the *OHA* as of the date of this report. The majority of the properties, totaling 881, are listed but not designated. Windsor has 135 individually designated properties, along with an additional 256 properties designated as part of a Heritage Conservation District (HCD).

Heritage Status	Counts
Register listed (focus of this report)	881
Designated	135
Designated through a HCD (Prado or Sandwich)	256



<b>Total</b>	<b>1272</b>
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*Table 1: Heritage Status of Properties on the Windsor Municipal Heritage Register*

Being listed on the Municipal Heritage Register currently provides properties with interim protection under the *OHA*. This includes a provision that requires property owners to provide at least 60 days' notice to the municipality prior to demolishing or removing any structures on the property. During this period, the municipality has the opportunity to evaluate the property's cultural heritage value or interest and decide whether to proceed with a NOID, thereby affording the property full heritage protection under Part IV of the *OHA*. The listing status also raises awareness among the public, municipal staff, and potential developers about the historical or cultural significance of a property, thereby encouraging sensitive treatment of these resources during planning and development processes. Additionally, it allows municipalities to request a Heritage Impact Assessment (HIA) as part of development applications to better understand and mitigate potential impacts on listed properties. While not as robust as designation, these measures act as critical tools to prevent immediate loss and promote informed decision-making regarding heritage conservation.

In a typical year, the City of Windsor designates only a few heritage properties, most of which are initiated by property owners. The designation process, governed by the *Ontario Heritage Act*, is criteria-based and requires in-depth research through archives, local history centers, various historical sources, and site visits before a designation report is prepared for recommendation to the Heritage Committee and City Council. This is followed by statutory processes, including notifications, by-law preparation, registration, and potential appeals, with the entire process typically taking six months from initiation to Council adoption.

To address the implications of Bill 23 and Bill 200 on the 881 listed heritage properties, Heritage Planning staff developed seven strategies to prioritize the evaluation process. These strategies were informed by ongoing work, an administrative review of properties potentially at risk of demolition, and best practices implemented elsewhere in Ontario. The following section provides an update on the implementation of these strategies since they were first presented to City Council in September 2023, reorganized and renumbered based on their efficacy and impact to date.

## **Heritage Register Evaluation Strategies**

### **Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines (269 properties, 31%)**

Through the undertaking of the Walkerville HCD Study (CR334/2019 and CR32/2021) from Fall 2023 to Fall 2024, a Recommended Boundary (generally bound by Chilver Rd, Ottawa St, Walker Rd, Detroit River) was identified by the retained heritage consultants of M. R. Letourneau and Associates Inc. (MRLA). Of the 881 listed properties on the Windsor Municipal Heritage Register, 269 properties are located within the Recommended Boundary. This represents an estimated 31% of all listed properties on the register and speaks to the unique history, architecture, and fabric that defines this heritage-rich and significant area.



Should Heritage Committee and City Council direct Administration to proceed with the Plan and Guidelines Phase for the Walkerville HCD, then next steps would be pursued for the protection of all properties within the Recommended Boundary. The potential exists for the 269 listed properties currently on the Heritage Register within the Recommended Boundary (31%) to be protected by Part V heritage designation of the *Ontario Heritage Act* by the time that Bill 23's January 1, 2027 deadline comes into effect.

**Strategy 2 (previously 3): Part IV Designation of properties of “high” priority (192 properties, 22%)**

Administration has been conducting heritage research to prepare for the designation of high-priority properties under Part IV, Section 29 of the *OHA*. In the summer of 2023, in preparation for Council Report S 88/2023 (CR 365/2023), Administration undertook a preliminary review, priority ranking, and categorization of properties on the Heritage Register, excluding those within the Walkerville Heritage Area. Rankings were determined based on various factors, including cultural heritage value or interest under O. Reg. 9/06 of the *OHA*, risk factors, historical geography, and location within a main street area. This assessment utilized the Heritage Planner's professional expertise, Google Street View, and municipal heritage property files, assigning each property a priority ranking of high, medium, or low.

Of the 881 listed properties, 239 (27%) were identified as high priority, with strong merits for designation. This includes 33 City-owned properties (addressed under Strategy 6) and 14 properties within the proposed Walkerville HCD boundary (covered under Strategy 1), leaving 192 properties (22%) to be addressed under Strategy 2.

To support this effort, four University of Windsor Department of History students and four University of Waterloo co-op students were engaged to conduct historical research on high-priority listed properties. Since the launch of the Cultural Heritage Evaluation Research (CHER) project in June 2024, 59 properties have been researched and evaluated for heritage designation potential based on the criteria outlined in O. Reg. 9/06 of the *OHA*. Properties were grouped into broad categories, as outlined in Table 2 below.

Categories of Heritage Listed Properties	Counts
School	14
Place of Worship	25
Community Landmarks/Significance	5
University of Windsor	11
Industrial	3
Risk from Development Pressure	1

*Table 2: Categories of the 59 Researched Heritage Listed Properties*

Ford Powerhouse	All Saint's Church	W. C. Kennedy High School	Windsor Grove Cemetery
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*Examples of some “high” priority heritage listed properties. Photos sourced from Google Streetview and Google Earth.*

Pending strategic discussions with large property owners and corporations (e.g. University of Windsor and the Greater Essex County District School Board), these 59 properties have the potential to be the first to receive individually designated status under Part IV Section 29 of the *OHA*. These represent about 25% of the 239 “strongest” listed properties and 7% of the 881 total listed properties.

Based on feedback from both UWindsor History students and UWaterloo co-op students, it takes an average of 18.5 hours for a student to complete the initial desktop research for a single property. This includes historical property research, an assessment of its ability to meet the criteria under O. Reg. 9/06, and drafting a preliminary Statement of Cultural Heritage Value or Interest. Students were assigned only the initial research portion of the designation process, as the municipal administrative tasks, such as reviewing and verifying findings, justifying designation merits under O. Reg. 9/06, drafting and circulating a designation report with appendices, presenting to the Heritage Committee and City Council, preparing a Designation By-law, and issuing public notices, are complex and require specialized expertise. The total estimated time required to complete both the desktop research and the full heritage designation process for a single property is approximately 37 hours, or one full five-day workweek.

### **Strategy 3 (previously 4): Exploring new ways to designate**

Staff are investigating a “batch designation” approach, which has been suggested and implemented by other municipal heritage planners across Ontario, to speed up the designation process. A batch approach (e.g. one report brought forward for all heritage properties that are owned by the same entity/corporation/owner) would save Administration time and resources in preparing designation reports for each individual property as well as Committee and Council time and resources in their consideration. Staff hope to begin consulting with large institutional landowners to collaborate on the designation of significant heritage listed properties, to increase consensus, and to reduce potential appeals and delays.

Staff are also investigating voluntary designations by heritage-minded property owners. This is a “low-hanging-fruit” strategy that is being employed by other Ontario municipalities to protect privately-owned heritage properties, a majority of which are primary residences of the property owners. To support this effort, staff could prepare and distribute letters to listed property owners, providing informational and educational materials about the heritage designation process and its benefits. This approach aims to



promote awareness and foster collaboration with property owners to protect Windsor's heritage assets proactively.

#### **Strategy 4 (previously 2): Designation through Development Review and Incentive Programs**

Through the *Planning Act* development application circulation process or a Community Improvement Plan financial incentive application, Heritage Planning staff have the ability to identify listed properties with designation interest or merits. Should a development application be submitted that poses potential impacts to a listed (non-designated) property, Heritage Planning staff have the ability to request for a Heritage Impact Assessment which contains evaluations for heritage merits and may result in recommendations for designation. By way of development review, three listed properties have been or are in the process of being individually designated under Part IV of the *OHA*:

- 1646 Alexis Rd, Gordon McGregor School
- 1982 Norman Rd, St. Jules School
- 1958-98 Wyandotte St E, Strathcona Bldg.

Administration will continue focusing on properties that can be designated and protected through the development review process. It must be noted though that once listed properties are removed from the Heritage Register, Council will not be able to designate properties that are not already on the heritage register when a development application is triggered. It must also be noted that for listed properties within the Walkerville HCD Study Report Recommended Boundary, should a development application be submitted, the individual Part IV designation process is not being pursued due to overlaps with the concurrent Walkerville HCD Study.

#### **Strategy 5 (previously 6): Protections through Demolition Control By-law**

In the future, Planning staff may explore the use of Section 33 Demolition Control By-laws under the *Planning Act* on targeted geographic areas, for example Heritage Areas and Mature Neighbourhoods, where there are collections of heritage resources. Although the primary objective of Section 33 is to preserve residential housing or facilitate its replacement rather than to protect or restore heritage assets, a Demolition Control By-law could offer interim protection by deterring demolitions.

#### **Strategy 6 (previously 5): Protection of City-Owned Heritage resources through Council direction (33 properties, 4%)**

Through Council Resolution CR 365/2023, City Council has committed to protecting Heritage properties that are City-owned in the same fashion as pre-Bill 23, even if properties are removed on January 1, 2027. 33 of 881 listed properties (4%) on the Windsor Municipal Heritage Register are City-owned and ranked “high” under Strategy 2. Further, City Council has committed to encouraging a high degree of heritage sensitivity by all City Departments in conformance with the City of Windsor Official Plan.



## **Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory**

It is inevitable that many of the heritage listed properties would be stripped of their *Ontario Heritage Act* status after Bill 23's removal requirements come to maturity on January 1, 2027. Administration will continue to keep a list of Windsor's Heritage Inventory of cultural heritage resources so that the Windsor community can continue to access, seek information, and build awareness of local history.

### **Official Plan Policy:**

The preamble of Chapter 9 – “Heritage Conservation” of the City of Windsor Official Plan Volume I reads “A community’s identity and civic pride is rooted in physical and cultural links to its past. In order to celebrate Windsor’s rich history, Council is committed to recognizing, conserving and enhancing heritage resources.” The seven strategies to evaluate the 881 ‘listed’ properties on the heritage register for protection and conservation through potential designation complies with the objectives and policies within the City of Windsor Official Plan. See Appendix ‘A’ for a list of relevant objectives and policies.

### **Risk Analysis:**

There is no risk to receiving this report for information. However, there is a risk of inaction, that being the potential loss of heritage recognition to more than 800 listed properties. The risk also goes beyond identification and recognition to potential demolition and irreversible loss of Windsor’s heritage resources that would be a detriment to current and future generations.

Strategy 1, which involves the potential Part V designation of the Walkerville HCD, would protect 269 listed properties, while Strategy 6 would cover 33 listed properties. Of the 239 highest-priority properties, 14 fall within the Walkerville HCD (Strategy 1), and 33 are City-owned properties covered by Strategy 6, leaving 192 properties to be addressed through Strategy 2.

However, Strategy 2 is the most resource-intensive and time-consuming approach. It also carries the highest risk of appeal, as Part IV, Section 29 of the *OHA* includes provisions for public notices for the NOID, objections to the NOID, and appeals to the Ontario Land Tribunal (OLT) regarding Council’s decision on an objection. Based on consultations with other municipal heritage planners across Ontario, an estimated 5 to 10% of NOIDs issued typically face objections. Given that Strategy 2 targets 192 properties for individual designation under Part IV, the City could expect approximately 10 to 19 objections and/or appeals to the OLT. Each appeal would involve legal costs, including in-house legal representation and potentially third-party expert reviews.

Given the resource-intensive nature of Strategy 2, advancing individual heritage designations at an accelerated pace would require a reallocation of staff efforts or additional resources. The 2025 Operating Budget deliberations include proposals for temporary staff positions to support the implementation of Bill 23 strategies. With dedicated resources, Administration anticipates that all 192 high-priority properties under Strategy 2 could be designated under Part IV of the Ontario Heritage Act by



January 1, 2027. Combined with Strategies 1 and 6, this would provide heritage protection for approximately 56% of the City's 881 listed properties.

Strategy	Counts	Percentages
Strategy 1: Walkerville HCD	269/881	31%*
Strategy 2: Highest priority/merits	192/881	22%
Strategy 6: City-owned	33/881	4%
<b>Total</b>	<b>494/881</b>	<b>56%</b>

*Table 3: Breakdown of ability per strategy to protect listed properties*

*\*Contingent on Recommendation II to allocate funds and Recommendations I and II of Report S 6/2025 to proceed with Stage 2 of the Walkerville HCD project*

While not all listed properties warrant designation and designating every listed property on the register is neither practical nor necessary, proactive efforts are essential to protect those with the highest cultural heritage value. The seven approved strategies provide a clear path for prioritizing and protecting Windsor's most valuable heritage resources. These efforts ensure that heritage conservation is carried out strategically, balancing resources with the importance of preserving the City's cultural identity.

## **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

## **Financial Matters:**

The capital project 7241028 (Bill 23 Municipal Heritage Register) was established as part of the March 2024 Capital Variance report (CR336/2024, report C69/2024) with a balance of \$367,566. To date, \$22,010 in costs have been incurred. The capital project currently has a remaining balance of \$345,556 available.

Through Recommendation II of this report, Administration is proposing that \$150,000 from capital project 7241028 be transferred to capital project 7141014 (Heritage Conservation District Study) to cover anticipated costs for Strategy 1: Walkerville HCD for the Walkerville HCD Stage 2 Plan & Guidelines. This is due to Strategy 1 being the most effective method of protecting the largest number (31%) of listed heritage properties. Financial details for the Walkerville HCD project are described in concurrent Report S 6/2025. Project 7141014 was established as part of the 2014 Capital Budget and has a remaining balance of \$158,113.

Through Recommendation III of this report, Administration is proposing another \$25,440 from capital project 7241028 be transferred to capital project 7086006 (Windsor Archaeological Management Plan) to cover the deficit in the project due to archaeologist consulting. Project 7086006 was established as part of the 2008 Capital Budget and has no remaining balance.



Should Committee and Council adopt the recommendations of this report, the remaining balance of capital project 7241028 would be \$170,116.00. The financial status of capital project 7241028 as well as anticipated costs are simplified in Table 4 below.

<b>Balance of capital project 7241028</b>	<b>\$367,566.00</b>
<b>Total costs incurred</b>	<b><u>(\$22,010.00)</u></b>
<b>Total balance remaining</b>	<b>\$345,556.00</b>
Capital project 7141014 (Strategy 1: Walkerville HCD) transfer	(\$150,000.00)
Capital project 7086006 (WAMP) transfer	<u>(\$25,440.00)</u>
<b>Total transfers</b>	<b><u>(\$175,440.00)</u></b>
<b>Anticipated balance of capital project 7241028</b>	<b>\$170,116.00</b>
<b>Total anticipated costs</b>	<b><u>(\$159,200.00)</u></b>
<b>Total anticipated balance remaining</b>	<b>\$10,916.00</b>

*Table 4: Table summarizing incurred and estimated future costs for the implementation of the seven Bill 23 strategies*

In addition, the 2025 Operating Budget deliberations include \$217,888 in One Time Funding for two (2) temporary “Planner II – Heritage” positions (2025-0026) to increase staff resourcing to implement the Bill 23 Heritage Register Evaluation Strategies and pursue the protection of Windsor’s heritage resources. These positions are proposed to be dedicated to undertaking the seven strategies and evaluation of ‘listed’ heritage properties for designation potential.

Council’s consideration of the recommendations of this report and support of the additional staff resourcing would enable the pursuit of all seven identified Bill 23 strategies and result in a higher number of listed properties being protected, so that Windsor’s history and legacy are preserved for current and future generations. This work outline and identified funding will allow Administration to undertake the strategies presented in this report to protect as many properties as possible by the January 1, 2027 deadline mandated by Bill 23 and Bill 200.

### **Consultations:**

Heritage Planning staff have consulted with Josie Gualtieri, Financial Planning Administrator, Finance Department and Michael Dennis, Manager, Strategic Capital Budget Development and Control, Finance Department for confirmation of fund balances, as well as Kate Tracey and Aaron Farough, Senior Legal Counsels, Legal Department in the preparation of this report. Heritage Planning staff have also been in



communication with the Ontario Heritage Planners Network to receive updates on other municipalities' undertaking of Bill 23 strategies.

### **Conclusion:**

The seven City Council approved strategies help to respond to the potential mass loss of heritage properties across Windsor by conducting designations through various studies, initiatives, and innovative methods. Administration recommends that City Council receive this report for information and continue to support Administration's undertaking of the seven strategies through the allocation of funds and resources.

**Planning Act Matters: N/A**

### **Approvals:**

<b>Name</b>	<b>Title</b>
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner/Executive Director – Planning and Development
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Janice Guthrie acting for Joe Mancina	Chief Administrative Officer

### **Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

### **Appendices:**

- 1 Appendix A – Official Plan Volume I Chapter 9, Objectives & Policies



## Appendix 'A' – Official Plan Volume I Chapter 9 Objectives and Policies

The undertaking of the seven strategies in response to Bill 23 is supported by the following objectives in the Official Plan:

<i>CONSERVATION MANAGEMENT</i>	9.2.1	To conserve Windsor's heritage resources for the benefit of the community and posterity in a manner which respects their architectural, historical and contextual significance and ensures their future viability as functional components of Windsor's urban environment.
<i>LEADERSHIP BY EXAMPLE</i>	9.2.3	To lead the community in the protection, improvement, utilization and management of heritage resources by using municipally owned heritage properties as examples of proper conservation and stewardship.
<i>PUBLIC AWARENESS &amp; PARTICIPATION</i>	9.2.4	To increase awareness and appreciation of Windsor's heritage resources and encourage participation by individuals, organizations and other levels of government in heritage conservation.

The undertaking of the seven strategies in response to Bill 23 is supported by the following policies in the Official Plan:

	9.3.2.1	Council will identify Windsor's heritage resources by:
<i>AREA STUDIES</i>		(b) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an area or neighbourhood basis in conjunction with Heritage Conservation District studies, secondary plans or other special studies as may be appropriate;
<i>INDIVIDUAL SITES</i>		(c) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an individual property basis;
<i>PUBLIC ASSISTANCE</i>		(d) Encouraging and supporting individuals and groups in recommending potential heritage resources.
	9.3.3.1	Council will recognize Windsor's heritage resources by:
<i>DESIGNATE HERITAGE PROPERTIES</i>		(a) Designating individual buildings, structures, sites and landscapes as heritage properties under the Ontario Heritage Act;
<i>HERITAGE CONSERVATION DISTRICTS</i>		(b) Designating groups of buildings and areas as Heritage Conservation Districts under the Ontario Heritage Act;
<i>LIST OF DESIGNATED HERITAGE PROPERTIES</i>		(c) Maintaining a list of designated heritage properties;
	9.3.3.4.	Council will identify heritage resources by:



*IDENTIFY  
HERITAGE  
RESOURCES  
HERITAGE  
REGISTER*

- (a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and
- (b) Identifying neighbourhoods containing collections of important heritage resources such as Heritage Areas and Heritage Conservation Districts on Schedule 'G': Civic Image.

9.3.6.1. Council will manage heritage resources by:

*LEADERSHIP*

- (b) Protecting, conserving and managing Municipally owned heritage resources in a manner which furthers the objectives and policies of this Plan and which sets an example of leadership for the community in the conservation of heritage resources;

*MUNICIPAL  
OPERATIONS*

- (c) Ensuring that the activities of all Municipal departments respect the character and significance of Windsor's heritage resources;

*PUBLIC  
PARTICIPATION*

- (d) Encouraging public participation in the conservation of heritage resources;

*PRIVATE  
INITIATIVES*

- (e) Providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means;

*AWARENESS &  
EDUCATION*

- (f) Promoting public understanding, appreciation and enjoyment of Windsor's heritage resources through an on-going public awareness and education programme;

*INFORMATION  
BASE*

- (i) Creating a heritage resource information base to identify heritage resources.





**Committee Matters: SCM 142/2025**

**Subject: Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4)**

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

Decision Number: **DHSC 731**

- I. THAT the Heritage Permit at 794 Devonshire Rd, Porter Coate House, **BE GRANTED** for exterior painting and restoration works;
- II. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the exterior painting and restoration works;
- III. THAT a total grant of 30% of the cost of the exterior painting and restoration works, to an upset amount of \$6,428 from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owners of the Porter Coate House at 794 Devonshire Rd, subject to:
  - a. Submission of conservation details, technical details, and samples to the satisfaction of the City Planner or designate prior to work start;
  - b. Determination by the City Planner that the work is completed to heritage conservation standards;
  - c. Owner's submission of paid receipts for work completed; and



- d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 57/2025

Clerk's File: MBA/6702

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.3 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Community Heritage Fund Request – 794 Devonshire Road,  
Porter Coate House (Ward 4)**

**Reference:**

Date to Council: May 5, 2025  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (A)  
Email: ttang@citywindsor.ca  
Phone: 519-255-6543 X 6179

Yasaman Bozorg-Grayeli  
Planning Assistant – Community Development  
ybozorg-grayeli@citywindsor.ca  
519-255-6543 X 6438  
Planning & Building Services  
Report Date: 4/11/2025  
Clerk's File #: MBA/6702

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

**Recommendation:**

- I. THAT the Heritage Permit at 794 Devonshire Rd, Porter Coate House, **BE GRANTED** for exterior painting and restoration works;
- II. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the exterior painting and restoration works;
- III. THAT a total grant of 30% of the cost of the exterior painting and restoration works, to an upset amount of \$6,428 from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owners of the Porter Coate House at 794 Devonshire Rd, subject to:
  - a. Submission of conservation details, technical details, and samples to the satisfaction of the City Planner or designate prior to work start;
  - b. Determination by the City Planner that the work is completed to heritage conservation standards;
  - c. Owner's submission of paid receipts for work completed; and



- d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

**Executive Summary: N/A**

**Background:**

The property at 794 Devonshire Road is known as the Porter Coate House, which was constructed in 1907 at the northeast corner of Devonshire Road and Cataraqui Street. The dwelling is a two-and-one-half-storey detached house in a late Queen Anne style with Tudor Revival style elements, and is representative of the fine houses constructed in the former Town of Walkerville. This property was designated by City of Windsor Council through By-law 309-2002 on October 7, 2002. The Statement of Cultural Heritage Value or Interest from the Designation By-law is included as Appendix 'A'.



Front (west-facing) and side (south-facing) views of the property (taken by City Staff on November 13, 2024).

There have been discussions with the Owners of the property about conducting repairs on the Porter Coate House since their recent purchase of the property in 2024. The Owners noticed that a number of repairs are needed to their home, including for the masonry, mortar, windows, wood trims, and front porch and steps. Due to financial constraints and availability of specialist contractors, the Owners decided to phase out the works needed to be done. They have prioritized the exterior brick masonry walls and foundation, which were experiencing increasing pressure and leaks.

The Owners have previously applied for a heritage permit and Community Heritage Fund (CHF) grant for the masonry repairs and foundation waterproofing. On January 13, 2025, through Council Resolution CR 18/2025, City Council approved of the request and approved a total grant of up to \$17,221 under the CHF (Reserve Fund 157) for the works. The Owners have also applied for the Heritage Property Tax Reduction program for the masonry repairs and foundation waterproofing scope of work, which is administratively processed when amounts are under \$20,000 as per By-law 164-2015.



The total property taxes payable in 2024 for 794 Devonshire Road were \$7,277.44. The annual rebate would be up to 30% or approximately \$2,183 for a maximum of 3 years up to the cost of the restoration.

The second phase of their house restoration project is to paint the exterior as to prevent further peeling, damage, rotting, and degradation. On April 10, 2025, the Owners submitted a complete heritage permit application (Appendix 'B') and CHF grant application (Appendix 'C') for the works. The Owners are requesting for a total grant of 30% of the cost of the works, \$6,428, and have included a rationale letter for the request (included in Appendix 'C'). Administration is recommending approval for this request.

### **Legal Provisions:**

Part IV, 39 (1) of the *Ontario Heritage Act* (OHA) provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe." The City's Community Heritage Fund (Reserve Fund 157) exists to provide grants to heritage conservation works on designated heritage properties.

The *OHA* requires the owner of a heritage designated property to apply to Council to alter the property. The designation by-law includes heritage attributes (see Appendix 'A'). In accordance with the *OHA*, changes to a designated property that affect heritage attributes must be considered by City Council after consulting with its municipal Heritage Committee. Council has the option of granting consent with or without terms and conditions, or refusing the application within 90 days of notice of complete application. Council also has the option to further delegate the item to an employee or official of the municipality. The delegation of final details would be more expediently handled through staff review and approval.

### **Discussion:**

### **Proposal:**

#### **Exterior Painting and Restoration**

Wooden elements of the property appear to show signs of damage, whether through peeling, deterioration, or rotting. The previous layers of paint are now peeling off and exposing the wood to weathering and the forces of nature. The wood's protective nature has been compromised and is at risk of further degradation if not attended to. The painting proposed goes beyond aesthetic reasoning in that it can help preserve the existing features for more years to come.

The proposed scope of work includes:

- Clean all surfaces using diluted cleaning solution (TSP) to remove mildew buildup to ensure better adhesion, power wash with low PSI
- Acetone test to determine whether the existing paint is latex or oil
- Sand surfaces and prime using Cloverdale Exterior, a Canadian product from BC



- Paint black using Sherwin Williams all currently dark brown painted wood elements: half-timbers, trims, Tudor elements, fascia, soffits, decorative crown, and other fine decorative wood details and features on both the main dwelling and garage
- Paint black using Sherwin Williams other features to match: downspout/ eavestroughs, window frames/ grids, storm windows, porch columns, porch railing/ spindles, porch trims
- Paint off-white cream shade the Tudor stucco on both the main dwelling and garage
- Paint “Graceful Grey” cedar shake siding
- Any repairs where needed

Other works being pursued by the Property Owners, but not part of this heritage permit application or CHF application request, include:

- Replacing non-original modern 1980’s windows with new windows compatible with existing in a black finish
- Adding aluminum capping to non-original modern storm windows in a black finish
- Painting the wood fence to match the dwelling



Photos of the various wood accents to be restored and painted (taken by the Property Owner on March 26, 2025)





Rendering of the proposed final appearance of the subject property (provided by the Property Owner)

The works proposed follow the *Standards & Guidelines for Conservation of Historic Places in Canada*. Standard 8 is listed below.

8. Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.

### **Official Plan Policy:**

The Windsor Official Plan includes (9.3.6.1.), “Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means”.

The Plan includes protection (9.3.4.1). “Council will protect heritage resources by: (c) Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ...”

### **Risk Analysis:**

The risk of taking no action for this scope of work is the potential further deterioration of the designated heritage attributes and wood accents, causing health and safety concerns from mold growth and rodent infestations due to exposed entry points. No city funds will be expended until the project is determined by Planning Staff to be completed according to good heritage practices. Conditions of this determination include provision of technical information through details within the quote, and request for provision of material samples and product information to ensure that the work is heritage appropriate prior to disbursement of the funds.

### **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

### **Financial Matters:**

The Community Heritage Fund (CHF) guidelines includes the following:

“As a general principle, awards will be limited to a maximum of \$50,000 unless the DHSC (Development & Heritage Standing Committee) so recommends and Council approves.” The award from the Community Heritage Fund is generally given according to the following formula: 15 percent of the award in the form of a grant”. In this particular case, the applicant is asking for a 30% grant approval. As well, the Community Heritage Fund asks for "a minimum of two cost estimates, based on specifications approved by



the DHSC and the City Planner or Designate, shall be obtained by the Owner for all restoration work to be done.” The estimates will then be reviewed to ensure that all work specified is covered. The lower bid will usually be recommended for funding.”

The Owners contacted three local companies to solicit bids and comparable quotes for the proposed painting and repair works: Starks Painting, DOPRO Painting and Renovations, and Tints and Tones Inc. A summary table of the quotes is as below. The Owner has selected their preferred qualified vendor, Tints and Tones Inc., based on the quote provided and flexibility or availability to schedule the work. The Owners will be fully incurring the expenses.

<b>TOTAL SUMMARY Painting Repairs (inclusive of HST)</b>	
<b>Quote from Vendor</b>	<b>Cost in CDN</b>
Starks Painting	\$30,962.00
DOPRO Painting and Renovations	\$38,278.75
Tints and Tones Inc.	\$21,428.19

Based on the estimates of the Owners’ preferred qualified vendors, the total cost of the project is anticipated to be \$21,428.19 after tax. The Owner is requesting for 30% of cost of the work to be covered by the CHF due to the post-COVID 19 inflation and increasingly expensive trades work. Council has approved a higher CHF grant approval percentage in recent years to other heritage property owners (of around 30%-35% for work ranging from wood windows to clay tile and other specialty repairs). The cost of the work is a significant cost for a private property owner, who has other repairs and restorations planned for the heritage designated property in the coming years. The heritage financial incentive through the CHF would provide support to the continued conservation of the heritage features of this designated building. Therefore, administration recommends approval of the request by the Owners for a CHF grant of 30% for the work to be done to the exterior of the house.

As of March 31, 2025, the Community Heritage Fund (Reserve Fund 157) has an uncommitted balance of \$72,129 available (including the safeguard of having the minimum balance of \$50,000 in the Committed funds). Therefore, there are sufficient funds in Fund 157 to cover the cost of the grant request. Administration recommends that the amounts of 30% after HST to an upset amount of \$6,428 be provided for the repair project.

### **Consultations:**

City Staff have been consulting with Owners in recent months. Josie Gualtieri, Financial Planning Administrator, assisted with confirmation of fund balance. Aaron Farough, Senior Legal Counsel, Legal Department, was consulted in the preparation of this report.



**Conclusion:**

A total grant amount of 30% of the cost of the exterior painting and restoration at 794 Devonshire Road to upset amount of \$6,428 from the Community Heritage Fund (Reserve Fund 157) is recommended to be approved, subject to conditions. Further heritage alteration approvals necessitated for this scope of work are recommended to be delegated to the City Planner or designate to direct further conservation details.

**Planning Act Matters: N/A**

**Approvals:**

Name	Title
Emilie Dunnigan	Manager Development Revenue & Financial Administration
Jason Campigotto	Deputy City Planner – Growth (A)
Greg Atkinson	City Planner (A)
Aaron Farough	Senior Legal Counsel
Lorie Gregg	On behalf of Commissioner of Finance and City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A - Statement of Cultural Heritage Value or Interest
- 2 Appendix B - Heritage Permit Application
- 3 Appendix C - Community Heritage Fund Application
- 4 Appendix D - Additional Photos of 794 Devonshire Rd



## **Appendix 'A' – Statement of Cultural Heritage Value or Interest**

794 Devonshire Rd.-Porter Coate House. By-law 309-2002, passed by council on October 7, 2002.

### **Reasons for Designation**

#### **The Porter-Coates house 794 Devonshire Rd.**

##### **Historical:**

- Built in 1907, the house is illustrative of the fine homes being built for prominent citizens in Walkerville during one of its major growth periods in the early years of the 20<sup>th</sup> century.
- First owned by George F. Porter, a chief draughtsman for the Canadian Bridge Co.
- The second owner was prominent businessman James R. Coate, who lived in the house for 23 years (1910-1933). He was the president and manager of the Walkerville Hardware Co. Ltd.

##### **Architectural:**

- Described as late Queen Anne style, the house has characteristics of both the Queen Anne style house (popular from the 1880s to the 1910s) and the Tudor Revival style house (popular from the 1900s to the 1940s).
- Architectural features of note include: asymmetrical massing (square and polygonal bays, gabled ells), mixture of roof forms (main gable, rear hipped ell), mixture of surface treatments (half-timbering, red brick, wood shingles, clapboard), a variety of window treatments (double hung-small pane over large, diamond motif, and stained glass), and fine detailing (bracketed cornices, wooden porch, carved bargeboard, half-timbered gable ends).
- The original roof material was cedar shingle.



## APPLICATION TYPE

☒ **Minor Heritage Permit**  
(Delegated Authority Approval)

☐ **Major Heritage Permit**  
(City Council Approval)

☐ **Demolition**

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

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

#### APPLICANT

Contact Name(s) Arun Rattan & Kayla Chopp  
Company or Organization \_\_\_\_\_  
Mailing Address 794 Devonshire Rd  
City, Province Windsor, ON Postal Code N8Y 2M1  
Email [REDACTED] Phone(s) [REDACTED]

#### REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### Who is the primary contact?

☒ Applicant

☒ Registered Owner

☐ Agent



## 2. SUBJECT PROPERTY

Municipal Address: 794 Devonshire Road

Legal Description (if known): Plan 211; Lot 11; PT Lot 9 & Block Q

Building/Structure Type:

☒ Residential      ☐ Commercial      ☐ Industrial      ☐ Institutional

Heritage Designation:

☒ Part IV (Individual)      ☐ Part V (Heritage Conservation District)

By-law #: 309-2002      District: \_\_\_\_\_

Is the property subject to a Heritage Easement or Agreement?

☒ Yes      ☐ No

## 3. TYPE OF APPLICATION

Check all that apply:

☐ Demolition/Removal of heritage attributes      ☐ Addition      ☐ Erection      ☒ Alteration\*  
☐ Demolition/Removal of building or structure      ☐ Signage      ☐ Lighting

\*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

## 4. HERITAGE DESCRIPTION OF BUILDING

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

Described as late Queen Anne style, the house has characteristics of both the Queen Anne style house (popular from the 1880s to the 1910s) and the Tudor Revival style house (popular from the 1900s to the 1940s). Architectural features of note include: asymmetrical massing (square and polygonal bays, gabled ells), mixture of roof forms (main gable, rear hipped ell), mixture of surface treatments (half-timbering, red brick, wood shingles, clapboard), a variety of window treatments (double hung- small pane over large, diamond motif, and stained glass), and fine detailing (bracketed cornices, wooden porch, carved bargeboard, half-timbered gable ends). Work is requested on the porch, wood shingles, trim, window frames, soffits, fascia and wooden tudor elements.



## 5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

All wooden elements of the house are showing peeling, damage and in some cases, rotting. Because all elements are in need of new paint, we found it an opportune time to revisit the colour scheme. We would like to update the dark brown features of the house to black. This would include the half-timbering, trims, Tudor elements, fascia, soffits, downspouts/eavestroughs, window frames/grids, storm windows, porch columns, porch railings/spindles and other fine decorative wood details and features. The intent is to keep in spirit of the old, black creosote-saturated timbers from the Tudor style. Initially, an acetone test would be performed to determine where latex vs. Oil paints have been used. With this info, the appropriate primers and paints can be applied. Two coats will be required to ensure consistent coverage for both aesthetic and protective function. Original off-white Tudor stucco features will be refreshed with a colour-matched paint to replicate the existing cream colour. The cedar shingle siding also shows peeling and is in need of paint. It requires that each visible side of each shingle receives two coats by brush, not spray. The paint colour chosen is "Graceful Grey". A neutral, warm leaning taupe that is organic in hue and light in tone.

We would like to make note that while these updates are being performed, we will be replacing some of the non-original windows with new ones as well as adding aluminum capping to non-original storm windows.

## 6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

The wooden features of the home are well overdue for new paint. Beyond aesthetic

---

reasoning, the paint's protective nature is now compromised and the wood itself is at

---

threat of rot in places where rotting has not yet begun.

---

Describe the potential impacts to the heritage attributes of the property.

While we intend to change the colour scheme, it is neither drastic, nor outside of typical

---

or commonly found tudor revival styles. It is our intent to keep with similar schemes

---

found within the neighborhood.

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## 7. CHECKLIST OF MATERIALS SUBMITTED

Check all that apply:

Required:

- ☒ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☐ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- ☐ Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☐ Specifications of proposed work(s) (e.g. construction specification details)



Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment

## 8. NOTES FOR DECLARATION

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.*

*The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.*

*The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.*

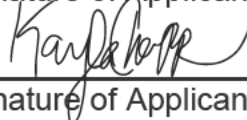


Signature of Applicant(s)

13/02/2025

Date

13/02/2025



Signature of Applicant(s)

Date



## SCHEDULE A

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

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

I, \_\_\_\_\_, am the registered owner of the land that is  
*name of registered owner*

subject of this application for a Heritage Alteration Permit and I authorize

\_\_\_\_\_ to make this application on my behalf.  
*name of agent*

\_\_\_\_\_  
Signature of Registered Owner

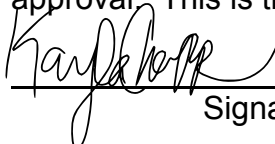
\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation.

### B. Consent to Enter Upon the Subject Lands and Premises

Kayla Chopp & Arun Rattan

I, \_\_\_\_\_, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

 \_\_\_\_\_  
Signature of Registered Owner



13/02/2025

\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation.

### C. Acknowledgement of Applicant

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

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

 \_\_\_\_\_  
Signature of Applicant

13/02/2025

\_\_\_\_\_  
Date

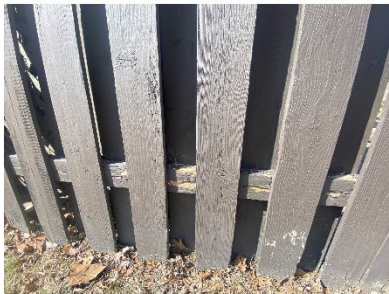
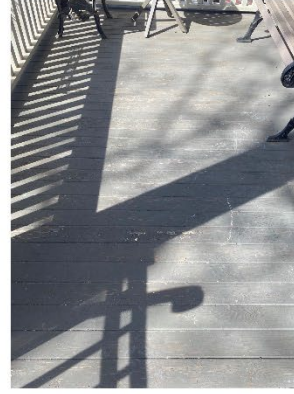




“Graceful Grey”

An acetone test will be performed to determine whether the existing paint is latex or oil. The appropriate paints to be used can then be determined. If oil is to be used, the paint will be a Sherwin Williams Extreme Block. If latex is applicable, we will use Sherwin Williams Emerald Exterior. The primer of choice will be Cloverdale Exterior, a Canadian product from BC intended to hold up to the harshness of their humid climate. It is a slow bond primer which gets optimal adhesion. Sanding will occur beforehand to ensure removal of any dead fibre, creating a receptive surface for the primer to bond to.





Detailed photos of the deteriorated features of the dwelling



**CORPORATION OF THE CITY OF WINDSOR**

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1  
519-255-6543 | 519-255-6544 (fax) | [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

**1. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION**

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

**APPLICANT**

Contact Name(s) Arun Rattan & Kayla Chopp  
Company or Organization \_\_\_\_\_  
Mailing Address 794 Devonshire Rd  
City, Province Windsor, On Postal Code N8Y-2M1  
Email [REDACTED] Phone(s) [REDACTED]

**REGISTERED OWNER IF NOT APPLICANT**

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

**AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION**

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

**Who is the primary contact?**

☒ Applicant

☒ Registered Owner

☐ Agent



## 2. SUBJECT PROPERTY FOR WHICH HERITAGE FUNDS ARE REQUESTED

Heritage Name of Property: Porter-Coate House

Municipal Address: 794 Devonshire Rd.

Legal Description (Lot and Plan): PLAN 211; LOT 11; PT LOT 9 & BLOCK Q

Assessment Roll Number(s): 3739-020-080-06300-0000

Existing Use: \_\_\_\_\_

Heritage Designation:

☒ Part IV (Individual)

☐ Part V (Heritage Conservation District)

By-law #: 309-202 District: \_\_\_\_\_

Is the property subject to a Heritage Easement or Agreement?

☒ Yes

☐ No

## 3. REQUESTED HERITAGE FUND ASSISTANCE

Total Estimated Project Costs: \$ 21,428.19

Total Grant Amount Requested: \$ 6,428

NOTE: Details are set out in the pamphlet "Windsor's Community Heritage Fund".

Are there any outstanding mortgages or liens against this property?

☐ No

☒ Yes Amount: \$ 525,000 Institution: TD Bank

Have you previously received assistance from the City for the property named above?

☐ No

☒ Yes Amount: \$ 17,221 Date: 01/13/2025

Source of funds: Heritage Permit HP-02/2025, Council Resolution CR 18/2025, (Reserve Fund 157)

## 4. HERITAGE FUND REQUEST RATIONALE

Describe fully here (or on attached sheets) the proposed conservation/ restoration work to be undertaken:

All wooden elements of the house are showing peeling, damage and in some cases, rotting. This would include the half-timbering, trims, Tudor elements, fascia, soffits, downspouts/eavestroughs, window frames/grids, storm windows, porch columns, porch railings/spindles and other fine decorative wood details and features. We propose utilizing this opportunity to convert these listed elements from their current dark brown, to black. Beyond aesthetic reasons, these elements are well overdue for paint in the interest of preservation, maintenance and prevention. The paint's protective nature is now compromised and the wood itself is at risk of further rot and degradation if not promptly attended to. Original off-white Tudor stucco features will be refreshed with a colour-matched paint to replicate the existing cream colour. The cedar shingle siding also shows peeling and is in need of paint. It requires that each visible side of each shingle receives two coats by brush, not spray. The paint colour chosen is "Graceful Grey". A neutral, warm leaning taupe that is organic in hue and light in tone. We are discovering that the scale of work required is massive and overwhelming for us to take on entirely. This coupled with post covid inflation woes are intimidating to say the least. It would be through the generous help of the CHF that we could restore and preserve this monument in the manner it deserves and requires.



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## 5. CHECKLIST OF MATERIALS SUBMITTED

Check all that apply (to be determined by Heritage Planning staff):

- ☒ At least two written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work(s). The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing.
- ☒ A brief one-page rationale/justification letter addressed to the Heritage Committee, requesting support for the proposed works through financial assistance
- ☒ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☐ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- ☐ Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☐ Specifications of proposed work(s) (e.g. construction/materials specification details)
- ☐ Early photographs or drawings showing the property's original appearance (if available)

## 6. SIGNATURES

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application. The applicant agrees that the proposed work shall be done in accordance with this application, including attachments.*

 _____ Signature of Applicant(s)	03/18/2025 _____ Date
 _____ Signature of Applicant(s)	03/18/2025 _____ Date

Date Received by Heritage Planner: \_\_\_\_\_



**SCHEDULE A**

**A. Authorization of Registered Owner for Agent to Make the Application**

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

I, \_\_\_\_\_, am the registered owner of the land that is  
*name of registered owner*

subject of this application for a Community Heritage Fund Grant and I authorize

\_\_\_\_\_ to make this application on my behalf.  
*name of agent*

\_\_\_\_\_  
Signature of Registered Owner


\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation.

**B. Consent to Enter Upon the Subject Lands and Premises**

Kayla Chopp

I, \_\_\_\_\_, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

  
\_\_\_\_\_  
Signature of Registered Owner

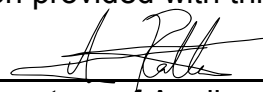
03/18/2025  
\_\_\_\_\_  
Date

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

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

  
\_\_\_\_\_  
Signature of Applicant

03/18/2025  
\_\_\_\_\_  
Date



Kayla Chopp & Arun Rattan  
794 Devonshire Rd.

March 19th, 2025

**Subject:** Community Heritage Fund - Request for special consideration

Dear Members of Council and Heritage Committee,

We hope this letter finds you well. We are the proud new owners of the Porter-Coate House on Devonshire Rd. Owning a property of such historical importance has been a long-held dream of ours and we are committed to embracing the responsibility it entails with great passion and care.

The house's existing paint has been long overdue for attention. It is now beyond being solely an aesthetic need and has become a maintenance concern. Portions of paint have peeled off entirely, exposing the wood to the elements. A few spots show extreme deterioration in the form of rot, allowing entry points for rodents. These locations are to be seamlessly repaired and painted. Although some of the paint and wood has been spared thanks to shade and overhangs, we are of the thought that the entirety of the wood elements should receive a paint update to ensure consistency in both appearance and longevity.

Having researched the colour schemes of the neighborhood and the tudor style in general, we are proposing a black treatment of all currently-dark-brown-painted wood elements including the half-timbering, trims, Tudor elements, fascia, soffits, other fine decorative wood details and features. Often, the timbers used in the tudor style were coated with a creosote, for both protection and colouring, offering a dramatic contrast of black to the cream stucco framed within. To maintain aesthetic consistency, the following would also get a black conversion: downspouts/eavestroughs, window frames/grids, storm windows, porch columns, porch railings/spindles and porch trims. The Tudor stucco will receive a refresh with paint that is colour-matched to the existing cream shade of off-white.

The painted cedar shingle siding is currently a faded gradient of beiges, greys, pinks and yellows. We are proposing a new colour that would neither be imposing or dramatic, but would dignify the cedar as it's own element. This is what we presume the architect might have intended when designating the materiality. We've chosen a warm leaning, organic light grey that could suggest the spirit of a naturally silvering cedar. The aim is not to imitate, rather to be respectful of the natural tonality. The paint colour is "Graceful Grey" and a photoshopped proposal is attached.

We are discovering that the scale of work required is financially overwhelming for us to take on entirely. This coupled with post covid inflation woes are intimidating to say the least. It would be through the generous help of the CHF that we could restore and preserve this monument in the manner it deserves and requires. The total cost of the work is \$21,428.19 and we are asking for a grant of \$6,428 (30%). This grant would be pivotal in our financing of all the other repairs, restoration, and updates that we plan to undertake on our home in the future. Thank you for your consideration.

Sincerely,  
Arun Rattan and Kayla Chopp

Handwritten signatures of Arun Rattan and Kayla Chopp. Arun's signature is on the left, and Kayla's is on the right, both in black ink.





“Graceful Grey”

An acetone test will be performed to determine whether the existing paint is latex or oil. The appropriate paints to be used can then be determined. If oil is to be used, the paint will be a Sherwin Williams Extreme Block. If latex is applicable, we will use Sherwin Williams Emerald Exterior. The primer of choice will be Cloverdale Exterior, a Canadian product from BC intended to hold up to the harshness of their humid climate. It is a slow bond primer which gets optimal adhesion. Sanding will occur beforehand to ensure removal of any dead fibre, creating a receptive surface for the primer to bond to.





## Tints and Tones Inc.

Jesse Toupin

GST # 70779414

635 University Ave E

Windsor ON

N9A 2Z6

5195667612

<https://tintsandtonesinc.com>

tintsandtonespaintingco@gmail.com

ESTIMATE

EST00554

DATE

03/22/2025

TOTAL

CAD \$21,428.19

TO

**Arun Rattan**

Windsor, ON

N8Y 2M1

□

[REDACTED]

[REDACTED]

DESCRIPTION	RATE	QTY	AMOUNT
794 Devonshire Rd	\$18,963.00	1	\$18,963.00

### General Procedures & Preparation

Protect and mask all adjacent surfaces when spraying.  
 Spray surfaces with diluted cleaning solution (TSP) to remove mildew buildup to ensure better adhesion  
 Low PSI power wash.  
 Allow to dry 48 hours or until moisture levels are below recommended levels.  
 All second floor sections to be completed using boom access.

### Cedar Shake

Sand down areas where paint is failing.  
 Apply wood brightener to neutralize dead wood fibres.  
 Prime sanded and treated cedar shakes (1) coat.  
 Paint remaining cedar shakes, (2) coats appropriate exterior finish.

Approx. 1300 sq. ft wall area.



### Soffits and Crown

Scrape and prime soffits and decorative crown (1) coat.  
Paint soffits and decorative crown, (2) coats appropriate exterior finish.

Approx. 240 linear sq. ft

### Exterior windows

Wipe down all windows with TSP or de-glosser to prep surface for paint and create an abrasive surface for stronger adhesion. Sand if necessary.

Paint windows (28); one (1) coat primer, two (2) coats pro industrial finish.

Remove and transport storm windows to studio.  
Mask all areas not to be painted.  
Paint storm windows (21); one (1) coat primer, two (2) coats pro industrial finish.

### Tudor Boards and Stucco

Paint all tudor boards and stucco, (2) coats appropriate exterior finish.

### Columns and Deck Trim

Paint all columns and deck trim, (2) coats appropriate exterior finish.

### Garage

Scrape away chipping paint.  
Masonry prime (1) coat all walls.  
Paint walls; two (2) coats masonry finish.  
Paint all soffits; (1) coat primer, two (2) coats finish.

Approx. 720 sq. ft wall area.

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Materials & Labor

All paint and materials included in final cost.  
All access including, lifts and scaffolding included in cost.  
Professional labor, masking, prep, and clean-up included.

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SUBTOTAL	\$18,963.00
TAX (13%)	\$2,465.19
TOTAL	CAD \$21,428.19

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DATE SIGNED  
03/22/2025



# ESTIMATE



## Prepared For

Arun Rattan  
794 Devonshire Road



## DOPRO Painting And Renovations

262 Curry Avenue  
Windsor, Ontario N9B2B5

Phone: (905) 920-2112

Email: dopropaintingandrenovations@gmail.com

Estimate # 133

Date 22/02/2025

Business / Tax # 830036901

Description	Total
exterior painting primary quote	\$18,000.00
Prep and paint soffits, fascia, wood details, cedar shakes, front porch (ceiling, soffits, posts, metal handrail, wooden spindles and railing, lattice) back porch	
Hand brush in between all gaps in cedar siding, prime as needed, paint 2 coats	
No lower windows w iron bars anywhere	
Can remove up to 2000 depending on colour approvals by city	
garage	\$3,100.00
Soffits, fascia, stucco and Tudor boards, all wood trims, garage door and frame	
Ivy removal, full prep job on stucco	
Thermoplastic sealant into all cracks	
3100 + materials	
fence	\$3,000.00
Sand all surfaces, wood fill as needed	
Brush and spray the fence to specified colour	
Replace bad lower cross member board to left of side gate	



3000 + materials

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windows \$5,000.00

Remove all storm windows, prep and paint both sides + insides, reinstall

4-6k

---

materials for primary quote \$3,075.00

20 gallons for cedar shakes

8 gallons for fascia board and stucco

4 gallons for porches

3 gallons for stucco

Consumables 500

---

garage materials \$600.00

6 gallons of paint, 1 gallon primer , consumables

---

windows materials \$450.00

1 gallon liquid mask

3 gallons of paint, 1 gallon primer,

Consumables

---

fence materials \$650.00

8 gallons of paint, consumables

---

**Subtotal** \$33,875.00

---

hst \$4,403.75

---

**Total** **\$38,278.75**

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### Notes:

2-3 weeks to complete

5 year warranty against any paint peeling or paint defects



By signing this document, the customer agrees to the services and conditions outlined in this document.





RESIDENTIAL | COMMERCIAL | INDUSTRIAL

519-566-8667 | INFO@STARKSPAINTING.COM  
WWW.STARKSPAINTING.COM

Date: March 4, 2025

To: Arun Rattan 794 Devonshire Rd Windsor

Contact: [REDACTED]

## QUOTE *We have the pleasure of submitting the following quote for your project.*

### SCOPE OF WORK

Paint exterior of residential home

Paint, miscellaneous materials and lift/boom rental will be supplied and selected by Stark's. Client to supply water hook up for prep. Any major repair of damaged/rotted area (stucco, wood, ETC) is not included.

Colours: to be determined by homeowner (2-tone colour scheme)

Excluded: painting of eavestroughs/downspouts, metal porch railings/hand rails, metal/vinyl storm doors

### PREP

-all fixtures and surfaces in the immediate area will be properly covered and protected

-power wash where required

-prime as and where required (oil-based paint previously used in some areas)

### PAINT

The following shall be finish painted:

#### House (All elevations)

-Tudor style stucco field and wood trim

-cedar shake siding

-wood fascia, soffit, corbels

-front porch: railings, posts, soffit

-rear porch: posts, soffit

-rear second story porch railings

-exterior paintable window surfaces

-man doors (exterior side only)

#### Garage (All elevations)

-Tudor style stucco field and wood trim, exterior walls

-wood fascia, soffit, corbels

-exterior paintable window surfaces, shutters

-garage door, man door (exterior side only)

Sub Total 27,400.00

HST 3,562.00

TOTAL \$30,962.00

*This quotation is valid for 30 days. After 30 days, quote is subject to reassessment.*

*Any extra work other than that quoted above will be charged accordingly.*

*Stark's Painting is fully insured and staff is trained in working at heights with booms/lifts. Stark's Painting is not responsible for damages to exterior ground surfaces (such as grass, concrete, asphalt) caused by weight of boom/lift.*

*Re-paint due to change in colour choice will result in additional charges.*

*HST # 836 595 413*

I have read and agree with quotation details and would like to proceed with the project. I acknowledge that a 10% deposit (of total project value) is required to secure my spot in the queue.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## APPENDIX 'D' – Additional Photos of 794 Devonshire Road

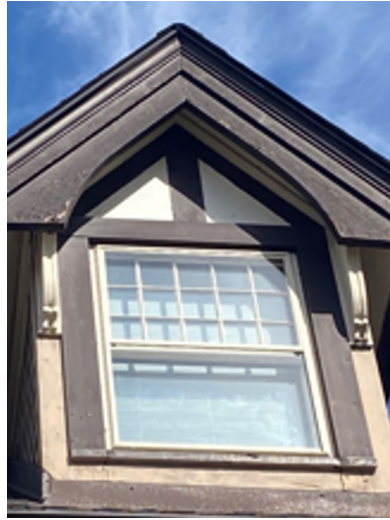
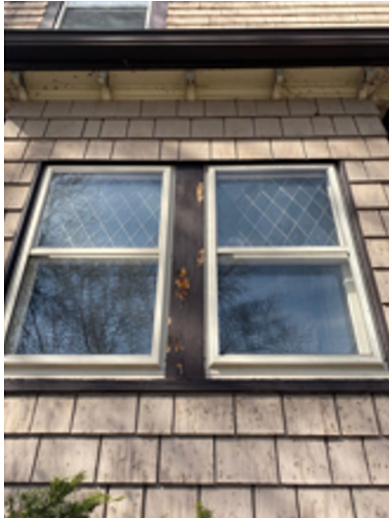


Views of 794 Devonshire Road looking south-east (left) and north-east (right) (taken by City Staff on November 13, 2024).



Wood features of 794 Devonshire Road proposed to be restored and repainted (taken by City Staff on November 13, 2024).





Wood features of 794 Devonshire Road proposed to be restored and repainted (provided by Property Owner).





**Committee Matters: SCM 144/2025**

**Subject: 357-359 Indian Road (Sandwich HCD) – Request for Heritage Permit for Alteration (Ward 2)**

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 732**

THAT the request for a Heritage Permit under Section 42 (1) 1. of the *Ontario Heritage Act* for the restoration of the duplex dwelling and reconstruction of the front porch at 357-359 Indian Road **BE GRANTED** as per plans in Appendix 'A' of this report;

- I. THAT the Heritage Permit approval **BE SUBJECT** to the following approval conditions to the satisfaction of the City Planner or designate prior to work start:
  - a. Submission of satisfactory product details and samples (including material and colour selections);
  - b. Determination that the work is satisfactory to meet Building Code compliance; and
  - c. Determination by the City Planner or designate that the work adheres to the details and plans as outlined in the Heritage Permit application; and
- II. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the proposed scope of work for the restoration of the duplex dwelling and reconstruction of the front porch.

Carried.

Report Number: S 56/2025

Clerk's File: MB2025

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.4 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: 357-359 Indian Road (Sandwich HCD) – Request for Heritage Permit for Alteration (Ward 2)**

**Reference:**

Date to Council: May 5, 2025  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (Acting)  
ttang@citywindsor.ca  
519-255-6543 X 6179

Yasaman Bozorg-Grayeli  
Planning Assistant – Community Development  
ybozorg-grayeli@citywindsor.ca  
519-255-6543 X 6438  
Planning & Building Services  
Report Date: 4/11/2025  
Clerk's File #: MB2025

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

**Recommendation:**

- I. THAT the request for a Heritage Permit under Section 42 (1) 1. of the *Ontario Heritage Act* for the restoration of the duplex dwelling and reconstruction of the front porch at 357-359 Indian Road **BE GRANTED** as per plans in Appendix 'A' of this report;
- II. THAT the Heritage Permit approval **BE SUBJECT** to the following approval conditions to the satisfaction of the City Planner or designate prior to work start:
  - a. Submission of satisfactory product details and samples (including material and colour selections);
  - b. Determination that the work is satisfactory to meet Building Code compliance; and
  - c. Determination by the City Planner or designate that the work adheres to the details and plans as outlined in the Heritage Permit application; and
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the proposed scope of work for the restoration of the duplex dwelling and reconstruction of the front porch.



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

### **Background:**

City Council passed the Sandwich Heritage Conservation District (HCD) in January 2009. The Designation and related by-laws became effective on October 19, 2012. The subject property is a standard sized vacant residential lot located within the Sandwich HCD and therefore designated under Part V of the *Ontario Heritage Act (OHA)*.

The Property Owners are proposing to restore the existing duplex dwelling structure and add a new front porch. The existing building is currently vacant, has experienced neglect over the years, and is missing its front porch (removed without prior permission by previous owners). However, the property remains part of the 1920s properties contributing to the streetscape of Indian Road. The building condition, although weakened by lack of repair, does not warrant a Demolition Order under the provisions of the *Building Code Act*.

A Heritage Permit is required for the alteration of the Part V heritage designated property at 357-359 Indian Road. The Owners submitted a complete Heritage Permit application with architectural drawings, elevations, and floor plans on April 7, 2025. The Heritage Permit application package can be found in Appendix 'A'.



Photo of the subject property  
(provided by Owner, taken  
November 7, 2024)

### **Legal Provisions:**

As authorized by Section 42 of the *Ontario Heritage Act* and provided by the Sandwich HCD guidelines, a Heritage Permit is to be reviewed by the Windsor Heritage Committee followed by City Council consideration and decision for major projects such as proposed demolitions, new buildings, and major alterations. The *OHA* requires Council to make a decision to grant or refuse the permit applied for, with terms and conditions attached, within 90 days of the City providing the Property Owner notice that it has received the information necessary to make a decision. Heritage designations apply to the entire real property and alterations such as the proposal have the potential to impact the heritage character of the HCD and thus need to be evaluated.

### **Discussion:**

#### **Property Description:**



The subject property is a two-storey duplex dwelling located in the Sandwich Town neighbourhood. A fire insurance map dating from 1924 shows the property addressed as 19 and 19 and ½ Indian Road. The dwelling was marked as two and half storey building with front porch and a two storey addition at rear. Later, the address was changed to the current 357-359 Indian Road.

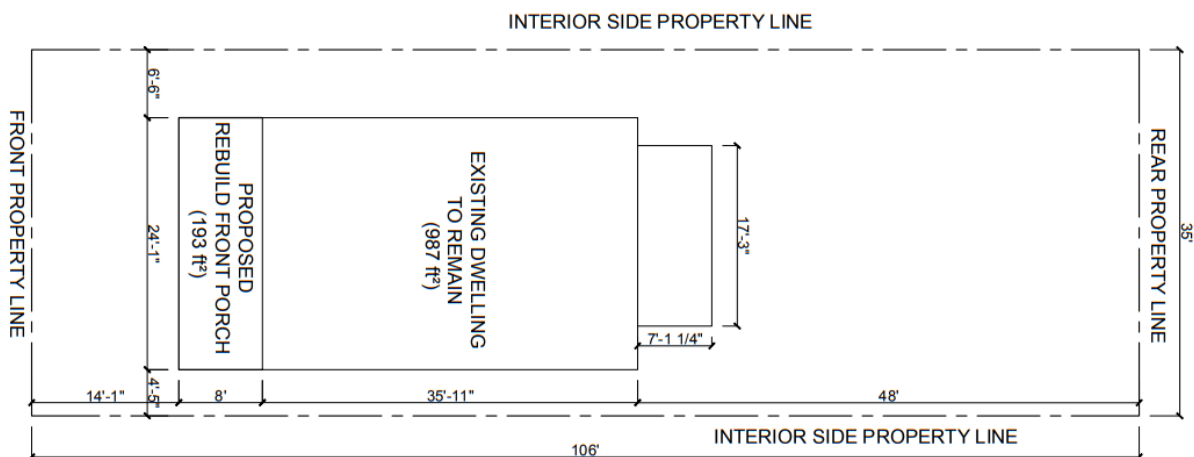


Photo of the subject property taken by Staff (April 9, 2025)

It appears to have an original outer appearance of a vernacular foursquare with a hipped roof. Unique about this dwelling is the rug-faced brick with brown, yellow, and light red hues on the first storey and the red cedar shingle cladding on the second storey. Previously, the dwelling had a full-length masonry front porch that was removed and was not replaced by previous owners. The asphalt roof is in damaged condition. The Sandwich HCD Plan describes in Section 2.2.2 Residential Characteristics that “Both sides of Indian Road contain good examples of the typical 1920s home, distinguished by a distinctive roof line that incorporates the front porch, some half-timbering and usually the use of red, rug brick”.

### Proposal:

The Heritage Permit application for 357-359 Indian Road concerns the restoration of the existing dwelling and the reconstruction of the front porch. The dwelling is as proposed in the drawings within Appendix ‘A’.

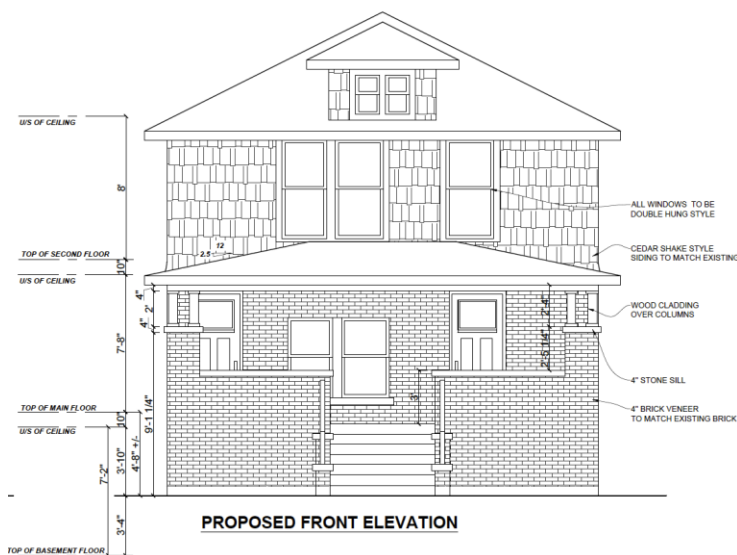


### Site Plan of proposed front porch addition at 357-359 Indian Road

The restoration of the dwelling would include the following scope of work:



- Reconstructing/rebuilding the front porch to its original style using historic photo documentation as reference. Full range rug brick veneer to match existing brick, wood clad columns, and 4" stone sills are features proposed.
- Reinstating the central dormer on the front (Indian Road) façade
- Replacing the existing second storey cedar siding with cedar shake composite siding in a similar appearance, colour, and texture as the original material. This will be to maintain the structural integrity of the building and prevent further moisture damage.
- Brick and mortar repair (repointing) where needed.
- Replacing the existing rear-entry deck, steps, and column.
- Replacing the asphalt roof with new asphalt shingles to match existing.



Proposed front elevation of the subject property

- Adding black dark casing around all windows, black eavestroughs, and black fascia (optional items).

### Heritage Considerations:

For the proposed restoration and front porch rebuilding of 357-359 Indian Road, the most relevant references from the *Standards & Guidelines for Conservation of Historic Places in Canada* have been considered. Standards 13 and 14 are listed below.

#### Additional Standards Relating to Restoration

- 13.** Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

The proposed works are also in adherence to the relevant policies and considerations from the Sandwich HCD, notably Section 4.2 Additions and Alterations to Existing Buildings and Section 7.4 Alterations.



#### Section 4.2: Additions & Alterations to Existing Buildings

- a) Minor exterior alterations and additions to buildings shall be permitted provided such alterations are not within any front or exterior side yard
- b) Structural alterations to the exterior of buildings visible from the street are not permitted in the event of residential conversions. Any exterior stairs or fire escapes are to be enclosed and kept away from the front or street facing façade of the structure
- c) Additions shall be subordinate to the original structure to allow the original heritage features and built form to take visual precedence on the street
- d) Design guidelines provided in Sections 7 of this Plan will be used to review and evaluate applications for additions and alterations to ensure that the proposed changes are compatible with the existing building and do not result in the irreversible loss of heritage attributes

#### Section 7.4: Alterations

- Potential alterations should be preceded by a period of research into the original style and appearance of the building
- Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence from the building itself;
- Before beginning any alteration, record the pre-existing state of the building through drawings, notes and photographs. “Before and after” photographs can often be a source of pride for the owner and builder
- If it is impossible to restore an original aspect of the building, the replacement should approximate the original in style, size and proportion
- If adding to the building, incorporate similar forms, materials, scale and design. Avoid concealing original features of the building, especially entrances and decorative detailing. Work should be distinct from the original construction and should be reversible to the original form;

The above policies were used as the main basis for information requirements to be submitted for Council’s consideration for the Heritage Permit application. The Property Owners have actively collaborated with City Administration to best ensure the proposal is a compatible fit in the Sandwich HCD. The proposal as submitted does not appear to adversely impact the Sandwich HCD or Mature Neighbourhood vernacular. The conditions recommended with the approval would allow for verification of the proposal further along in the design process. Other than the required Heritage Permit application, there are no *Planning Act* processes that apply to the proposal. A Building Permit is required for the duplex dwelling restoration and porch construction, which the Owners may proceed with should Council approve the request for a Heritage Permit application. Heritage Planning Staff would also continue the discussion about material and colour selections and require satisfactory final product information to be provided as a condition of the approval.

#### **Official Plan Policy:**



The Windsor Official Plan states “Council will enhance heritage resources by: Ensuring that within any Heritage Area or Heritage Conservation District that: Development be of compatible height, massing, scale, setback and architectural style.” (9.3.5.1(a)(ii)).

The Plan includes protection (9.3.4.1). “Council will protect heritage resources by: (c) Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ...”

Furthermore, the property is located within a Mature Neighbourhood as per Schedule A-1 Special Policy Areas of the Official Plan. As per Policy 1.51.1 of Volume II, Chapter I Special Policy Areas: Infill and intensification within Mature Neighbourhoods shall be consistent with the built form, height, massing, architectural and landscape of the area.

### **Risk Analysis:**

Risk of inappropriate additions and alterations within the Sandwich HCD is being mitigated through the Heritage Permit application process and conditions. The conditions recommended are intended to guide the proposed restoration and porch construction to form a cohesive exterior appearance and make heritage sensitive material selections. The risk of taking no action for this property is the potential further deterioration of a Sandwich HCD designated property, contributing to the Indian Road blight and stigma.

### **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

### **Financial Matters:**

There is no cost to the City; the Property Owners are paying the full cost of the proposal for the restoration and porch reconstruction on the duplex dwelling structure. The proposed work may increase the assessed value of the property and inspire future investment in Sandwich HCD as well.

The subject property is located in the Sandwich CIP area where properties that meet the CIP incentive program criteria are eligible for applying for financial incentives. The Property Owners have expressed interest in the Sandwich CIP and have submitted an application, which is the subject of a separate concurrent CIP report.

### **Consultations:**

Heritage Planning Staff have been in discussion with the Property Owners since October 2024. Kevin Alexander, Senior Planner, Planning Department, Aaron Farough, Senior Legal Counsel, Legal Department, and Building Department Staff were consulted in the preparation of this report.



**Conclusion:**

The Heritage Permit request for the restoration of the duplex dwelling and reconstruction of the front porch at 357-359 Indian Road is recommended for approval, subject to conditions. Delegated Authority to the City Planner or designate to direct any further minor changes as needed will provide expediency on application processing and confirm that the development proposed would not have a negative impact on the heritage character of the Sandwich HCD.

**Planning Act Matters: N/A**

**Approvals:**

<b>Name</b>	<b>Title</b>
Jason Campigotto	Deputy City Planner – Growth (A)
Greg Atkinson	City Planner (A)
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - Heritage Permit Application
- 2 Appendix B - Additional Photos of 357-359 Indian Road





Planning Department  
Suite 320-350 City Hall Sq W  
Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

## APPLICATION TYPE

☐ **Minor Heritage Permit**  
(Delegated Authority Approval)

☒ **Major Heritage Permit**  
(City Council Approval)

☒ **Demolition**

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

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

#### APPLICANT

Contact Name(s) Maurizio Mantovan, Bruno Mantovan

Company or Organization -

Mailing Address [REDACTED]

City, Province [REDACTED] Postal Code [REDACTED]

Email [REDACTED] Phone(s) [REDACTED]

#### REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) -

Company or Organization -

Mailing Address -

City, Province - Postal Code -

Email - Phone(s) -

#### AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) Maurizio Mantovan

Company or Organization -

Mailing Address [REDACTED]

City, Province [REDACTED] Postal Code [REDACTED]

Email [REDACTED] Phone(s) [REDACTED]

#### Who is the primary contact?

☒ Applicant

☐ Registered Owner

☐ Agent





Planning Department  
Suite 320-350 City Hall Sq W  
Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

## 2. SUBJECT PROPERTY

Municipal Address: 357-359 Indian Rd.

Legal Description (if known): PLAN 888 LOT 17; 3710.00SF 35.00FR 106.00D

Building/Structure Type:

☒ Residential ☐ Commercial ☐ Industrial ☐ Institutional

Heritage Designation:

☐ Part IV (Individual) ☒ Part V (Heritage Conservation District)

By-law #: \_\_\_\_\_ District: Sandwich 1

Is the property subject to a Heritage Easement or Agreement?

☐ Yes ☐ No

## 3. TYPE OF APPLICATION

Check all that apply:

☐ Demolition/Removal of heritage attributes ☐ Addition ☐ Erection ☒ Alteration\*  
☐ Demolition/Removal of building or structure ☐ Signage ☐ Lighting

\*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

## 4. HERITAGE DESCRIPTION OF BUILDING

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

Building is bottom half brick and upper half cedar shingles. Roof is asphalt, bad condition, this is the first thing we would like to get resolved and started on. 2 storey.

Rustic style, interior is empty right now. Currently no porch on the front face of the property. Rear of the property has a rear staircase which we will be keeping.

I will attach the plans and drawings of what is proposed.

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Planning Department  
Suite 320-350 City Hall Sq W  
Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

## 5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

Drawings are attached for the exterior of the property. Windows will not be altered.

We want to maintain the same aesthetic on the outside. Porch

to be redone with full range rug brick as seen in the presentation.

Siding is to be changed to a shake siding to maintain the structural integrity of the

property. Multiple styles and two very close colours to choose from to match the current property, alternatively could be painted to match. Exterior rear staircase to be redone.

## 6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Refurbishing the property. Bringing back the original style porch with the detail in both

columns. Siding is very similar to appearance, less to maintain over years, no moisture.

To make the property functional.

Describe the potential impacts to the heritage attributes of the property.

Brick column porch, similar to some other properties in the district. Cedar shake siding, environmentally friendly, will not hold moisture.

Maintaining same exterior aesthetic.

## 7. CHECKLIST OF MATERIALS SUBMITTED Check all that apply:

Required:

- ☒ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☒ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- ☒ Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☐ Specifications of proposed work(s) (e.g. construction specification details)





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# HERITAGE PERMIT APPLICATION

Revised 11/2023

Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment

## 8. NOTES FOR DECLARATION

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.*

*The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.*

*The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.*

<p>DocuSigned by:</p> <p><i>Maurizio Mantovan</i></p> <p>Signature of Applicant(s)</p>	<p>03/19/25</p> <p>Date</p>
<p>Signed by:</p> <p><i>Bruno Mantovan</i></p> <p>Signature of Applicant(s)</p>	<p>03/19/25</p> <p>Date</p>





Planning Department  
Suite 320-350 City Hall Sq W  
Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

## SCHEDULE A

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

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

I, Maurizio Mantovan, am the registered owner of the land that is  
name of registered owner

subject of this application for a Heritage Alteration Permit and I authorize

Maurizio Mantovan to make this application on my behalf.

name of agent

DocuSigned by:

*Maurizio Mantovan*

03/19/25

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation.

### B. Consent to Enter Upon the Subject Lands and Premises

I, Maurizio Mantovan, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

DocuSigned by:

*Maurizio Mantovan*

03/19/25

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation.

### C. Acknowledgement of Applicant

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

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

DocuSigned by:

*Maurizio Mantovan*

03/19/25

Signature of Applicant

Date













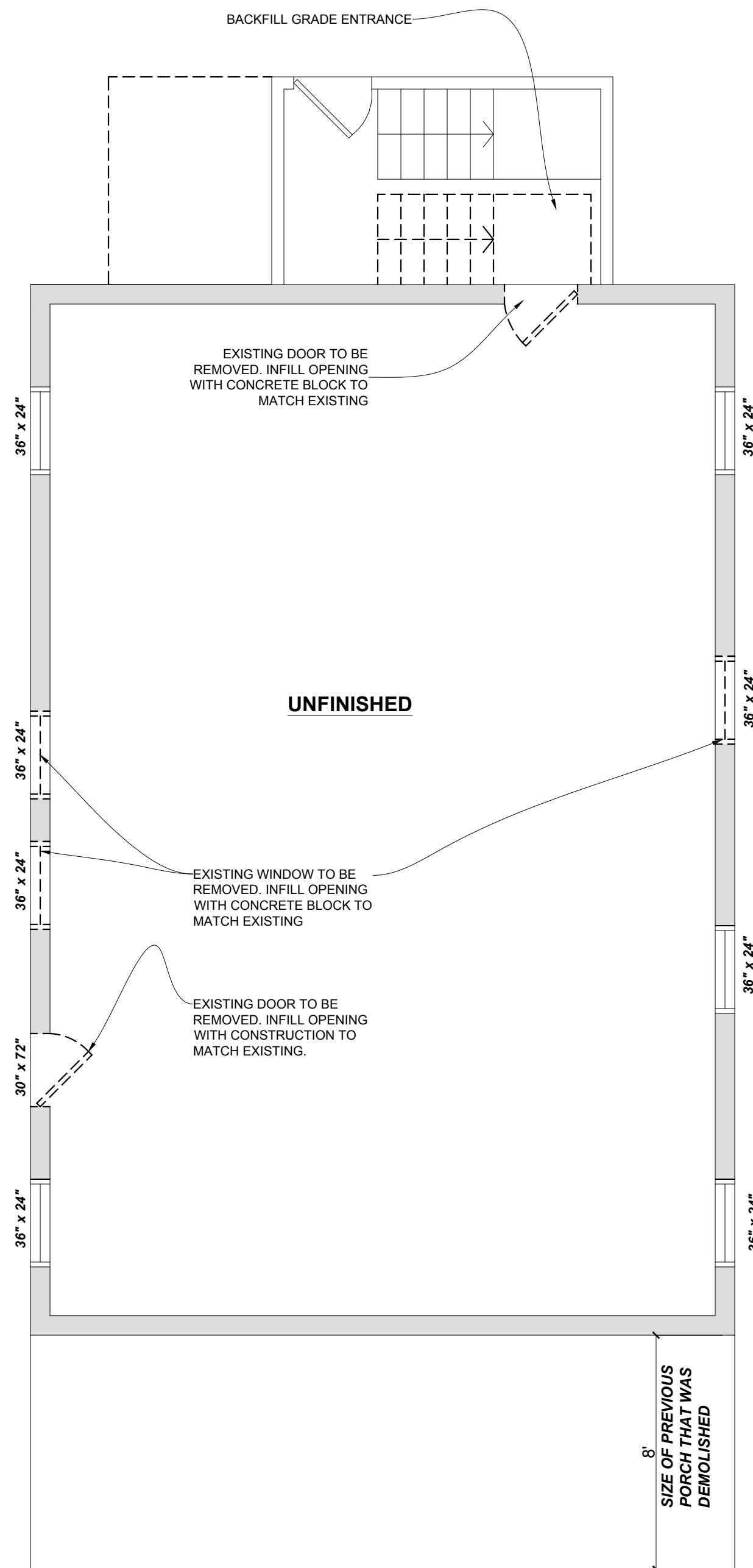






	DENOTES FIRE SEPARATION
	DENOTES ITEM TO BE DEMOLISHED
	DENOTES EXISTING WALL TO REMAIN
	<p><u>EXISTING FOUNDATION WALL</u>            EXISTING BLOCK FOUNDATION WALL            NEW 2" R10 RIGID INSULATION            NEW 2X4 WOOD STUDS @ 24" O/C FILLED WITH            R12 BATT INSULATION. COVERED WITH 6 MIL            POLY V.B &amp; ½" DRYWALL FINISH.</p>
	<p><u>EXISTING EXTERIOR WALL</u>            EXISTING EXTERIOR FINISH ( BRICK BELOW WITH            CEDAR SIDING ABOVE)            EXISTING WOOD STUDS            NEW BATT INSULATION. COVERED WITH 6 MIL            POLY V.B &amp; ½" DRYWALL FINISH.</p>
	<p><u>MAIN FLOOR LOAD BEARING INTERIOR WALL</u>            2X6 WOOD STUDS @ 16" O/C W/ SINGLE BOTTOM PLATE            AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD            BLOCKING @ 3'-11" O/C HORIZONTAL            1/2" DRYWALL ON BOTH SIDES OF STUDS</p>
	<p><u>BASEMENT LOAD BEARING INTERIOR WALL</u>            2 x 6 BEARING WALL ON SILL GASKET WITH LAG BOLTS @            4'-0" O.C. ON ONE COURSE OF 6" SOLID CONCRETE            BLOCK ON A 16" x 8" DEEP POURED CONCRETE FOOTING            (CONTINUOUS)</p>
	<p><u>NON-LOAD BEARING INTERIOR PARTITIONS</u>            ½" DRYWALL ON EITHER SIDE OF 2X4 WOOD            STUDS @ 16" O/C.</p>
	<p><u>WALL FIRE SEPARATION - 1HR FRR W/ 54 STC SOUND            RATING AS PER W5b OF SB-3</u>            2X6 WOOD STUDS @ 24" O/C FILL WALL CAVITY WITH ROXUL            SAFE AND SOUND INSULATION. INSTALL RESILIENT METAL            CHANNELS ON ONE SIDE @ 16" O/C COVER WITH 1 LAYER OF 5/8"            TYPE X DRYWALL. OTHER SIDE TO RECEIVE 2 LAYERS OF 5/8"            TYPE X DRYWALL.</p>
	<p><u>HORIZONTAL FIRE SEPARATION - ENTIRE MAIN FLOOR CEILING</u>            1 HR FRR &amp; STC 51 CEILING CONFORMING TO F9g OF SB-3            5/8" T&amp;G PLYWOOD SUBFLOOR 2X10 WOOD JOISTS @ 16" O/C            INFILL CAVITY WITH INSULATION, RESILIENT METAL CHANNEL            @ 24" O/C, 2 LAYERS OF 1/2" TYPE X GYPSUM BOARD.</p>
	DENOTES EXHAUST FAN VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.
	DENOTES NEW DOOR SIZE. SITE VERIFY
	DENOTES RANGE HOOD VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.
A/H 	DENOTES SMOKE ALARM C/W CO² DETECTOR. REFER TO GENERAL NOTES.
	CRAWL SPACE & ATTIC SPACE ACCESS HATCH 32"x24" MINIMUM. INSTALLED AS PER OBC REQUIREMENTS.

1. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.
2. ANY PENETRATIONS IN THE FIRE SEPARATIONS MUST PROPERLY SEALED AS PER OBC REQUIREMENTS
3. SITE VERIFY ALL DIMENSIONS.
4. ALL NEW INTERIOR WALLS TO BE P1 UNLESS NOTED OTHERWISE.
5. ALL WOOD LINTELS TO BE 2/2X6 UNLESS NOTED OTHERWISE.
6. UNITS TO BE HEATED AND COOLED SEPARATELY
7. ALL WINDOWS TO BE REPLACED WITH NEW TO MATCH EXISTING SIZE AND STYLE. SITE VERIFY.

[illegible]

**DO NOT SCALE**

CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK.

THIS DESIGNER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ERRORS OR OMISSIONS NOT REPORTED BY THE CONTRACTOR OR HIS SUBTRADEES.

THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR THE CONTRACTOR OR HIS SUBTRADEES FAILURE TO CARRY OUT THE WORK ACCORDING TO THESE PLANS, SPECIFICATIONS AND RELATED DOCUMENTS.

CONSTRUCTION MUST COMPLY WITH THE LATEST STANDARDS OF THE ONTARIO BUILDING CODE AND ANY OTHER APPLICABLE LAWS.

ALL DRAWINGS AND SPECIFICATION ARE THE PROPERTY OF THE DESIGNER AND ARE PROTECTED BY COPYRIGHT.



## BASEMENT FLOOR PLANS

Date :	January 28, 2025
Scale :	1/4" = 1'-0"
Project No. :	015/24
Drawing No. :	

A-1.0



LEGEND

DENOTES FIRE SEPARATION

DENOTES ITEM TO BE DEMOLISHED

DENOTES EXISTING WALL TO REMAIN

FW1

EXISTING FOUNDATION WALL  
EXISTING BLOCK FOUNDATION WALL  
NEW 2" R10 RIGID INSULATION  
NEW 2X4 WOOD STUDS @ 24" O/C FILLED WITH  
R12 BATT INSULATION. COVERED WITH 6 MIL  
POLY V.B & ½" DRYWALL FINISH.

W1

EXISTING EXTERIOR WALL  
EXISTING EXTERIOR FINISH ( BRICK BELOW WITH  
CEDAR SIDING ABOVE)  
EXISTING WOOD STUDS  
NEW BATT INSULATION. COVERED WITH 6 MIL  
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MAIN FLOOR LOAD BEARING INTERIOR WALL  
2X6 WOOD STUDS @ 16" O/C W/ SINGLE BOTTOM PLATE  
AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD  
BLOCKING @ 3'-11" O/C HORIZONTAL  
1/2" DRYWALL ON BOTH SIDES OF STUDS

BASEMENT LOAD BEARING INTERIOR WALL  
2 x 6 BEARING WALL ON SILL GASKET WITH LAG BOLTS @  
4'-0" O.C. ON ONE COURSE OF 6" SOLID CONCRETE  
BLOCK ON A 16" x 8" DEEP POURED CONCRETE FOOTING  
(CONTINUOUS)

P1

NON-LOAD BEARING INTERIOR PARTITIONS  
½" DRYWALL ON EITHER SIDE OF 2X4 WOOD  
STUDS @ 16" O/C.

P2

WALL FIRE SEPARATION - 1HR FRR W/ 54 STC SOUND  
RATING AS PER W5b of SB-3  
2X6 WOOD STUDS @ 24" O/C FILL WALL CAVITY WITH ROXUL  
SAFE AND SOUND INSULATION. INSTALL RESILIENT METAL  
CHANNELS ON ONE SIDE @ 16" O/C COVER WITH 1 LAYER OF  
TYPE X DRYWALL. OTHER SIDE TO RECEIVE 2 LAYERS OF  
TYPE X DRYWALL.

C1

HORIZONTAL FIRE SEPARATION - ENTIRE MAIN FLOOR CEILING  
1 HR FRR & STC 51 CEILING CONFORMING TO F9g OF SB-3  
5/8" T & G PLYWOOD SUBFLOOR 2X10 WOOD JOISTS @ 16" O/C  
INFILL CAVITY WITH INSULATION, RESILIENT METAL CHANNEL  
@ 24" O/C, 2 LAYERS OF 1/2" TYPE X GYPSUM BOARD.

EF

DENOTES EXHAUST FAN VENTED DIRECTLY TO  
EXTERIOR AS PER O.B.C REQUIREMENTS.

#"

DENOTES NEW DOOR SIZE. SITE VERIFY

RH

DENOTES RANGE HOOD VENTED DIRECTLY TO  
EXTERIOR AS PER O.B.C REQUIREMENTS.

A/H

DENOTES SMOKE ALARM C/W CO² DETECTOR. REFER  
TO GENERAL NOTES.

CRAWL SPACE & ATTIC SPACE ACCESS HATCH  
32"X24" MINIMUM.  
INSTALLED AS PER OBC REQUIREMENTS.

NOTES

1. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.

2. ANY PENETRATIONS IN THE FIRE SEPARATIONS MUST PROPERLY  
SEALED AS PER OBC REQUIREMENTS

3. SITE VERIFY ALL DIMENSIONS.

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AND STYLE. SITE VERIFY.

EXISTING MAIN FLOOR PLAN

PROPOSED MAIN FLOOR PLAN

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OR OMISSIONS NOT REPORTED BY THE CONTRACTOR OR HIS SUBTRADES  
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ONTARIO BUILDING CODE AND ANY OTHER APPLICABLE LAWS.  
ALL DRAWINGS AND SPECIFICATION ARE THE PROPERTY OF THE  
DESIGNER AND ARE PROTECTED BY COPY RIGHT.

DO NOT SCALE

I Ashley Kozachanko declare that I take  
responsibility for the design of this plan. I am  
qualified and registered with the Ministry of  
Municipal Affairs and Housing.

AG  
DESIGN

Windsor, ON  
Phone : 519-965-7176

RENOVATIONS  
357 / 359 INDIAN ROAD  
WINDSOR, ON  
MAIN FLOOR PLANS

Date : March 27, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :  
A-1.1

City Council Meeting agenda 50th Monday, May 26, 2025 BCIN: 43361  
Page 346 of 791



LEGEND

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DENOTES FIRE SEPARATION

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DENOTES ITEM TO BE DEMOLISHED

DENOTES EXISTING WALL TO REMAIN

FW1

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EXISTING BLOCK FOUNDATION WALL  
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HORIZONTAL FIRE SEPARATION - ENTIRE MAIN FLOOR CEILING  
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DENOTES EXHAUST FAN VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.

#"

DENOTES NEW DOOR SIZE. SITE VERIFY

RH

DENOTES RANGE HOOD VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.

A/H

SD

DENOTES SMOKE ALARM C/W CO² DETECTOR. REFER TO GENERAL NOTES.

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32"X24" MINIMUM.  
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NOTES

1. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.

2. ANY PENETRATIONS IN THE FIRE SEPARATIONS MUST PROPERLY SEALED AS PER OBC REQUIREMENTS

3. SITE VERIFY ALL DIMENSIONS.

4. ALL NEW INTERIOR WALLS TO BE P1 UNLESS NOTED OTHERWISE.

5. ALL WOOD LINTELS TO BE 2/2X6 UNLESS NOTED OTHERWISE.

6. UNITS TO BE HEATED AND COOLED SEPARATELY

7. ALL WINDOWS TO BE REPLACED WITH NEW TO MATCH EXISTING SIZE AND STYLE. SITE VERIFY.

EXISTING SECOND FLOOR PLAN

The plan shows a large rectangular area labeled "UNFINISHED". Dimensions include 23'-2" for the top width, 35'-4" for the right height, and 30" x 63" for the bottom wall segments. A staircase is shown on the left with a note: "EXISTING STAIRS TO BE DEMOLISHED. INFILL OPENING WITH NEW FULL SPAN 2X8 JOISTS TO MATCH EXISTING". A window on the right is noted: "EXISTING WINDOW TO BE REMOVED. INFILL OPENING WITH CONSTRUCTION TO MATCH EXISTING".

EXISTING SECOND FLOOR PLAN

PROPOSED SECOND FLOOR PLAN

The plan shows a detailed layout for "UNIT 2". It includes a "LIVING, KITCHEN & DINING" area (247 ft²), a "STACKED LAUNDRY" area, and three bedrooms (106 ft², 108 ft², and 146 ft²). The plan also shows a bathroom, a staircase (DN), and various fixtures like a range hood (RH), exhaust fan (EF), and smoke alarm (SD). Dimensions are provided for each room and overall unit dimensions. A note indicates: "NEW LVL LINTEL ABOVE WINDOW".

PROPOSED SECOND FLOOR PLAN

DO NOT SCALE

CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK

THIS DESIGNER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ERRORS OR OMISSIONS NOT REPORTED BY THE CONTRACTOR OR HIS SUBTRADES.

THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR THE CONTRACTOR OR HIS SUBTRADES FAILURE TO CARRY OUT THE WORK ACCORDING TO THESE PLANS, SPECIFICATIONS AND RELATED DOCUMENTS.

CONSTRUCTION MUST COMPLY WITH THE LATEST STANDARDS OF THE ONTARIO BUILDING CODE AND ANY OTHER APPLICABLE LAWS.

ALL DRAWINGS AND SPECIFICATION ARE THE PROPERTY OF THE DESIGNER AND ARE PROTECTED BY COPY RIGHT.

City Council Meeting agenda 2025-01-26, 2025-01-27  
Page 347 of 791

I Ashley Kozachanko declare that I take responsibility for the design of this plan. I am qualified and registered with the Ministry of Municipal Affairs and Housing.

Windsor, ON  
Phone : 519-965-7176

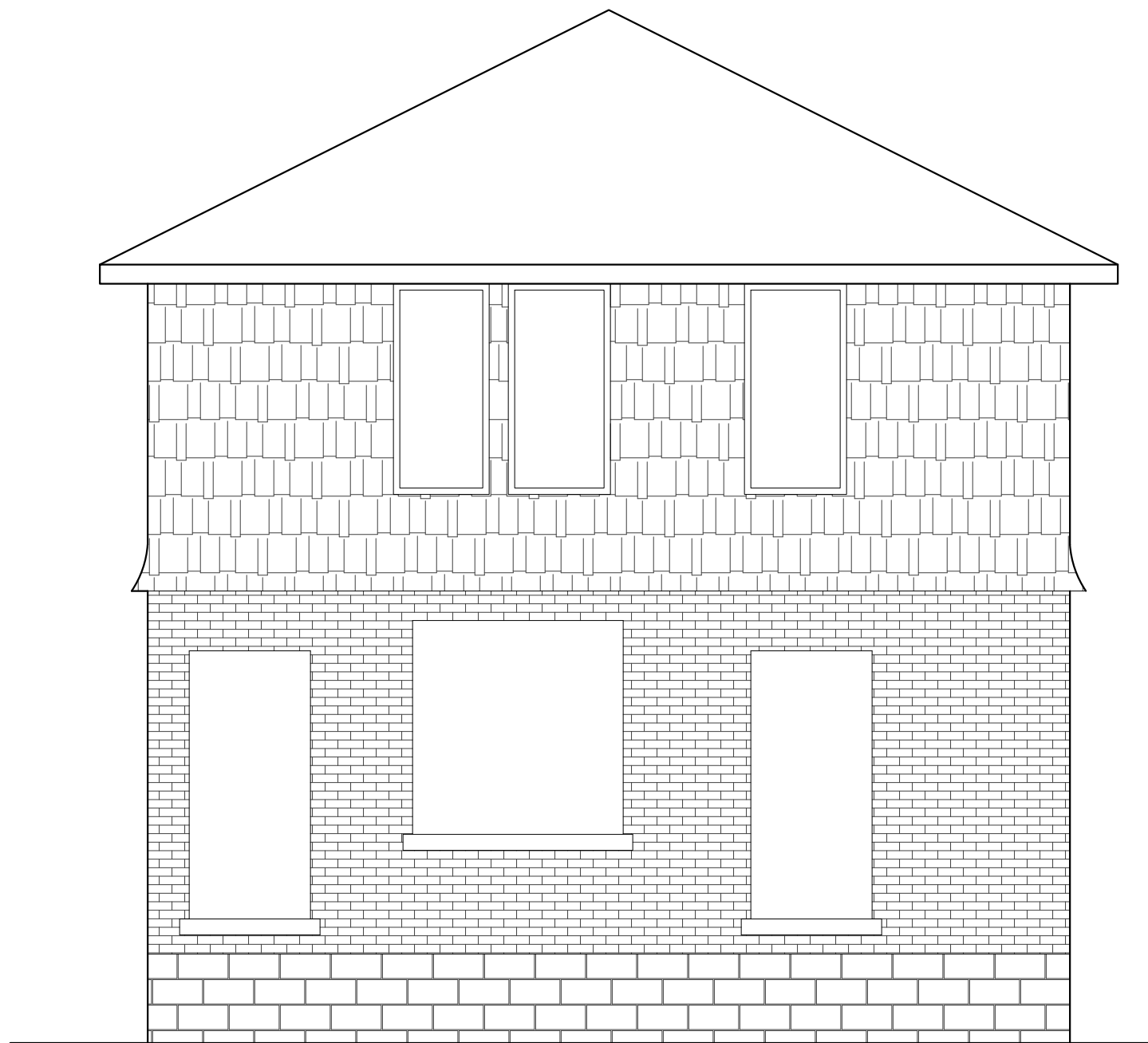
RENOVATIONS  
357 / 359 INDIAN ROAD  
WINDSOR, ON

SECOND FLOOR PLANS

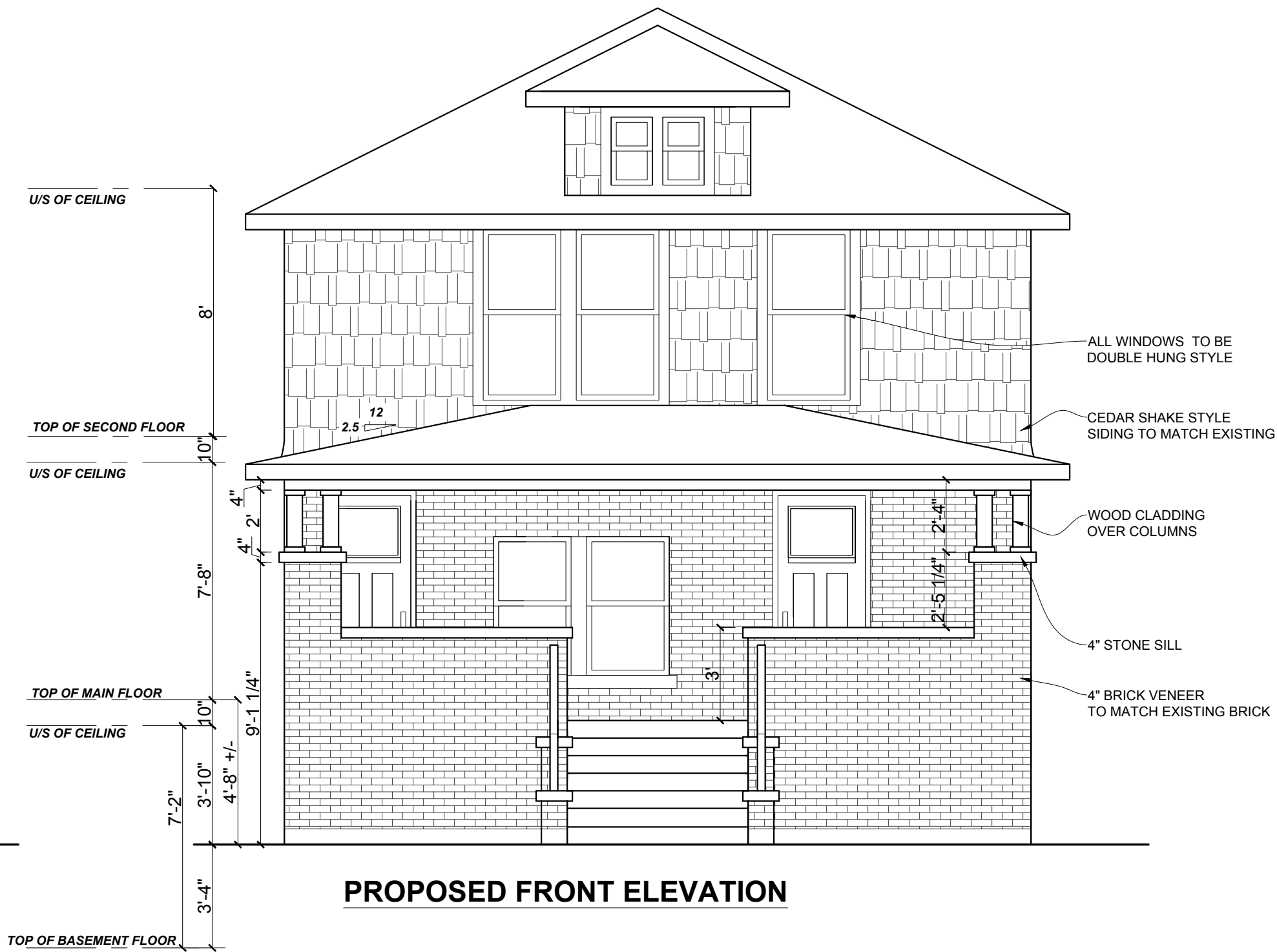
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Drawing No. :

A-1.2

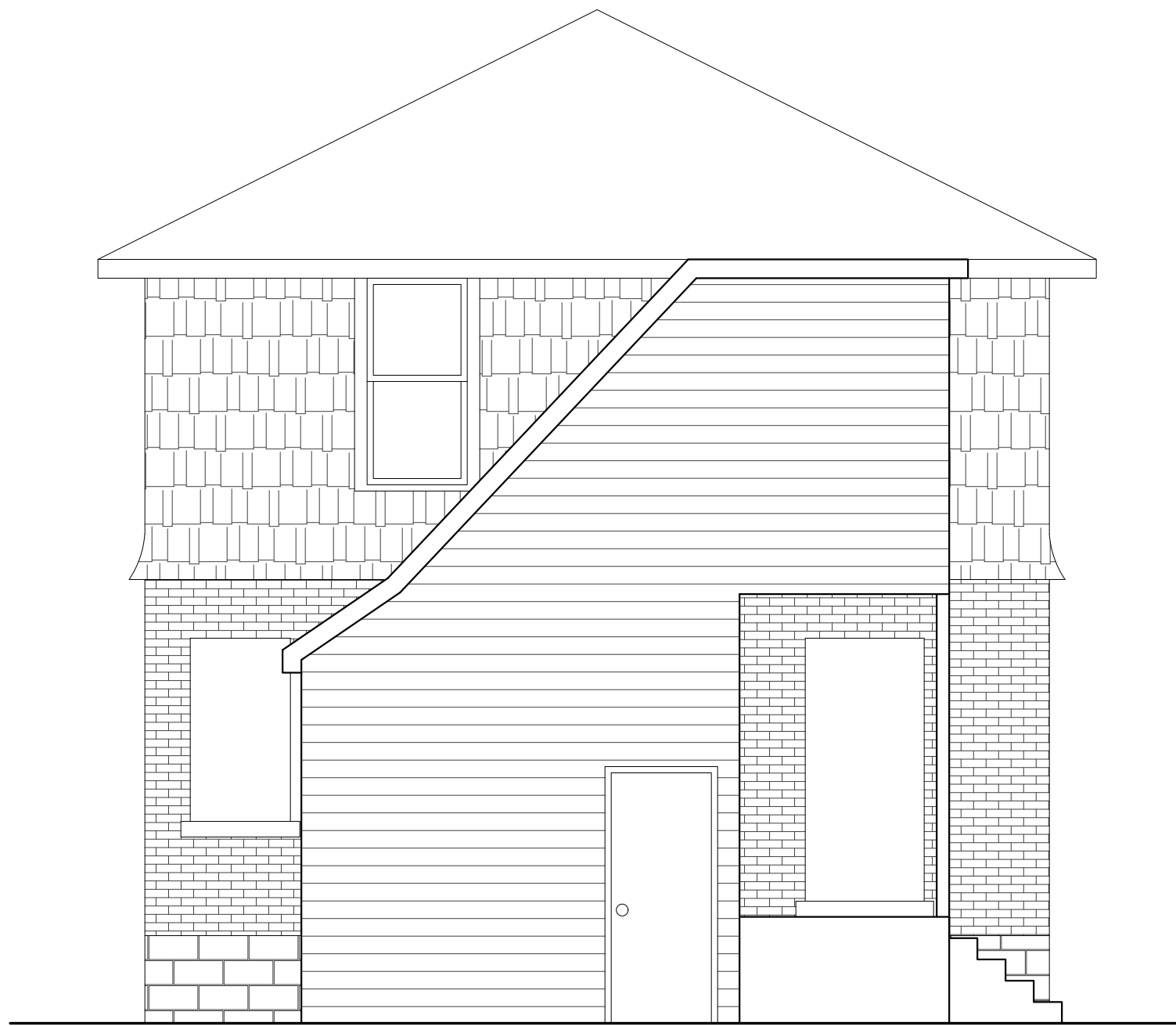




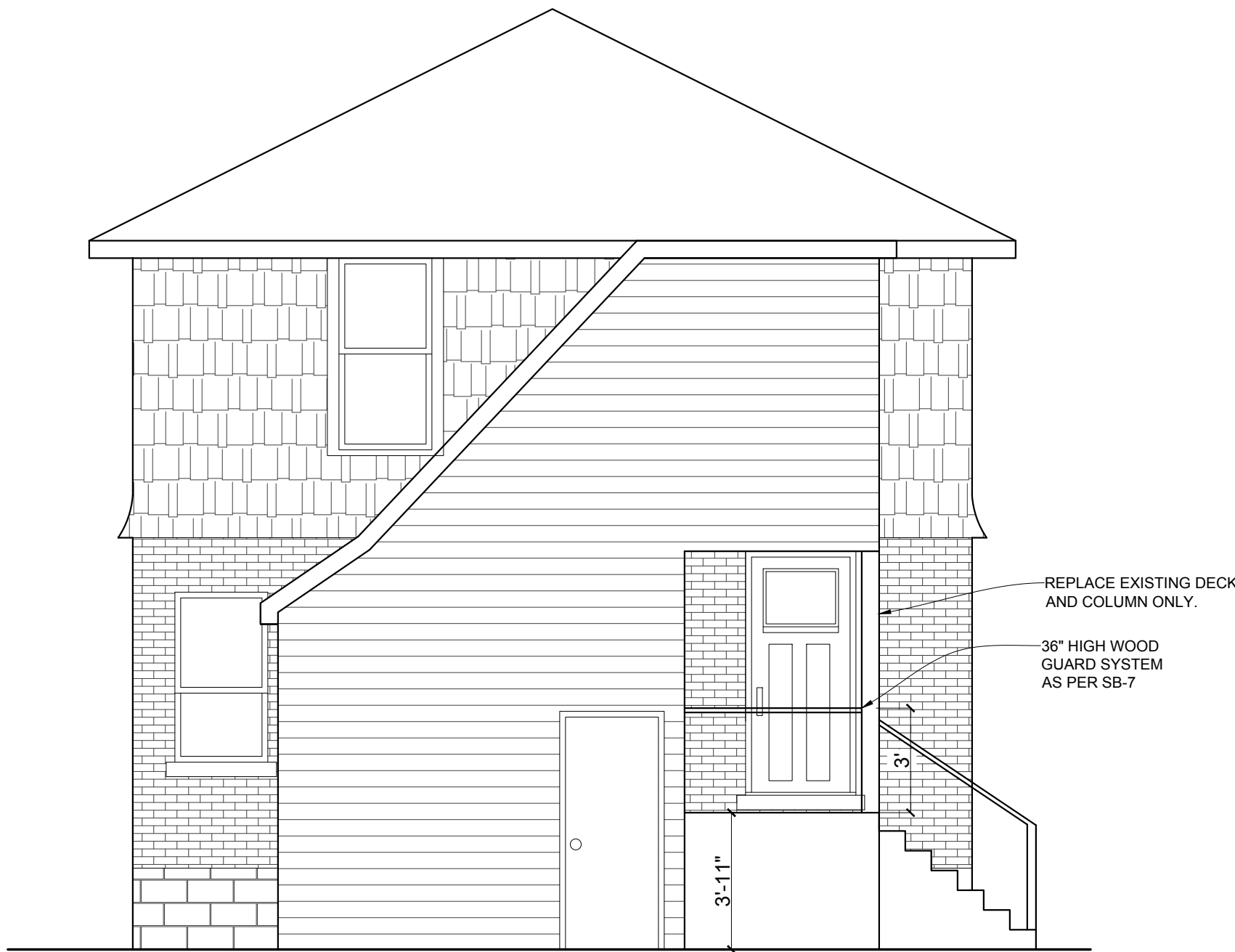
EXISTING FRONT ELEVATION



PROPOSED FRONT ELEVATION



EXISTING REAR ELEVATION



PROPOSED REAR ELEVATION

DO NOT SCALE

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RENOVATIONS  
357 / 359 INDIAN ROAD  
WINDSOR, ON

ELEVATIONS

Date : March 27, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :

A-2.0





EXISTING SIDE ELEVATION



PROPOSED SIDE ELEVATION

BRICK AND MORTAR REPAIR (REPOINTING) WHERE NEEDED.

DO NOT SCALE

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Windsor, ON  
Phone : 519-965-7176

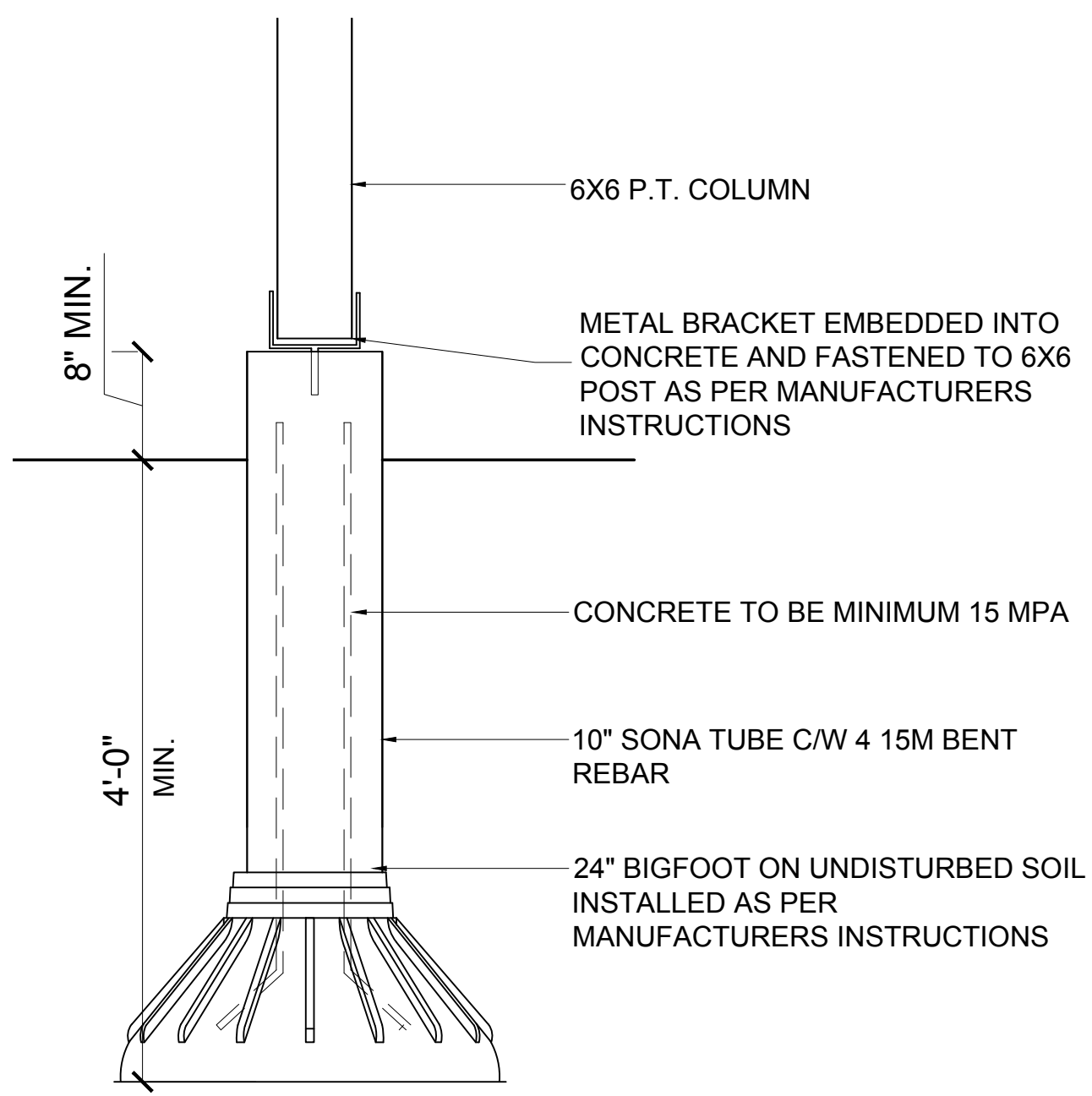
RENOVATIONS  
357 / 359 INDIAN ROAD  
WINDSOR, ON

ELEVATIONS

Date : March 27, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :

A-2.1





**DECK FOOTING DETAIL**  
**SCALE - 1" = 1'-0"**



**EXISTING SIDE ELEVATION**



**PROPOSED SIDE ELEVATION**

BRICK AND MORTAR REPAIR (REPOINTING) WHERE NEEDED.

DO NOT SCALE

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I Ashley Kozachanko declare that I take responsibility for the design of this plan. I am qualified and registered with the Ministry of Municipal Affairs and Housing.

**AG**  
**DESIGN**

Windsor, ON  
Phone : 519-965-7176

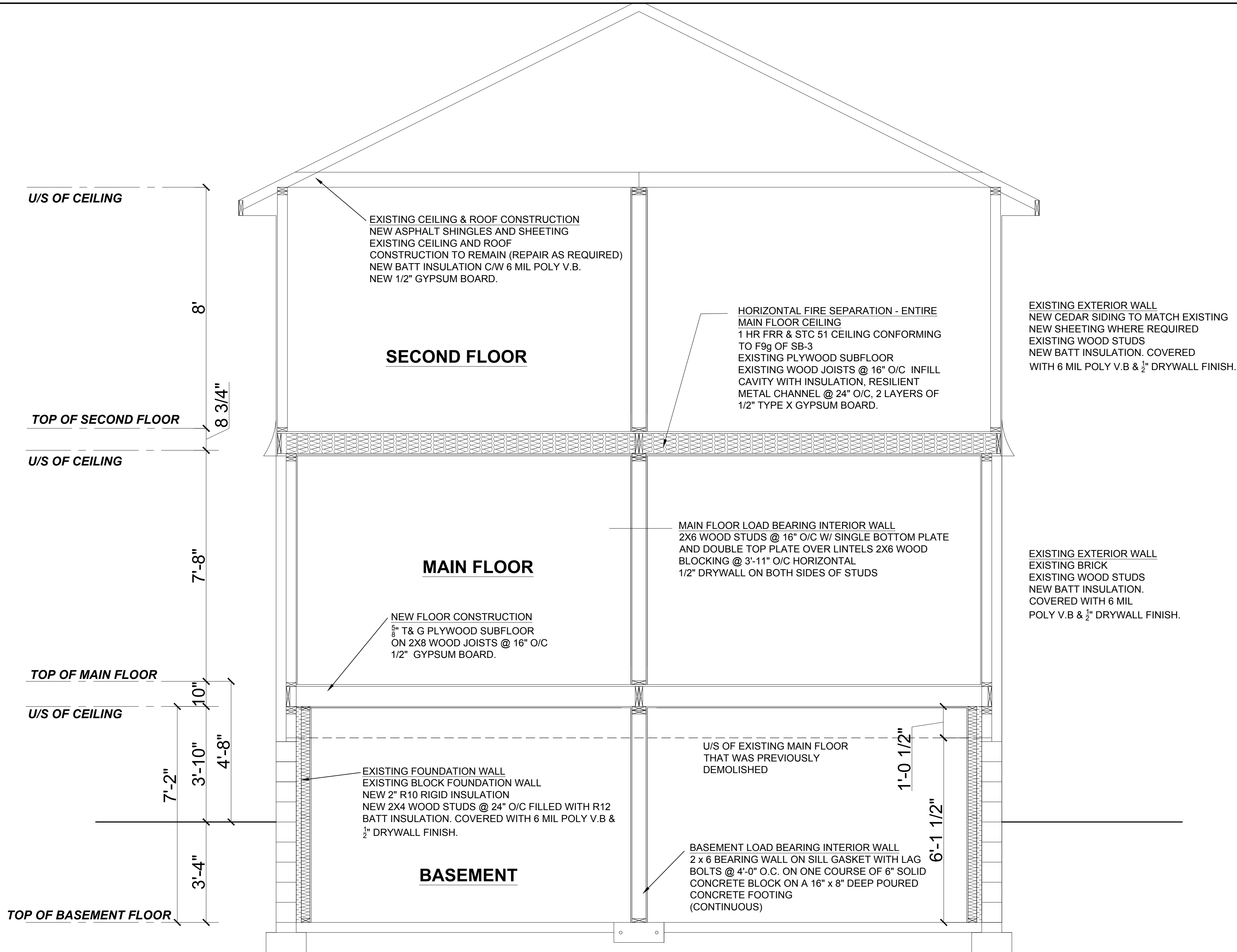
**RENOVATIONS**  
357 / 359 INDIAN ROAD  
WINDSOR, ON

**ELEVATIONS & DETAIL**

Date : March 27, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :

**A-2.2**





DO NOT SCALE

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I Ashley Kozachanko declare that I take responsibility for the design of this plan. I am qualified and registered with the Ministry of Municipal Affairs and Housing.

**AG**  
**DESIGN**

Windsor, ON  
Phone : 519-965-7176

**RENOVATIONS**  
357 / 359 INDIAN ROAD  
WINDSOR, ON

SECTION

Date : January 28, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :

**A-3.0**





# 357-359 Indian Rd. Project

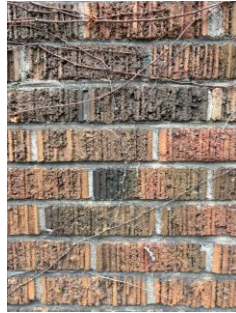
Heritage Presentation



# Exterior

- Brick for the Front Porch  
*Canada Brick Full Range Rugg*

Existing Brick



Proposed Brick for Front Porch



- Cedar Shake Composite Siding  
#1 - *Tando Hand Split Shake*

Captures the rugged and rough look of hand cut cedar with random grooves.

Low maintenance, Environmentally Friendly, and Impervious to moisture,

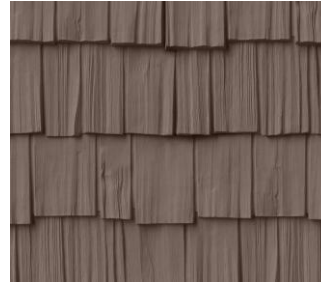
Looks great when combined with brick.

**Two Other Styles which are an option:**

#2 - Rustic Cedar 9

#3 - RoughSawn Cedar Single & Dual

#1 Coastal Brown



Harvest Cedar



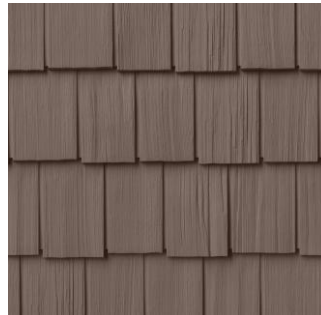
#3 Coastal Brown



Harvest Cedar



#2





# Exterior

## ► Asphalt Shingle Selection (IKO Cambridge)

Two Selections for choices. “Earthtone Cedar” & “Dual Brown”

“Dual Brown” is what I am leaning towards  
to match the existing look (right side).

Earthtone Cedar



Dual Brown





# Exterior Window Style

- ▶ Black dark casing around the windows for appearance (optional).
- ▶ Black Eavestroughs (optional).
- ▶ Black Facia (optional).





**APPENDIX 'B' – Additional Photos of 357-359 Indian Road**



Photo of the front Indian Road façade of the subject property, looking slightly north-west (left) and slightly south-west (right). Taken by Staff on April 11, 2025.



Photo of the front Indian Road façade of the subject property. Taken by Staff on April 11, 2025.





**Committee Matters: SCM 145/2025**

**Subject: University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset Avenue (Ward 2)**

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

Decision Number: **DHSC 733**

- I. THAT the request made by the University of Windsor (owner) for the proposed redevelopment of an existing building on a portion of 401 Sunset Avenue as identified in Appendix B to Report S37/2025, to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** at the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years, plus an additional five (5) years as a catalyst project or until 100% of the eligible costs are repaid pursuant to the University Avenue West and Wyandotte Street West Community Improvement Plan.
- II. THAT Administration **BE DIRECTED** to prepare an agreements between the City and the University of Windsor (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 401 Sunset Avenue in accordance with all applicable policies, requirements, and provisions contained within the University Avenue and Wyandotte Street Community Improvement Plan.
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.
- IV. THAT approval of the tax increment grant **BE RESCINDED** if the applicant has not completed the work and fulfilled the conditions within three (3) years of the approval date.



- V. THAT approval of the tax increment grant **BE RESCINDED** in the event the portion of the property identified in Appendix B to Report 37/2025 at 401 Sunset Avenue remain tax exempt after completion of the project.
- Carried.

Report Number: S 37/2025  
Clerk's File: SPL/14645

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.1 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: University Avenue West and Wyandotte Street West  
Community Improvement Plan Grant Applications made by the  
University of Windsor for 401 Sunset Avenue (Ward 2)**

**Reference:**

Date to Council: April 7, 2025  
Author: Laura Strahl, MCIP, RPP  
Planner III - Special Projects  
519-255-6543 ext. 6396  
lstrahl@citywindsor.ca

Planning & Building Services  
Report Date: 3/14/2025  
Clerk's File #: SPL/14645

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

**Recommendation:**

- I. THAT the request, made by the University of Windsor (Owner) for the proposed redevelopment of an existing building on a portion of 401 Sunset Avenue as identified in Appendix B to Report 37/2025, to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** at the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years in accordance with the University Avenue and Wyandotte Street Community Improvement Plan or the eligible project costs.
- II. THAT Administration **BE DIRECTED** to prepare an agreements between the City and the University of Windsor (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 401 Sunset Avenue in accordance with all applicable policies, requirements, and provisions contained within the University Avenue and Wyandotte Street Community Improvement Plan.
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.



- IV. THAT approval of the tax increment grant **BE RECIENDED** if the applicant has not completed the work and fulfilled the conditions within three (3) years of the approval date.
- V. THAT approval of the tax increment grant **BE RECIENDED** in the event the portion of the property identified in Appendix B to Report 37/2025 at 401 Sunset Avenue remain tax exempt after completion of the project.

### **Executive Summary:**

N/A

### **Background:**

**Owner:** University of Windsor

**Proposed Lease Holder:** Tilbury Acquisitions Inc.

The University Avenue and Wyandotte Street Community Improvement Plan (University/ Wyandotte CIP) was approved by City Council on June 7, 2021, and an adopting by-law was passed by City Council on July 13, 2021.

The University/Wyandotte CIP builds a vision for the corridors connecting the downtown to the University of Windsor, thereby informing land use and transportation concepts to enhance the surrounding communities. Financial incentives are provided to encourage private sector investment and redevelopment along the City's key corridors.

The University of Windsor, owner of the property located at 401 Sunset Avenue (See Appendix A – Location Map and Appendix B – Portion Subject to Building/Property Improvement Tax Grant), has applied for financial incentives under the Building/Property Improvement Tax Increment Grant Program. The applicant is proposing to sever the portion of the property identified in Appendix B and enter into a lease agreement with Tilbury Acquisitions Inc. who will redevelop the existing vacant 12-storey building on the property to a 71-unit residence for students and staff (see Appendix C – Concept Plan). The residence will consist of a mix of 1 bedroom, 2-bedroom, 3-bedroom and 4-bedroom suites with a total of 199 beds. The basement will contain a micro-market, theatre room and other amenities.

The property is currently exempt from taxes due to University of Windsor ownership; however, due to the public-private partnership of the development, the applicant has advised that the Municipal Property Assessment Corporation (MPAC) may not exempt the property from taxes after Tilbury Acquisitions Inc. leases the property from the University. Similar projects at other Ontario Universities have been removed from the tax-exempt category. A recommendation is included in this report to cancel the grant should the property remain tax exempt.



## **Discussion:**

### **Building/Property Improvement Tax Increment Grant Program**

This program is intended to provide economic incentive for the development, rehabilitation and redevelopment of properties within the area of the CIP. The program provides an annual grant equal to 100% of the increase in municipal property taxes for five years, after the project is completed and reassessed to help offset the costs of rehabilitating and redeveloping properties, as long as such development results in an increase in assessment and therefore an increase in property taxes. The applicant will initially be required to pay the full amount of property taxes owing for each year during the specified duration. However, the Building/Property Improvement Grant will be paid for the amount of the municipal tax increment after the final tax bills for each year have been collected. Grant payments will cease when the total grant along with all other grants and loans provided equals the costs of rehabilitating and redeveloping properties, or after 5 years, whichever comes first.

The University of Windsor property is tax exempt with the exception of commercial spaces located on the property. The project plan is such that the parcel, as shown in Appendix B, will be severed, ownership will remain with the University of Windsor, and they will lease the parcel to Tilbury Acquisitions Inc. The lease agreement will be effective prior to construction. The severance of the parcel will require MPAC to review and provide an assessment value reflective of the current state and condition of the property inclusive of the existing building. The taxability of the property will also be considered by MPAC, taking into consideration the ownership of the parcel and the lease agreement with Tilbury Acquisitions Inc. Should MPAC determine that the severed parcel is taxable, Administration will be using MPAC's assessment of the severed parcel to determine the base taxes for purposes of calculating the Building/Property Improvement Tax Increment Grant. Property taxes will be calculated and levied based upon the severance date. Incremental municipal property taxes for purposes of the grant will be determined once construction is complete.

### **Risk Analysis:**

There is low risk associated with the approval of subject University/ Wyandotte CIP grant application. An agreement will be prepared between the City and the applicant to ensure all provisions under the University Avenue and Wyandotte Street Community Improvement Plan are met. The Building/ Property Improvement Tax Increment Grant is issued upon completion of eligible work, the establishment of an increased reassessment value by the MPAC, calculation of eligible works is verified, and only after the owner's full payment of annual property taxes.

### **Climate Change Risks**

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

The proposed conversion of an existing vacant building into residential units is confined to the existing building footprint, limiting use to existing infrastructure thereby reducing the overall consumption of construction material.



The utilization of an existing building in an existing neighbourhood promotes energy efficiency, eliminating the need for new development to occur on greenfield sites.

**Climate Change Adaptation:**

N/A

**Financial Matters:**

**Building/Property Improvement Tax Increment Grant Program**

The program provides an annual grant equal to 100% of the increase in municipal property taxes for five (5) years, with the possibility of a five (5) year extension, up to a total of ten (10) years if the project is considered a Catalyst Project; a designated heritage property; projects where at least 20% of the residential units are considered affordable or the project is certified LEED bronze. The property is not a designated heritage property nor certified LEED bronze and does not meet the definition of a Catalyst Project thus the project qualifies for the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years or the eligible project costs.

As mentioned in the Discussion section, subject to a determination of assessment and taxability of the severed property, Administration will calculate the base taxes for the Building/Property Improvement Tax Increment Grant, using MPAC's assessed value and tax class at the time Tilbury enters into a lease on the severed portion of 401 Sunset Avenue.

Due to the unique nature of this proposal involving a severance and a vacant building, that has not previously been individually assessed, it is difficult to estimate the base taxes for the grant. The table below provides a **high-level estimate** of the base taxes.

Administration estimates the annual municipal taxes post development at \$181,864. Using MPAC's current assessed value for the area of the property to be leased and the 2024 municipal tax rate, the estimated base property taxes is \$135,801. The annual value of the grant is \$46,063 or \$230,315 over five (5) years. The applicant estimates that total construction costs will amount to \$18,500,000. The *Planning Act* stipulates that the total grants under a CIP cannot exceed the eligible costs. The grant under that tax increment program accounts for 1.25% of the construction costs.

<b>Estimate Property/Building Improvement Tax Increment Grant Calculation Portion of 401 Sunset Avenue</b>			
Annual Pre- Development Municipal Taxes	Annual Estimated Post Development Municipal Taxes	Annual Estimated Value of Grant	Total Estimated Grant over five (5) years
\$ 135,801	\$181,864	\$ 46,063	\$230,315

It is Administration's understanding that projects of a similar nature in Ontario have been classified as taxable by MPAC. It is likely that this project will be classified similarly by MPAC, however it is important to note that if MPAC determines the property to be exempt from tax, there will be no grant needed. If MPAC, upon review and/or inspection



of the property, determines the pre-construction assessment value to be less than the amount used by Administration in their estimate, and the property is taxable, the grant may be higher than \$46,063 annually. The grants calculated for purposes of this report, are based on high-level estimates of the post-development value of the property.

Because the Grant Program does not cancel taxes, the applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre- and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program; however, will be foregoing any incremental property taxes, which could otherwise be used to offset future budget pressures.

### **Consultations:**

The City of Windsor's University Avenue and Wyandotte Street Community Improvement Plan was subject to stakeholder and public consultation as part of the approval process, including public meetings, a statutory public meeting and circulation among internal City staff and the Province.

Planning staff have consulted with the project owner and proposed lease holder prior to accepting the grant application. Carolyn Nelson, Manager Property Valuations and Administration, and Josie Gualtieri, Financial Planning Admin. were consulted on this report.

### **Conclusion:**

Administration recommends that City Council approve the application made by the University of Windsor on a portion of the property at 401 Sunset Avenue as shown on Appendix B, to participate in the Building Property Improvement Tax Increment Grant Program under the University Avenue and Wyandotte Street Community Improvement Plan. It is also recommended that approval to participate in the program is rescinded if the eligible work is not completed within three years or the property is determined to remain tax exempt.

### **Approvals:**

<b>Name</b>	<b>Title</b>
Laura Strahl	Planner III - Special Projects
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
Neil Robertson	City Planner/ Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal & Real Estate



<b>Name</b>	<b>Title</b>
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Janice Guthrie	Commissioner Finance/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - Location Map
- 2 Appendix B - Portion of 401 Sunset Avenue to be Subject to the Building/Property Improvement Tax Increment Grant Program
- 3 Appendix C - Concept Plan





## LOCATION MAP : 401 SUNSET AVENUE



SUBJECT PROPERTY





## RESIDENCE WEST REDEVELOPMENT – GROUND LEASE AREA

Leased Area: 25,000 sq. ft.

Lease Line:

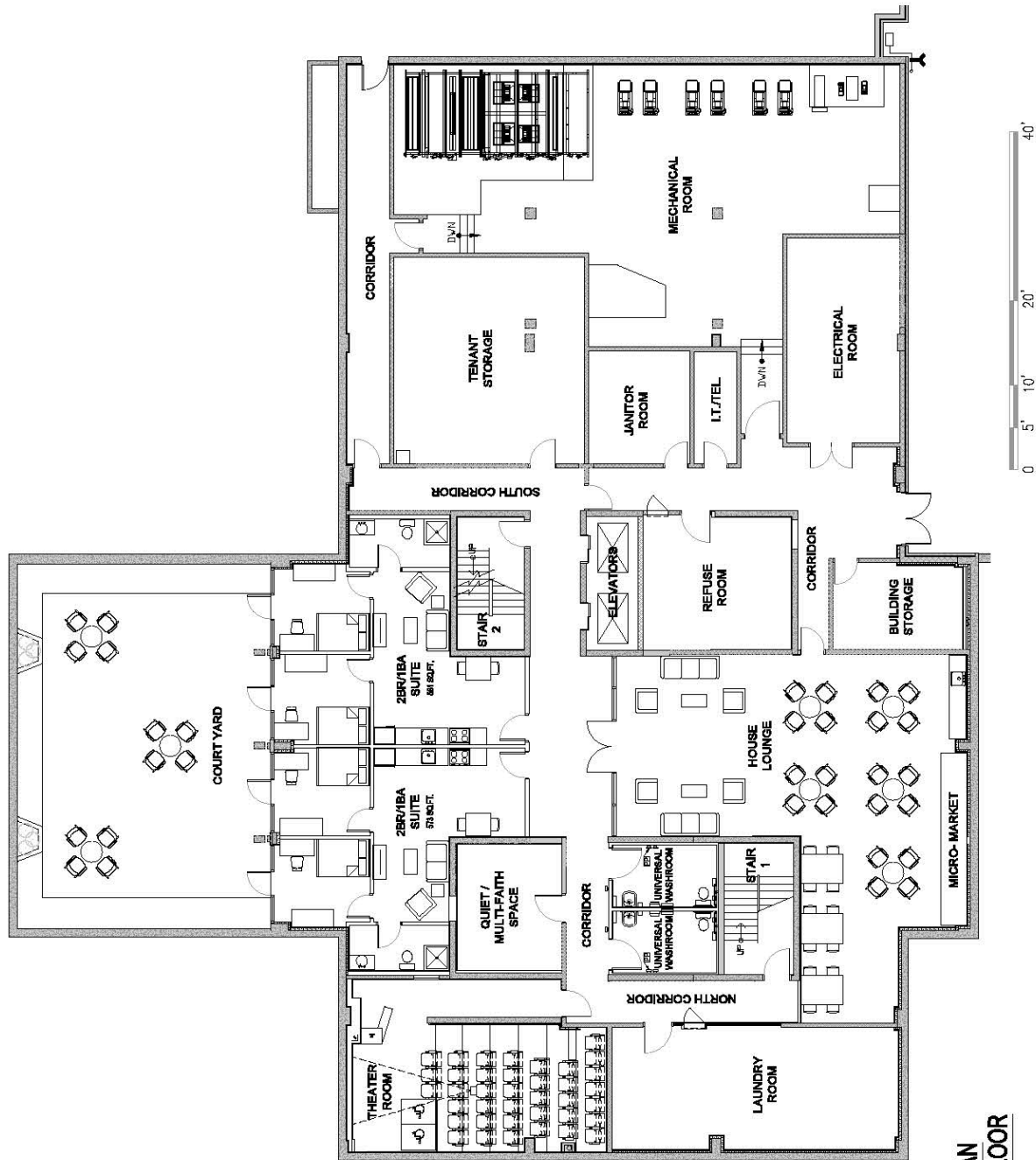




**LEGEND - NEW WORK**

EXISTING WALLS

NEW WALLS



FLOOR DATA:	2 x 2BR/1BA SUITES		= 4 BEDS
	TOTAL		= 4 BEDS

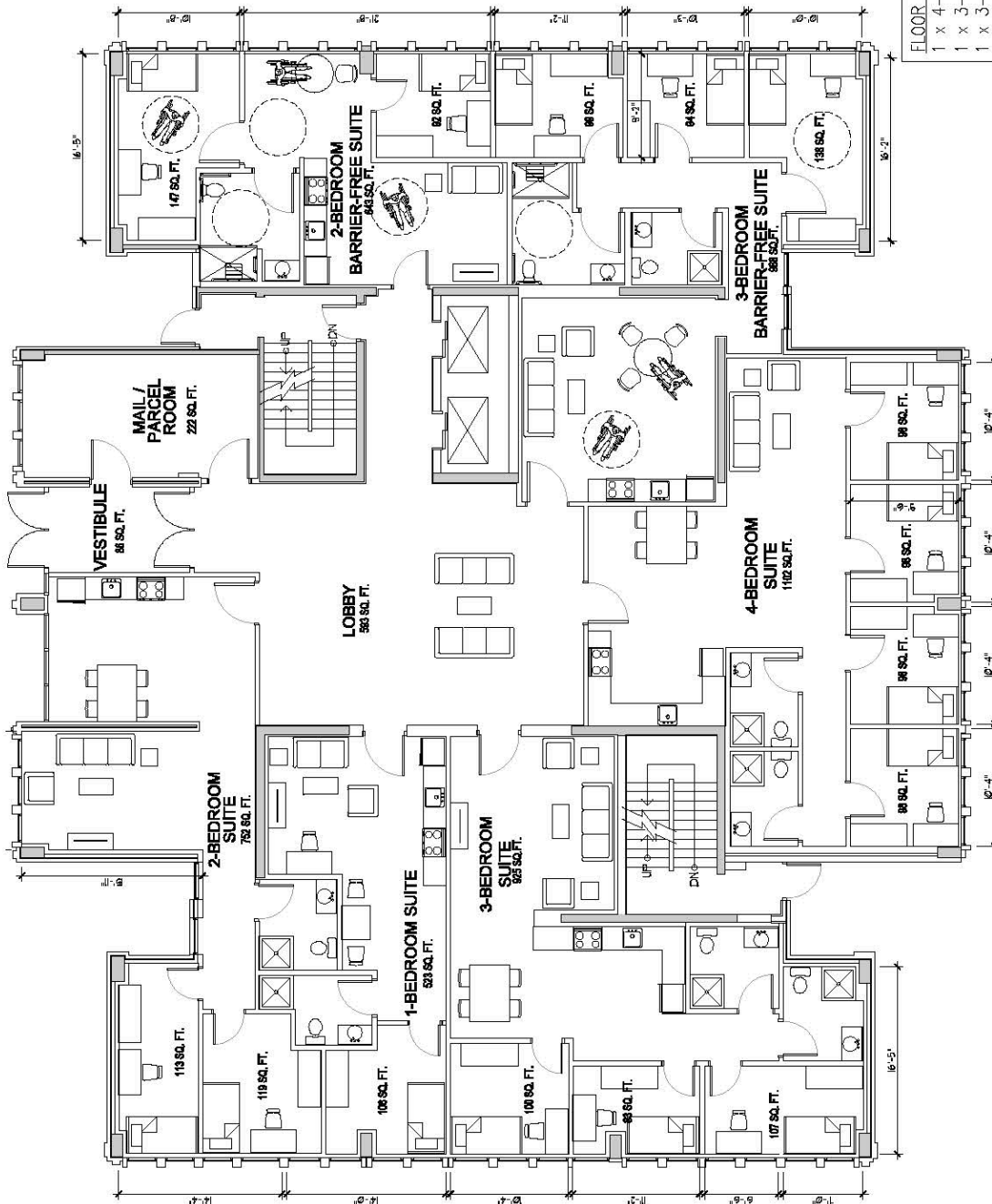
Building North

**CONCEPT PLAN**

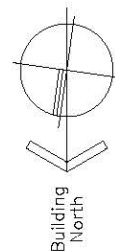
**BASEMENT FLOOR**

SCALE: N.T.S.





**CONCEPT PLAN**  
**FIRST FLOOR**  
 SCALE: N.T.S.

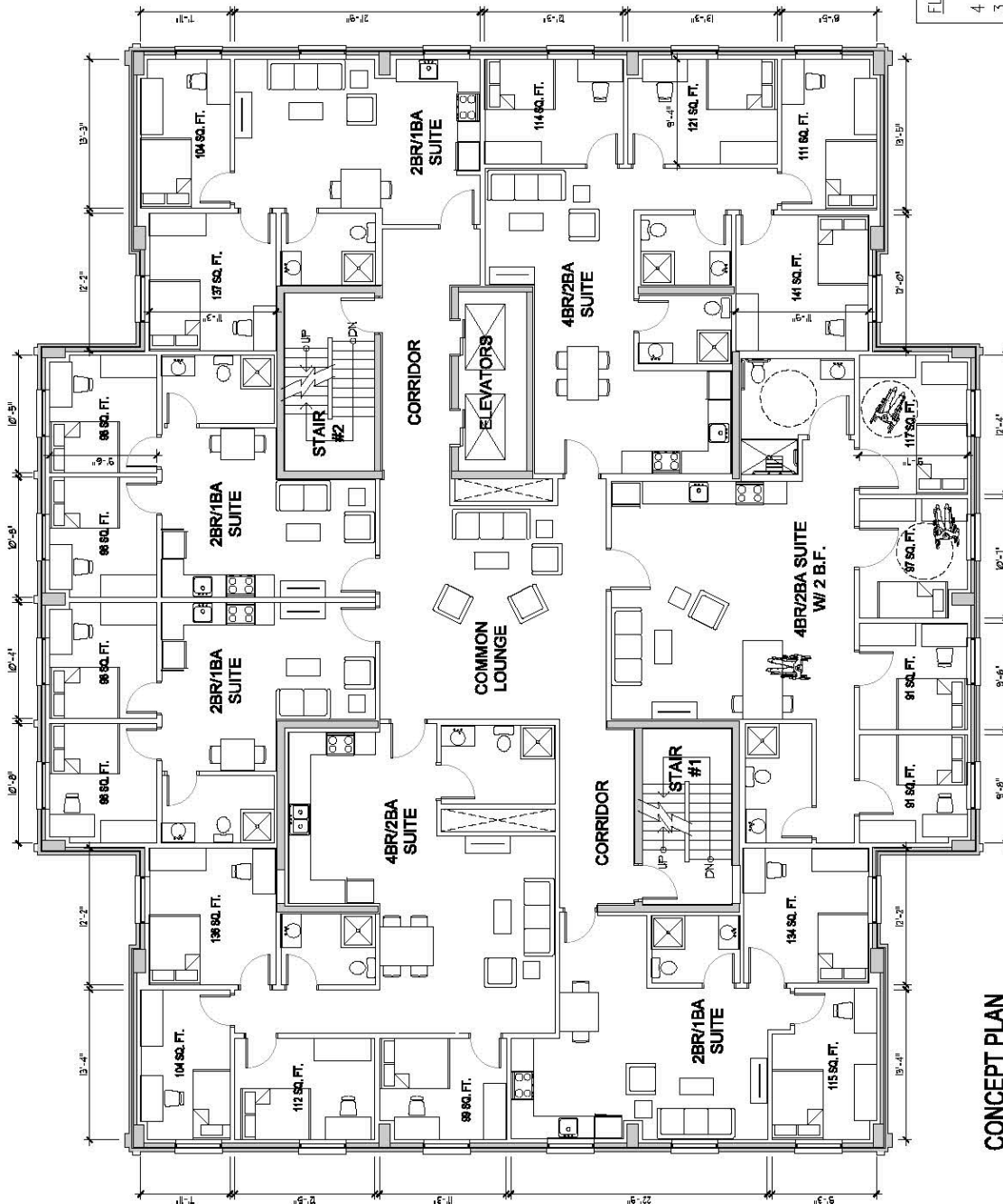


FLOOR DATA:

1 x 4-BEDROOM SUITE	=	4 BEDS
1 x 3-BEDROOM SUITE W/ B.F.	=	3 BEDS
1 x 3-BEDROOM SUITE	=	3 BEDS
1 x 2 BEDROOM SUITE	=	2 BED
1 x 2 BEDROOM SUITE W/ B.F.	=	2 BEDS
1 x SINGLE APARTMENT	=	1 BED
<b>TOTAL</b>		<b>= 15 BEDS</b>

Project name	22-744	Project no.	sd-a03
Project name	residence west, university of windsor	Date	14oct2024
Project name	first floor plan	dwg no.	

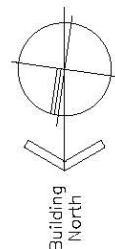




**CONCEPT PLAN**  
**TYPICAL FLOOR 2 THRU 10**  
 SCALE: N.T.S.

**FLOOR DATA:**

4 x 2BR/1BA SUITES	= 8 BEDS
3 x 4BR/2BA SUITES	= 12 BEDS
<b>TOTAL</b>	<b>= 20 BEDS</b>





**Subject: Additional Information to Report S37/2025 - University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset Avenue (Ward 2)**

**Reference:**

Date to Council: May 5, 2025  
Author: Laura Strahl, MCIP, RPP  
Planner III - Special Projects  
519-255-6543 ext. 6396  
lstrahl@citywindsor.ca

Planning & Building Services  
Report Date: 4/3/2025  
Clerk's File #: SPL/14645

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

**Additional Information:**

**Additional Recommendations for Report # S37/2025:**

The Recommendation I of Report S37/2025 be deleted and replaced with the following:

- I. **THAT** the request made by the University of Windsor (owner) for the proposed redevelopment of an existing building on a portion of 401 Sunset Avenue as identified in Appendix B to Report S37/2025, to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** at the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years, plus an additional five (5) years as a catalyst project or until 100% of the eligible costs are repaid pursuant to the University Avenue West and Wyandotte Street West Community Improvement Plan;

Report S37/2025 recommends approval of a University Avenue West and Wyandotte Street West Community Improvement Plan grant application made by the University of Windsor on a portion of the property at 401 Sunset Avenue as shown on Appendix B to Report S37/2025, to participate in the Building Property Improvement Tax Increment Grant Program under the University Avenue and Wyandotte Street Community Improvement Plan for a term of five (5) years.

The CIP program allows an extension of five (5) additional years (for a total of ten (10) years) if the project meets the definition of a Catalyst Project, as defined within the CIP. Based on the original submission, the project did not meet the definition of a Catalyst



Project, however with the University of Windsor has amended their proposal. Administration has reviewed the amended proposal and now recommends the project be considered a Catalyst Project.

The applicant originally proposed 71 new residential units in the existing vacant building, but they have now reconfigured the floor plans to propose 118 new residential units. To be considered a Catalyst Project, the proposal needs to meet at least three criteria under the Catalyst Definition in the University Avenue and Wyandotte Street West Community Improvement Plan. The applicant meets the following three criteria:

- Represents visible investment of at least \$5 million or more.
  - o The applicant estimates construction costs of \$22,365,700.
- Will result in a significant increase in land value that results in increased municipal assessment of 20% or more.
  - o The proposal will result in an increased municipal assessment over 20%.
- Creates 100 or more new residential units within the CIP Project Area.
  - o The applicant proposes 118 new residential units.

The estimated grant calculation has now changed as a result of the number of units increasing and the project now qualifying for a 10 year tax grant as a Catalyst Project. Below is an updated table to replace the table in the Financial Matters Section of Report 37/2025:

<b>Estimate Building Property Improvement Tax Increment Grant Calculation Portion of 401 Sunset Avenue</b>			
Annual Pre-Development Municipal Taxes	Annual Estimated Post Development Municipal Taxes	Annual Estimate Value of Grant	Total Estimate Grant over ten (10) years
\$135,801	\$156,197	\$20,396	\$203,960

#### **Approvals:**

<b>Name</b>	<b>Title</b>
Laura Strahl	Planner III - Special Projects
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
Greg Atkinson	City Planner/ Executive Director, Planning & Development Services (A)



Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Janice Guthrie	Commissioner Finance/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

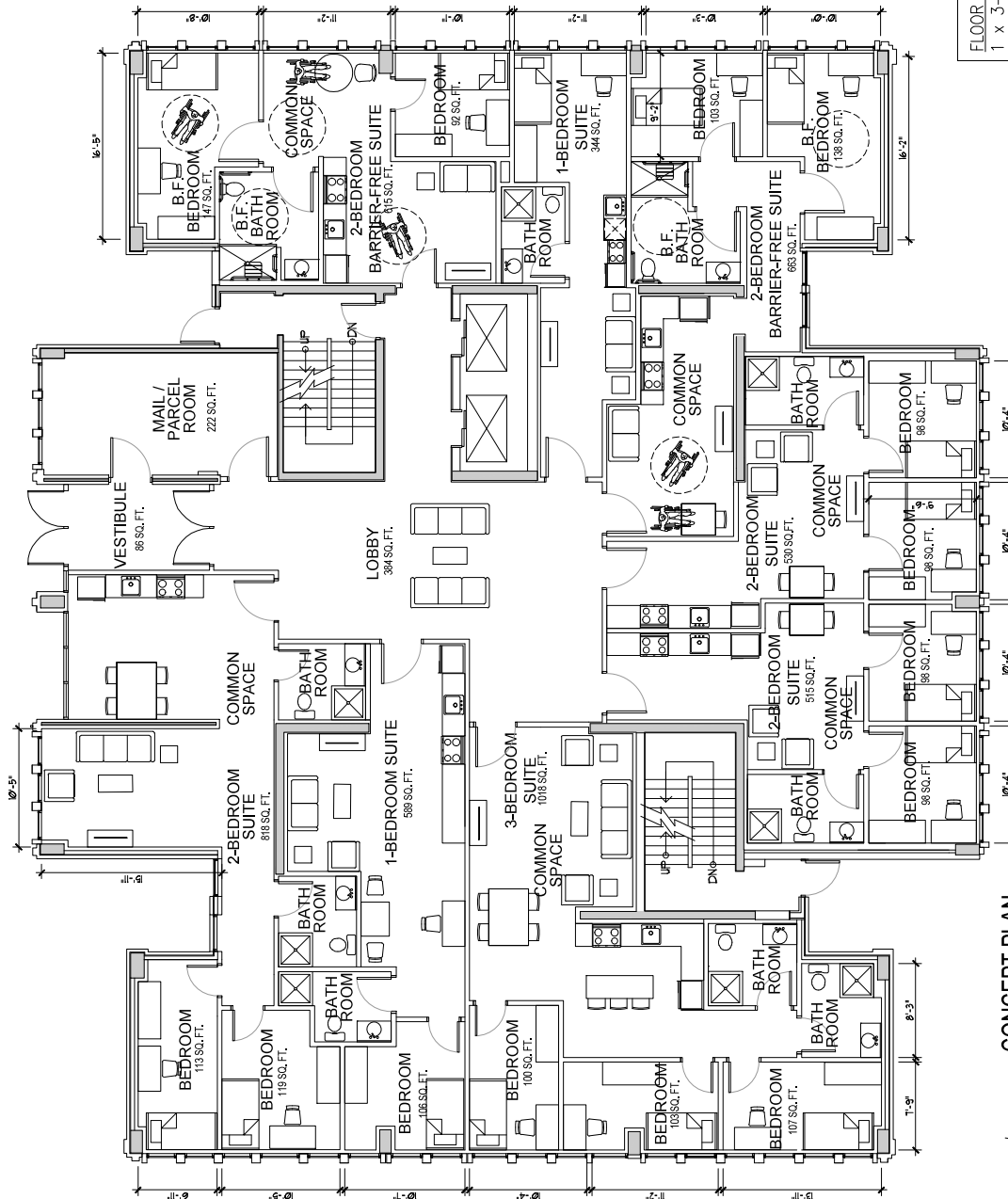
**Notifications:**

Name	Address	Email

**Appendices:**

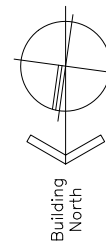
- 1 Appendix A - Updated Conceptual Floor Plans





FLOOR DATA:

1 x 3-BEDROOM SUITE	=	3 BEDS
3 x 2-BEDROOM SUITE	=	6 BEDS
2 x 2-BEDROOM SUITE w/ B.F.	=	4 BEDS
2 x 1-BEDROOM SUITE	=	2 BED
<b>TOTAL</b>		<b>= 15 BEDS</b>



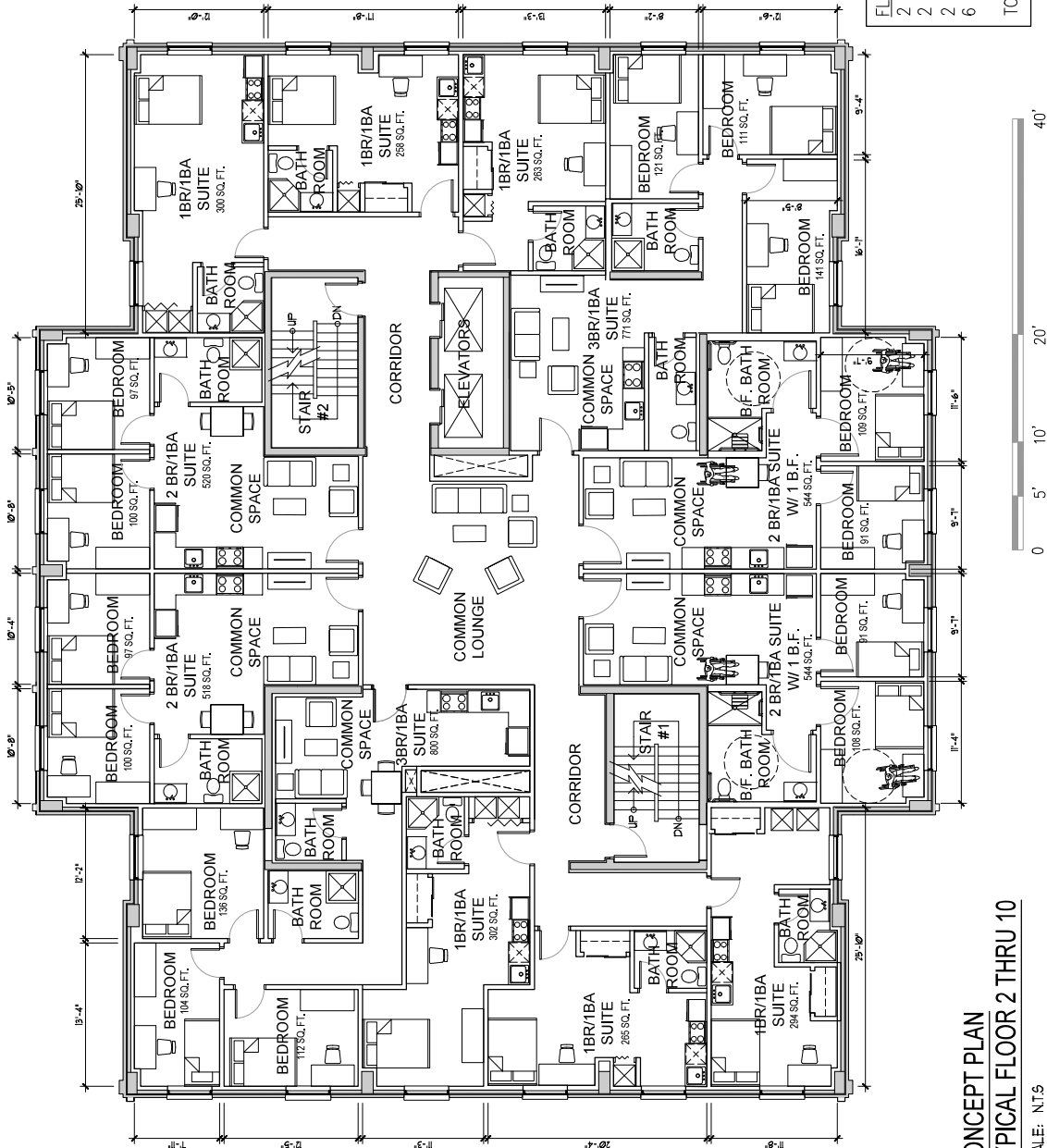
CONCEPT PLAN  
FIRST FLOOR  
SCALE: N.T.S.



PROJECT NO. <b>22-744</b>	PROJECT NAME residence west, university of windsor	DATE <b>08April2025</b>	DRAWING NO. <b>sd-01</b>

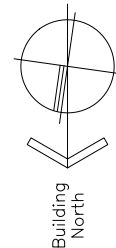




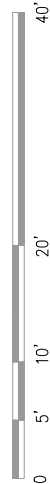


FLOOR DATA:

2 x 3-BEDROOM SUITE	=	6 BEDS
2 x 2-BEDROOM SUITE	=	4 BEDS
2 x 2-BEDROOM SUITE W/ B.F.	=	4 BEDS
6 x 1-BEDROOM SUITE	=	6 BEDS
<b>TOTAL</b>		<b>= 20 BEDS</b>



CONCEPT PLAN  
TYPICAL FLOOR 2 THRU 10  
SCALE: N.T.S.



	project no.	22-744	project name	residence west, university of windsor	date	08april2025	dwg no.	sd-02
	typical floor plan							



**LEGEND - NEW WORK**

EXISTING WALLS

NEW WALLS

**FLOOR DATA:**

2 x 2BR/1BA SUITES = 4 BEDS

TOTAL = 4 BEDS

Building North

**CONCEPT PLAN**

**BASEMENT FLOOR**

SCALE: N.T.S

	project no.	project name	title	date	dwg no.
	22-744	residence west, university of windsor	basement plan - option B	14oct2024	sd-a02b





**Committee Matters: SCM 147/2025**

**Subject: Amendment to CR399/2024 & CR69/2025 for Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133**

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

Decision Number: **DHSC 734**

- I. THAT CR399/2024, adopted on September 23, 2024, as amended by CR69/2025, adopted on February 10, 2025, **BE AMENDED** to replace Drawing No. CC-1849 with the drawing attached hereto as Appendix "D".

Carried.

Report Number: S 43/2025  
Clerk's File: SAA2025

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.2 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.slig.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Amendment to CR399/2024 & CR69/2025 for Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133**

**Reference:**

Date to Council: May 5, 2025  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: March 18, 2025  
Clerk's File #: SAA2025

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

**Recommendation:**

- I. THAT CR399/2024, adopted on September 23, 2024, as amended by CR69/2025, adopted on February 10, 2025, **BE AMENDED** to replace Drawing No. CC-1849 with the drawing attached hereto as Appendix "D".**Executive**

**Summary:**

N/A





## STREET & ALLEY CLOSING (SAA/4133)

1:750



APPLICANT : CITY OF WINDSOR

 ALLEY CLOSED BY CR610/2020

 RECOMMENDED ALLEY CLOSURE  
(CITY INITIATED)

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MARCH, 2025



## **Background:**

On December 7, 2020, Council approved the closure of the east half of the north/south alley located between Montrose Street and Tecumseh Boulevard West and shown on Drawing No. CC-1776 attached hereto as Appendix "A".

During the preparation of Reference Plan 12R-29404, it was discovered that the west half of the north/south alley, making up part of 10 properties ranging from 1304 Oak Street to 1370 Oak Street, had not been assumed and closed.

The west half of the north/south alley was established by By-law 310 on November 18, 1941. The alley is comprised of lands acquired by the City in 1932 by Tax Arrears Certificate. Over the years, portions of the alley making up part of 1304 Oak Street, 1312 Oak Street, and 1356 Oak Street were inadvertently sold by the City with the respective properties, resulting in the City losing ownership over the lands. Regaining ownership of the lands through expropriation or a court order, only to convey them back to the property owners, is not a practical option, nor is it necessary.

On September 23, 2024, CR399/2024 was adopted by Council to approve the closure of the portions of the alley still owned by the City, making up part of the remaining seven (7) properties, and shown on Drawing No. CC-1849 attached hereto as Appendix "B".

The Legal Department, through the alley closure by-law preparation stage, discovered that the portion of the alley abutting 1370 Oak Street (legally described as Parts 16 & 17, Reference Plan 12R-29404) was also inadvertently sold by the City with the respective property.

On February 10, 2025, CR69/2025 was adopted by Council to amend CR399/2024 by replacing Drawing No. CC-1849 with the drawing attached hereto as Appendix "C" to reflect the change in status of the portion of the alley abutting 1370 Oak Street.

The Legal Department, through the alley closure by-law preparation stage, discovered that the entire west half of the north/south alley, making up part of 10 properties ranging from 1304 Oak Street to 1370 Oak Street was inadvertently sold by the City with the respective properties.

## **Discussion:**

CR399/2024 and CR69/2025 must be amended to replace Drawing No. CC-1849 with a new drawing (attached hereto as Appendix "D") that identifies the entire west half of the north/south alley as being inadvertently sold by the City.

## **Risk Analysis:**

The recommended amendment to CR399/2024 and CR69/2025 poses no known risk to the City.



## Climate Change Risks

### Climate Change Mitigation:

N/A

### Climate Change Adaptation:

N/A

### Financial Matters:

N/A

### Consultations:

N/A

### Conclusion:

The Planning Department recommends that CR399/2024 and CR69/2025 be amended to replace Drawing No. CC-1849 with that drawing attached hereto as Appendix “D”.

### Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*

*Deputy City Planner - Development / City Planner (A)*

I am not a registered Planner and have reviewed as a Corporate Team Leader

*JP*

*JM*

### Approvals:

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Greg Atkinson	City Planner (A)
Jamelah Hersh	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

### Notifications:

None

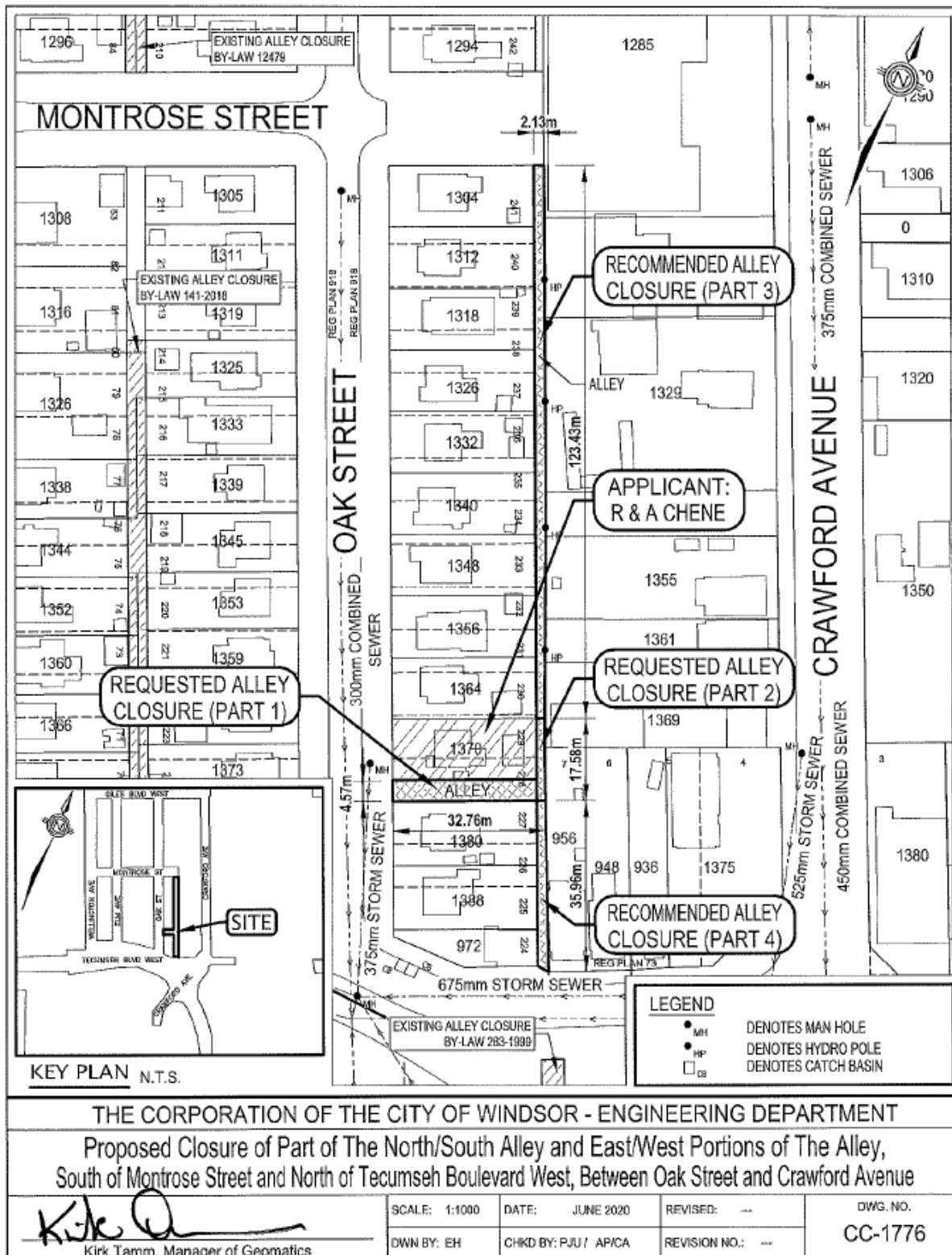


**Appendices:**

- 1 Appendix A - Drawing No. CC-1776
- 2 Appendix B - Drawing No. CC-1849
- 3 Appendix C - Revised Drawing No. CC-1849 (December 2024)
- 4 Appendix D - Revised Drawing No. CC-1849 (March 2025)

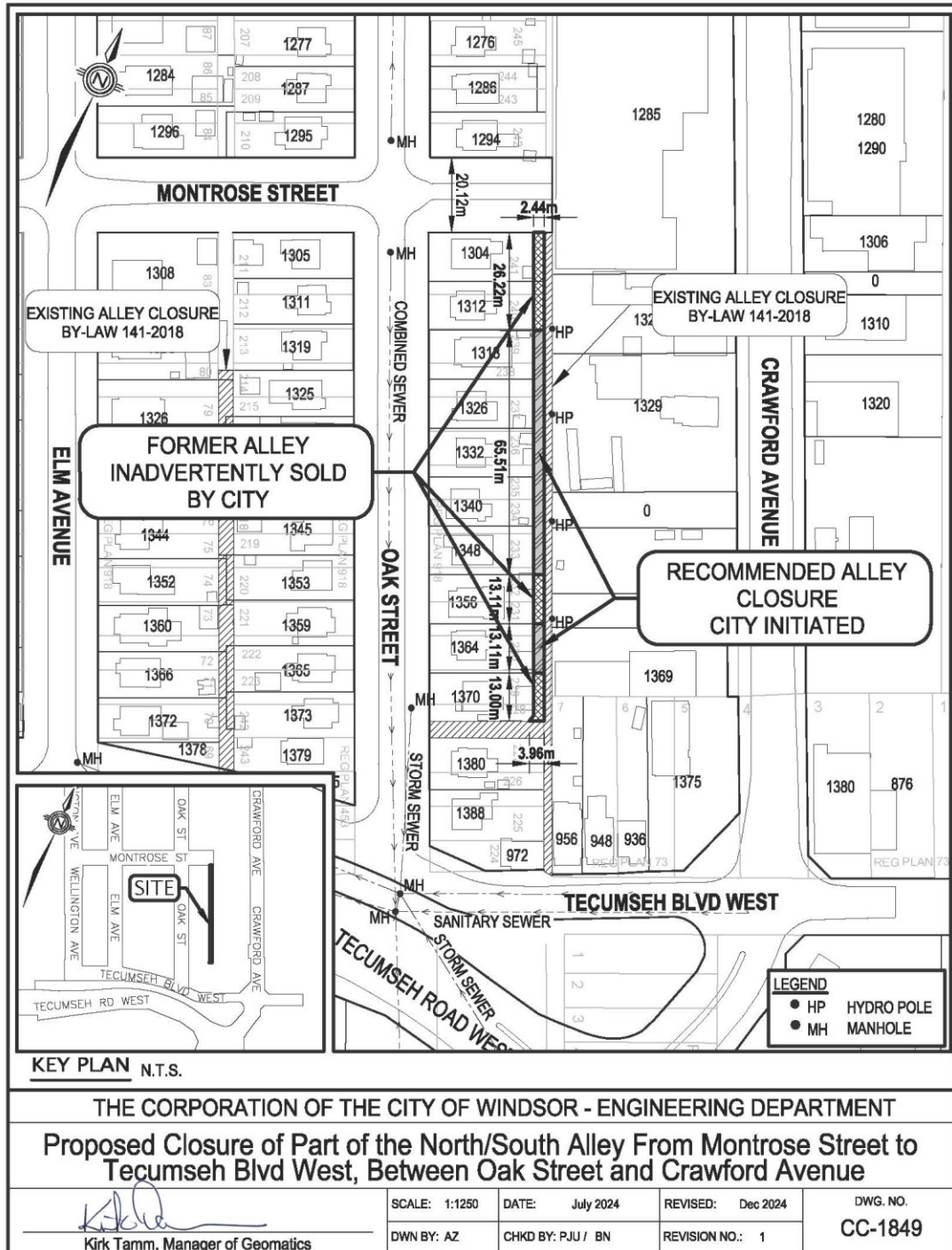


# **APPENDIX "A"** **Drawing No. CC-1776**



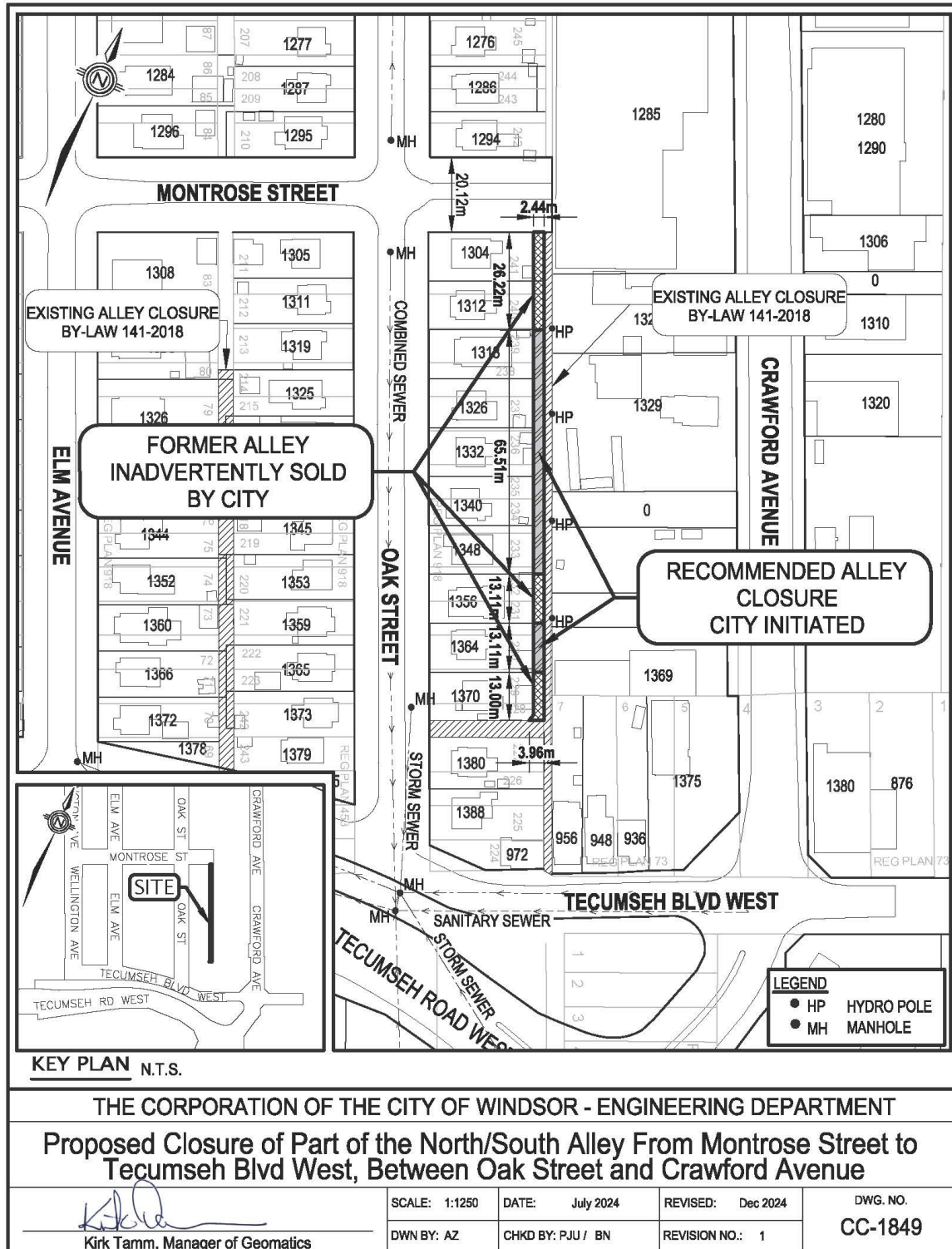


**APPENDIX "B"**  
**Drawing No. CC-1849**  
**(CR69/2025)**



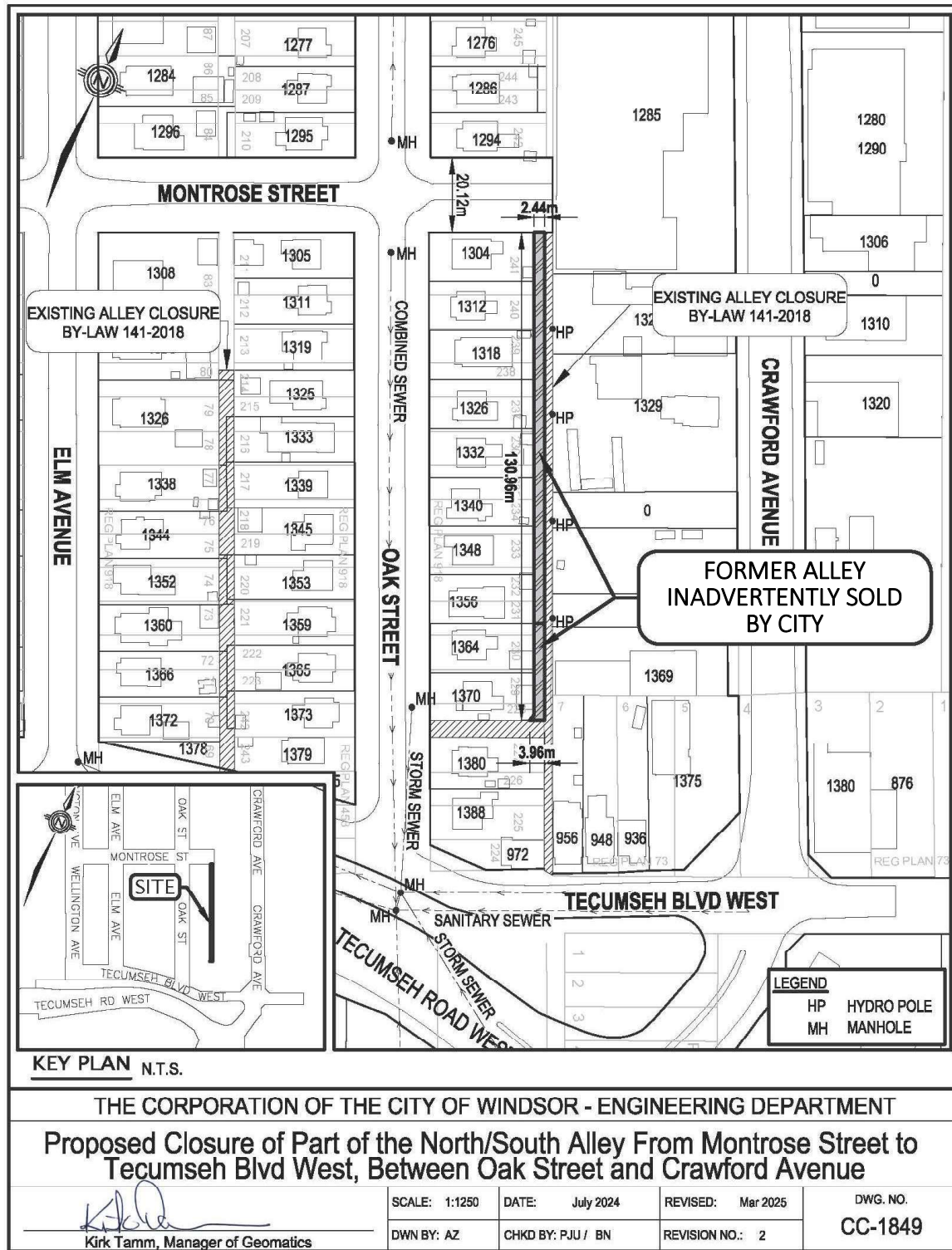


**APPENDIX "C"**  
**Revised Drawing No. CC-1849**  
**(December 2024)**





**APPENDIX "D"**  
**Revised Drawing No. CC-1849**  
**(March 2025)**







**Committee Matters: SCM 148/2025**

**Subject: Economic Revitalization CIP (Community Improvement Plan) application submitted by Minth Canada Holding Inc 5000 Cabana Rd E (Ward 9)**

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

Decision Number: **DHSC 735**

- I. THAT the request made by Minth Canada Holding Inc. ("Minth") to participate in the Business Development Grant Program **BE APPROVED** for the property located at 5000 Cabana Rd E (formerly known as County Road 42), and legally described as Parts 1 and 4 on 12R29960, as shown in the aerial diagram attached as Appendix A Location Map for a period that ends the earlier of 10 years or when 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. THAT, the CAO and City Clerk **BE AUTHORIZED** to execute a Business Development Grant Agreement with Minth for the Property, to be satisfactory in form to the City Solicitor, in technical content to the City Planner and in financial content to the City Treasurer.

Carried.

Report Number: S 53/2025  
Clerk's File: SPL/10759

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.3 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Economic Revitalization CIP (Community Improvement Plan) application submitted by Minth Canada Holding Inc 5000 Cabana Rd E (formerly known as County Rd 42)-Ward 9**

**Reference:**

Date to Council: May 5, 2025  
Author: Simona Simion, Planner III (A)  
ssimion@citywindsor.ca  
519-255-6543 x 6449

Report Date: 4/11/2025  
Clerk's File #: SPL/10759

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

**Recommendation:**

- I. THAT the request made by Minth Canada Holding Inc. ("Minth") to participate in the Business Development Grant Program **BE APPROVED** for the property located at 5000 Cabana Rd E (formerly known as County Road 42), and legally described as Parts 1 and 4 on 12R29960, as shown in the aerial diagram attached as Appendix A Location Map for a period that ends the earlier of 10 years or when 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. THAT, the CAO and City Clerk **BE AUTHORIZED** to execute a Business Development Grant Agreement with Minth for the Property, to be satisfactory in form to the City Solicitor, in technical content to the City Planner and in financial content to the City Treasurer.

**Executive Summary:** N/A

**Background:**

City Council approved the Economic Revitalization Community Improvement Plan (CIP) at its January 31, 2011, meeting via CR 50/2011. The adopting By-law 30-2011 was passed by Council at its February 14, 2011, meeting.

The Economic Revitalization CIP provides financial incentives to encourage new investment in targeted economic sectors for the purposes of diversifying the local



economy and creating/retaining jobs. The CIP allows the City to take a variety of measures to further the objectives of the Economic Revitalization CIP that would otherwise be prohibited by Ontario's *Municipal Act*. This includes the acquisition and preparation of land; construction, repair, rehabilitation or improvement of buildings; the sale, lease or disposal of land and buildings; and the provision of grants to owners or tenants of land—all of which must conform with the objectives and policies contained within the CIP.

To date, City Council has approved a number of applications made under the CIP representing a range of targeted economic sectors including manufacturing, research and development, creative industries, logistics, health & life sciences, and tourism.

### *Windsor Works Strategy*

In February of 2020, Windsor City Council commissioned an economic development report called Windsor Works - An Economic Development Strategy for the City's Future Growth. One of the report's chief recommendations relating to the future economy was to build on Windsor's manufacturing strength to become a hub for new innovation and the auto sector of the future. Specifically, the report recommended establishing Canada's first ramp up factory for electric and autonomous vehicles and working with the Province to prioritize the area for battery production by 2025.

### *Announcement of Landmark Investment*

On April 3, 2025, Minth Group announced that Windsor had been selected as the site for manufacturing operations being a major part of company's overall growth strategy. This facility will first provide structural and battery tray components for customers located in the northern region of North America, with future expansion into additional product lines including plastic exterior trim. This project represents a \$298M investment, creating 1,088 new jobs. The selection of the Windsor location was largely influenced by the availability of incentives such as the CIP grant, available land, skilled labour, and proximity to customers and supply base.

The Minth Group stands as a global leader in the manufacturing of exterior and structural automotive parts. With a workforce of 22,331 employees distributed across four business units and 77 global plants and offices, the operations span three continents and 14 countries. The company serves a diverse clientele, encompassing over 70 automobile brands from all over the world. Leveraging one of the world's most comprehensive and diverse customer platforms, Minth has made significant investments in the electrification of the automotive industry, positioning itself as the world's largest supplier of battery enclosures and body structure components.



### *Subject Site*

Minth Canada Holding Inc. has applied for financial incentives under the Business Development Grant Program. The proposed manufacturing facility would be located on 53.83 acres of surplus airport land that is owned by the City of Windsor and would be leased to Minth Canada Holding Inc. The site is located northeast of the intersection of the 8<sup>th</sup> Concession Road and Cabana Road East (formerly known as County Road 42). See Appendix A Location Map.

The existing site is vacant employment land. Pre-development studies were completed by the City of Windsor and as part of the Provincial Site Readiness Program. The site and surrounding airport employment lands were the subject of Official Plan and Zoning By-law amendment approved by Council in January 2024. The subject site is designated 'Industrial' on Schedule D of the Official Plan and is zoned Manufacturing District MD2.2, which permits a wide range of industrial uses.

### **Discussion:**

#### *Business Development Grant Program*

The Business Development Grant Program is intended to provide financial incentive to stimulate new investment in targeted economic sectors for the purposes of expanding and diversifying Windsor's economy. The Business Development Grant Program will also apply to projects that demonstrate a major investment resulting in a significant positive impact on the local economy and workforce. New manufacturing businesses that create a minimum of 50 jobs are eligible to apply under the program.

Successful applicants are eligible to receive an annual grant for up to 100% of the municipal property tax increase created by an investment in development or redevelopment of a building or property—provided it conforms with the Economic Revitalization CIP. Annual grants typically continue for up to 10 years to a maximum of total eligible costs for the project.

#### *Proposed Construction*

The application proposes to construct industrial buildings over three (3) phases commencing in 2025 and concluding in 2029. The CIP application applies to all phases which are estimated to cost \$164,634,944.

#### *Eligible Sector*

Minth Canada Holding Inc. falls under the eligible Manufacturing sector, which is defined as:



### *Manufacturing*

Companies engaged in the fabricating, processing, assembling, packaging, producing or making goods or commodities, including ancillary repair, storage, wholesaling or office uses.

### *Employment*

According to the CIP application Minth Canada Holding Inc. will create a total of 1,088 new jobs for all phases. Phase one will see 376 new jobs established at the subject site.

### *CIP Objectives*

Construction of the industrial facility and recommended Business Development Grant supports the following CIP objectives:

- Encourage investment that results in the productive use of lands and/or buildings for the purposes of establishing or maintaining a business enterprise, or the expansion of existing businesses to realize more effective use of the land's potential;
- Encourage capital investments that create new and/or maintain existing permanent jobs, as well as short-term construction jobs that contribute to the reduction of the unemployment rate;
- Attract investment based on the community's strengths and competitive advantages;
- Support investments in specified high potential economic sectors that contribute to the diversification of the local economy;
- Facilitate the development of the City's vacant employment lands and other areas that have the potential to be new employment areas;
- Provide financial incentive programs that are attractive to potential investors and corporate decision-makers, but are balanced with expectations of City taxpayers and the City's ability to fund the financial incentive programs;
- Support the establishment and on-going development of sector clusters and encourage businesses to take advantage of cluster-related synergies; and,
- Support investment and development that results in an increase in property assessment and grows the non-residential municipal tax base over the long-term.

### **Risk Analysis:**

There is little risk involved in the approval of CIP incentives. Staff resources are required for the upfront administration of the grant program and finalization of the legal agreement. Limited staff resources related to on-going monitoring of the eligible employment use and issuance of annual grants will also be required over the next 10 years. Should Council not approve the CIP request there is a significant risk that Minth Canada Holding Inc. may not proceed with the full planned investment to construct



multiple phases in Windsor.

## **Climate Change Risks**

### **Climate Change Mitigation:**

The proposed manufacturing facility implements Environmental Master Plan Goal A – Improve Our Air Quality, which directs the City to be proactive by partnering with community groups, industry and other levels of governments to improve Windsor's air quality. It also implements Community Energy Plan Transportation Strategy 11, which seeks to increase the adoption of electric vehicles and alternate fuel vehicles.

The construction and operation of the proposed manufacturing facility will result in an increase in the community greenhouse gas emissions; however, it is important to highlight that the emissions associated with this opportunity will support the national/international transition to EV vehicles as a priority mitigation strategy to move away from fossil fuels.

### **Climate Change Adaptation:**

The new buildings may be affected by climate change, with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices. The site plan control application will be reviewed for opportunities to enhance resiliency.

## **Financial Matters:**

### *Business Development Grant Program*

The tax increment portion of the Business Development Grant is not calculated or paid out until all eligible work is completed, and the property is reassessed by the Municipal Property Assessment Corporation (MPAC). Reassessment of the property must result in an increase in assessment value. The grant amount is recalculated annually based on the actual assessed property value, tax class, and municipal tax rate.

### *Summary of Potential Financial Incentives*

Mint Canada Holding Inc. proposes to invest \$164,634,944 in eligible building and site construction costs as part of three development phases. The current assessment value of the 53.83 acres of land is \$342,096 and is assessed taxable as farmland.

The estimated post construction assessment value of all three phases is \$35,230,019 which is an increase of \$34,887,923 from \$342,096. If approved, the total grant value



depends on when the grant program commences. Should Minth decide to delay the commencement of the ten-year grant period until all phases are complete, the annual estimated grant will be calculated based upon the total estimated assessed value of \$35,230,019. The estimated annual grant value will be \$1,939,363, for a total cumulated grant value of \$19,393,630 over 10 years.

Should Minth decide to commence the grant period following the completion of phase one (building 1 is constructed), the annual grant would be \$716,485. The grant would remain at this annual amount until phase 2 is complete (building 2 is constructed), the annual grant would increase to \$1,330,294. Similarly, the grant would remain at the phase 2 annual amount until phase 3 is complete (building 3 is constructed), the annual grant would increase to \$1,939,363 for the remainder of the 10-year period. The total estimated grant for the 10-years under this scenario would be \$15,729,737. If Minth does not construct phases 2 and 3, the total estimated grant value will be \$7,164,850 over the 10-year period.

Because the Business Development Grant Program does not cancel taxes, Minth Canada Holding Inc. must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes (i.e. the 'tax increment').

### **Consultations:**

The Economic Revitalization CIP was subject to extensive stakeholder and public consultation as part of the approval process, including two public open houses, a statutory public meeting of Council and circulation among internal City staff and the Province.

Planning staff have consulted with the applicant prior to accepting the application for the Business Development Grant Program. Staff from the Planning (Greg Atkinson), Finance (Carolyn Nelson, Lorie Gregg, Josie Gaultieri), Legal (Kate Tracey), and Economic Development (Milan Vujanovic) were consulted in the preparation of this report.

### **Conclusion:**

Administration recommends that Council approve the request made by Minth Canada Holding Inc. to participate in the Business Development Grant Program. Specifically, that the municipal portion of the tax increment resulting from the proposed development at 5000 Cabana Rd E (formerly known as County Road 42) and legally described as Parts 1 and 4 on 12R29960 be provided as an annual grant for the lesser of 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization CIP.



The planned development conforms with the Economic Revitalization CIP and assists the City in the achievement of a number of the CIP objectives, Windsor Works Strategy, and exemplifies the purpose for which the Economic Revitalization CIP was created.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Emilie Dunnigan	Manager Development Revenue and Finance Admin.
Jason Campigotto	Deputy City Planner – Growth (A)
Greg Atkinson	City Planner/Executive Director of Planning and Building Services (A)
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Lorie Gregg	Deputy Treasurer, Taxation & Financial Projects
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

Appendix A Location Map

Appendix B Business Overview



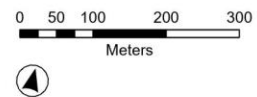
## Appendix A: Location Map



LOCATION MAP:

Owner/Leasor: City of Windsor  
Lessee: Minth Canada Inc.

-  Subject Property      PLAN 12R-29960 PART 1  
 Parcel Boundary      PLAN 12R-29960 PART 4



CITY OF WINDSOR PLANNING DEPARTMENT  
APRIL 2025





## Business Overview

Minth Group stands as a global leader in the manufacturing of exterior and structural automotive parts. With a workforce of 22,331 employees distributed across four business units and 77 global plants and offices, our operations span three continents and 14 countries. We take immense pride in serving a diverse clientele, encompassing over 70 automobile brands from all over the world. Leveraging one of the world's most comprehensive and diverse customer platforms, Minth has made significant investments in the electrification of the automotive industry, positioning itself as the world's largest supplier of battery enclosures and body structure components.

At Minth Group, our commitment extends beyond business success to the creation of a sustainable society and future for all. We champion green innovations and increasingly adopt green energy in our operations. Concurrently, we are dedicated to providing high-performance, superior-quality automotive parts that adhere to the highest global standards, continually driving innovation within the automotive industry.

## Project: Manufacturing Footprint Expansion

In the North American market, Minth Group has been growing at a nearly 20% year over year pace for several years, with extensive expansions across multiple operations in Mexico and USA. Our 2030 growth strategy requires a faster pace, with a more diversified footprint. The establishment of the Windsor manufacturing operations that comprise this project will be a major part of our overall growth strategy. This facility will first provide structural and battery tray components for customers located in the northern region of North America, with future expansion into additional product lines including plastic exterior trim. This project represents a \$298M investment, creating 1088 new jobs.

## Location Options

In planning this expansion, we considered many locations across USA and Canada, including Tennessee, Michigan, Ohio, Indiana, and Ontario. The selection of the Windsor location was largely influenced by the availability of incentives such as the CIP grant, available land, skilled labor availability, and proximity to our customers and supply base.

## Conclusion

Minth Group is excited to continue our project in Windsor. The CIP grant will play a vital role in helping to ensure viability of the project through the launch and establishment phases. If approved, the grant will allow Minth Group to achieve our goal of continuing expansion by helping to offset a portion the massive capital costs of the project, resulting in continued growth and more jobs.





**Committee Matters: SCM 149/2025**

**Subject: Sandwich CIP, 357-359 Indian Road; Owner: Bruno and Maurizio Mantovan; Ward 2**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 736**

- I. THAT the request for incentives under the Sandwich Incentive Program made by the registered owner Bruno and Maurizio Mantovan of the property located at 357-359 Indian Road **BE APPROVED** for the following programs:
  - i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of \$20,000;
  - ii. *Revitalization Grant Program* for the lesser of 70% of the municipal portion of the tax increment for up to 10 years (+/- \$1,869 per year) or the eligible project costs;
- II. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implication;
- III. THAT funds to a maximum amount of \$20,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) once the work is completed;
- IV. THAT grants **BE PAID** to Bruno and Maurizio Mantovan upon completion of the two (2) story two (2) unit duplex dwelling from the *Sandwich Community Development Plan Fund* (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and,



V. 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 54/2025  
Clerk's File: Z/2025

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.4 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Sandwich CIP, 357-359 Indian Road; Owner: Bruno and Maurizio Mantovan; Ward 2**

**Reference:**

Date to Council: May 5, 2025  
Author: Kevin Alexander, MCIP RPP  
Senior Planner Special Projects  
519-255-6543 x6732  
kalexander@citywindsor.ca

Planning & Building Services  
Report Date: 4/11/2025  
Clerk's File #: Z/2025

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

**Recommendation:**

- I. **THAT** the request for incentives under the Sandwich Incentive Program made by the registered owner Bruno and Maurizio Mantovan of the property located at 357-359 Indian Road **BE APPROVED** for the following programs:
  - i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of \$20,000;
  - ii. *Revitalization Grant Program* for the lesser of 70% of the municipal portion of the tax increment for up to 10 years (+/- \$1,869 per year) or the eligible project costs;
- II. **THAT** the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implication;
- III. **THAT** funds to a maximum amount of \$20,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) once the work is completed;



- IV. **THAT** grants **BE PAID** to Bruno and Maurizio Mantovan upon completion of the two (2) story two (2) unit duplex dwelling from the *Sandwich Community Development Plan Fund* (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and,
- V. **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.

**Executive Summary: N/A**

**Background:**

On January 26, 2009, City Council passed by-laws to establish the Sandwich Heritage Conservation District Plan (By-law 22-2009), Olde Sandwich Towne Community Improvement Plan (By-law 27-2009), and Supplemental Development and Urban Design Guidelines (By-law 28-2009). These By-laws came into effect on October 18, 2012. One of the key recommendations of the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) is the implementation of the Incentive Program(s).

On June 17, 2013, through M265-2013 Council activated the following Incentive Programs from the Sandwich Incentive Program:

- a) Commercial/Mixed Use Building Facade Grant Program
- b) Revitalization Grant Program
- c) Commercial Core Feasibility Grant Program
- d) Development Charge Grant Program
- e) Development and Building fees Grant Program
- f) Neighbourhood Residential Rehabilitation Grant Program.

On June 17, 2013, Council also received the Development Review Process for development applications within the Sandwich Heritage Conservation District (HCD) area, and within the Sandwich Community Improvement Plan (CIP) Area (outside of the Sandwich HCD Area) (M264-2013).

**Discussion:**

On April 8, 2025, owners Bruno and Maurizio Mantovan of the property located at 357-359 Indian Road submitted a Sandwich CIP grant application with Site Plan and Elevation drawings for the purpose of restoring and improving the existing two (2) story two (2) unit duplex dwelling (See Appendix 'A' for location map).

The property is located within Sandwich Heritage Conservation District (HCD) and the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) area, and for the purpose of financial incentives, located within Target Area 3.



The owner has also applied for a Heritage Permit through Heritage Planning and the subject of another report to be considered by the Development Heritage Standing Committee on May 5<sup>th</sup>, 2025.

The owner has also applied for the *Neighbourhood Residential Rehabilitation Grant Program* through the Sandwich CIP in the amount of \$15,000 which will be processed as a separate report for Chief Administrative Officer (CAO) approval pursuant to Delegation of Authority By-law 208-2008.

One of the general requirements of Section 10.3 q) of the Sandwich CIP requires that approval of any application for the financial incentive program is based on the compatibility of the proposed use with the vision and goals of the CIP, the Sandwich Community Planning Study (CPS), and the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines (Sandwich Urban Design Guidelines) and any other guidelines applicable to the CIP area. The following identifies how this particular development addresses section 10.3 (q) of the CIP.

The proposal is subject to the policies and guidelines identified in the Sandwich HCD and Sandwich CIP Urban Design Guidelines.

### **Sandwich Vision and Sandwich HCD and CIP Policies and Design Guidelines**

#### ***The Sandwich HCD and CIP***

The proposed restoration and improvements to the existing two-storey duplex dwelling located at 357-359 Indian Road is consistent with the Vision and Goals for Sandwich Town and the Sandwich HCD.

The restoration of the dwelling will include the following scope of work:

- Reconstructing/rebuilding the front porch to its original style using historic photo documentation as reference. Full range rug brick veneer to match existing brick, wood clad columns, and 4" stone sills are features proposed.
- Reinstating the central dormer on the front (Indian Road) façade
- Replacing the existing second storey cedar siding with cedar shake composite siding in a similar appearance, colour, and texture as the original material. This will be to maintain the structural integrity of the building and prevent further moisture damage.
- Brick and mortar repair (repointing) where needed.
- Replacing the existing rear-entry deck, steps, and column.
- Replacing the asphalt roof with new asphalt shingles to match existing.
- Adding black dark casing around all windows, black eaves troughs, and black fascia (optional items).



In addition the three (3) interior floors (including the basement) will undergo a complete renovation including framing, new dry wall, plumbing and electrical, and a new HVAC system.

### **Sandwich CIP Urban Design Guidelines**

The proposed restoration and improvements to the existing two-storey duplex dwelling is in keeping with the Sandwich HCD and Sandwich Urban Design Guidelines, in terms of appropriate restoration methods, siting and scale of the new porch and use of materials. Urban Design and Heritage Planning staff have worked closely with the owner to ensure that restoration and improvements use best practices and are consistent with the goals and policies of Sandwich HCD and immediate area.

### **Sandwich Incentive Program**

The proposal is located within Target Area 3 of the Sandwich CIP Area and eligible for the following Incentive programs. The eligible costs for each incentive program are based on the costs estimates provided by the applicant. As the project is implemented, these costs could fluctuate slightly and could have a minor impact on the eligible costs for each incentive program. The application is consistent with the general program requirements identified in Section 10.3 of the CIP, and with the following program specific requirements:

#### ***Development and Building Fees Grant Program***

The purpose of the program is to provide an additional incentive to augment the other incentive programs and to facilitate and spur adaptive re-use, redevelopment and new construction. The program provides a grant equal to 100% of the fees paid for the eligible types of development applications and building permits. The Building Permit drawings have not been submitted and fees will need to be determined in the future. Recommendation III of the report will include a maximum amount of \$20,000 to ensure that all fees are captured.

#### ***Revitalization Grant Program***

The purpose of this program is to use the tax increase that can result when a property is rehabilitated, redeveloped, or developed to aid in securing the project financing and offset some of the costs associated with the rehabilitation. The program will provide an annual grant equal to 70% of the increase in municipal property taxes for up to 10 years after project completion if the project results in an increase in assessment and therefore an increase in property taxes. Grant payments will cease when the total grant along with all other grants and loans provided equals the cost of rehabilitating the lands and buildings, or after 10 years, whichever comes first.

Based on the project description and current value vs. estimated post-project assessment value of land, and buildings identified in the Grant Application, the property assessment is expected to increase.

The confirmed current value assessment of the subject property located at 357-359 Indian Road is \$58,000. The Applicant estimates that construction will cost around \$400,000. However, some of the proposed costs that will be incurred, although eligible



for purposes of the application, may not result in a direct increase in assessment value. In other words, the grant is calculated and paid, not on the post-project value or projections made in this report, but on the actual post-development value assessment, as determined by Municipal Property Assessment Corporation (MPAC) after project completion. Administration has estimated the post-redevelopment property assessment value based on the drawings and information provided to be \$200,000. The grant will however be based upon the actual tax increment once the assessment has been determined by MPAC.

### **Risk Analysis:**

The Building Department has not received or conducted a review of the building plans to confirm compliance with the Ontario Building Code and applicable law (e.g. zoning by-law). A review of the drawings will be conducted to ensure that the City's incentives are being used appropriately, and the City is receiving good value for the public investment allocated through the Sandwich Incentive Program(s) "toolkit". As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the total amount of all of the grants does not exceed the total eligible costs of the project.

The *Development and Building Fees Grant* will not be paid until all work is completed and inspected by Administration as per the Site Plan and Elevation Drawings and Building Permit. The *Revitalization Grant* will not be paid until an agreement for the Sandwich Incentive Program have been registered on title between the owner and the City of Windsor and the property taxes for the applicable year paid.

There is little risk associated with approval of a tax increment-based grant such as the *Revitalization Grant Program* as the payments commence after the eligible work has been completed and the property reassessed by MPAC and will only continue if the development remains eligible in accordance with the Sandwich CIP. Should the development fail to meet its requirements under the CIP, grant payments would cease.

### **Climate Change Risks**

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

The improvements to the two-storey duplex dwelling affects climate change as new materials will have to be brought in to construct interior units and rebuild the porch, which causes emissions. However, the restoration of the existing building and site contributes to the revitalization of the Sandwich Town Neighbourhood limiting vehicular travel and promoting walking and other alternative modes of transportation, thereby contributing to a complete community. The construction methods used for any of the new construction will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

Utilizing an existing site and an existing building in a built-up area of the city also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.



## Climate Change Adaptation:

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

## Financial Matters:

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, the approved grant amount will be regarded as committed in the CIP Reserve Fund 226, until the grant is ready to be paid out. The current uncommitted balance of the CIP reserve fund is \$176,700. This balance accounts for CIP requests that have been endorsed by the Development & Heritage Standing Committee/City Council standing committee and are not yet approved by City Council, but does not account for any other CIP grant requests that are currently under consideration.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (project 7076176) to disperse the maximum amount of \$20,000 for the *Development and Building Fees Grant Program* identified in this report once the work is complete to the satisfaction of the City Planner, and the grant is ready to be paid out.

The *Revitalization Grant* will be based upon the municipal tax increase and will be calculated by the Taxation Department once the post-development assessment value is received from MPAC. Based on the below assumptions, the annual estimated tax increment grant is \$1,869 (70% of the estimated increase in municipal taxes), for a total of \$18,690, if the grant is paid out for the ten (10) years.

### Assumptions

Current Property Assessment Value (Residential) \$ 58,000

Estimated Post-Development Property Assessment Value (Residential) \$200,000

Estimated Revitalization Tax Increment Grant for 357-359 Indian Road			
Annual Pre-Development Taxes (municipal portion)	Estimated Post-Development Taxes (municipal portion)	Estimated Annual Increase in Taxes (municipal portion)	Estimated Annual Tax Increment Grant (70% of increase)
\$1,090	\$3,760	\$2,670	\$1,869

The taxes retained by the City over the duration of the grant program is equal to the amount of the pre-development municipal taxes plus 30% of the increase in taxes due to the development (\$1,891 annually (\$1,090 + \$801) or \$18,910 cumulatively up to ten



(10) years). After completion of the grant program, the City will keep the full value of municipal taxes (\$3,760 annually).

Eligible Incentive Programs	Grant
<i>Development and Building Fees Grant</i>	<b>\$20,000</b>
<i>Note: Development and Building Fees are paid upfront by the applicant and these fees are approximate and can change at the time of Building Permit</i>	
<i>Revitalization Grant</i>	<b>\$18,690</b>
<b>Total</b>	<b>\$38,690</b>

Except for the *Revitalization Grant*, the owner will be reimbursed through the project *Sandwich Community Development Plan Fund (project 7076176)*. The *Revitalization Grant* is funded through the municipal portion of the annual tax levy. The applicant must pay the property taxes in full annually and will subsequently receive a grant for the difference between the pre and post development municipal taxes.

### **Consultations:**

Planners (Kevin Alexander, Senior Planner – Special Projects, Tracy Tang, Acting Heritage Planner and Sophia Di Blasi, Planner II) have worked with the owner to ensure that restoration and improvements use best practices for heritage restoration and are consistent with the goals and policies of Sandwich HCD and immediate area.

Jose Mejalli, Assessment Manager Officer was consulted regarding the Revitalization Grant Program.

Josie Gualtieri, Financial Planning Administrator was consulted with respect to the CIP Reserve Fund and the content of this Report.

Margo Moore Permit Service Clerk from the Building Department was consulted regarding Fees with respect to the *Building & Development Fees Program*

### **Conclusion:**

The restoration and improvements to existing duplex dwelling and property will provide two (2) unit dwellings with nine (9) bedrooms to a building that has sat vacant for several years providing an opportunity to attract new residents to the neighbourhood. The incentive program application meets all the eligibility criteria as identified in the Discussion section of this report and is compatible with the Sandwich HCD policies and Urban Design Guidelines.



**Planning Act Matters: N/A**

**Approvals:**

<b>Name</b>	<b>Title</b>
Kevin Alexander	Senior Planner – Special Projects
Carolyn Nelson	Manager of Property Valuation & Administration, Taxation & Financial Projects,
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
John Revell	Chief Building Official
Greg Atkinson	City Planner/ Executive Director, Planning & Development Services (A)
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Lorie Gregg	On behalf of Commissioner Finance/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

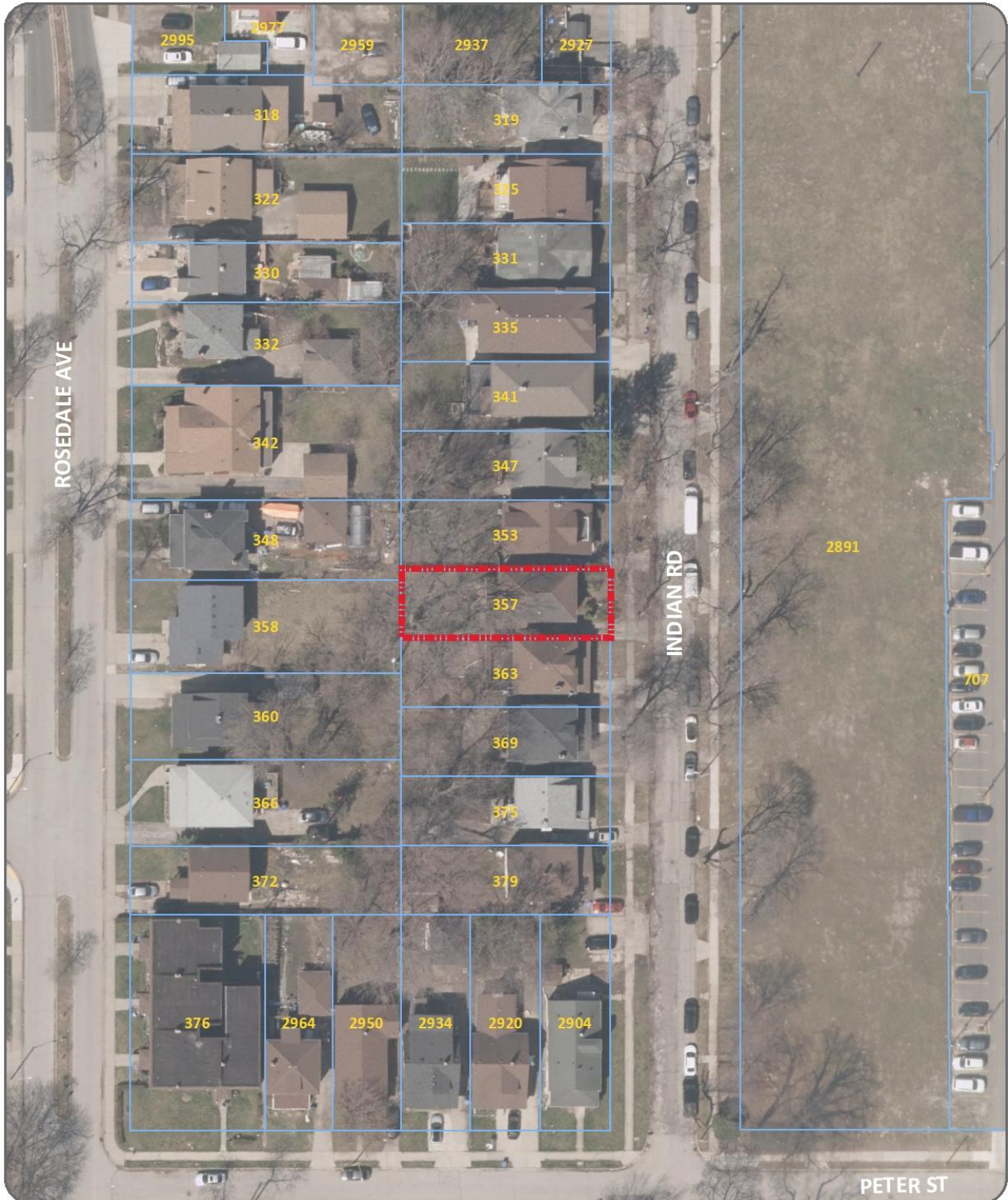
Appendix 'A'- Location Map and Existing Condition

Appendix 'B' - Proposed Restoration and Improvements



## APPENDIX 'A'

### LOCATION MAP



### LOCATION MAP



SUBJECT PROPERTY : 357-359 INDIAN ROAD





APPENDIX 'A'

EXISTING CONDITIONS





APPENDIX 'A'

EXISTING CONDITIONS





APPENDIX 'A'

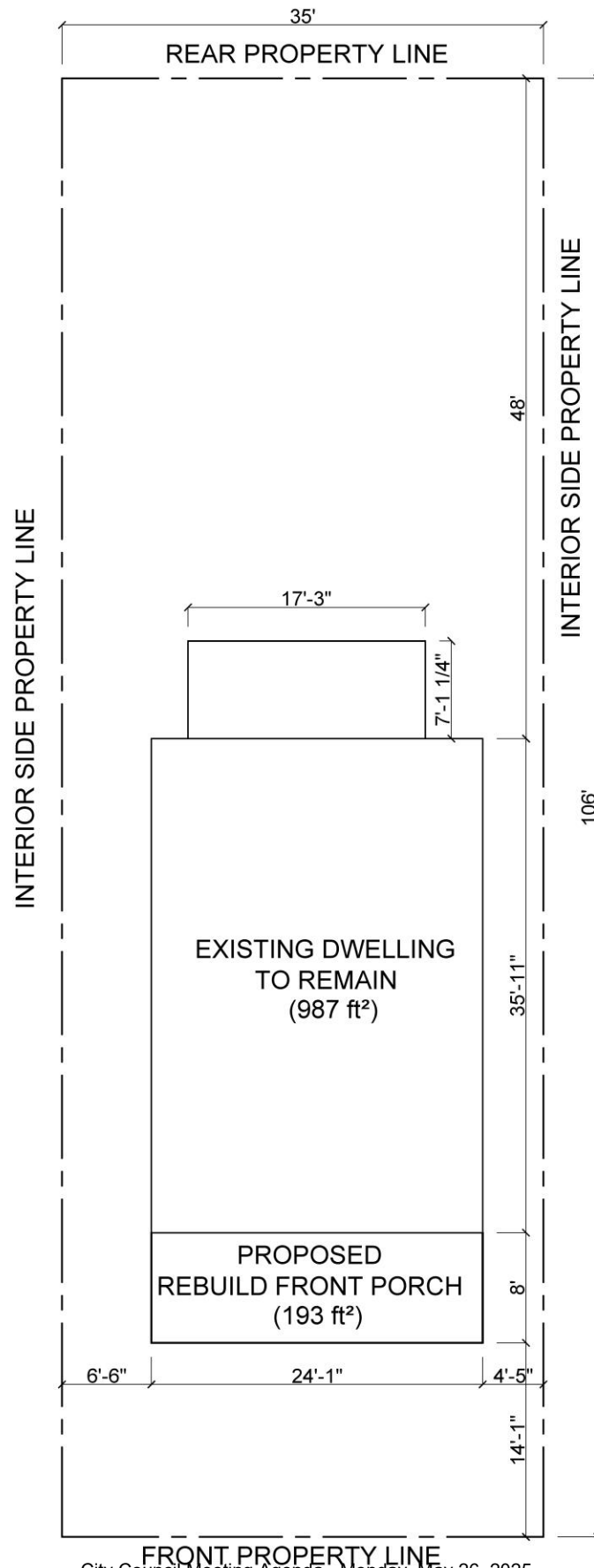
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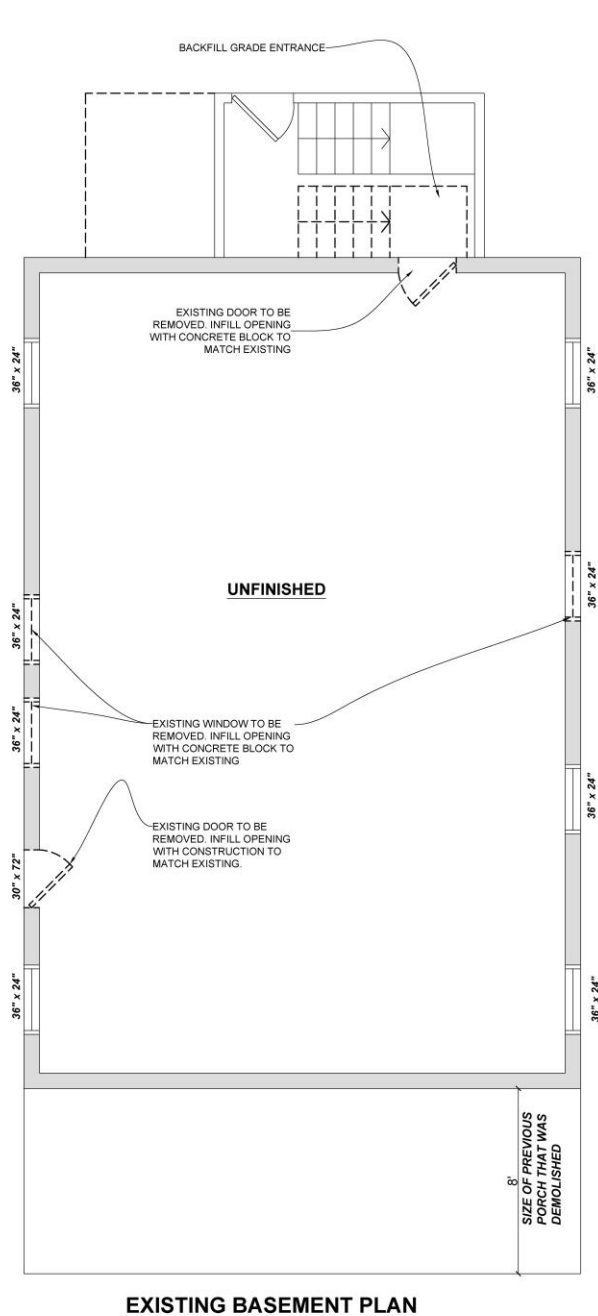
## APPENDIX 'B'

### PROPOSED RESTORATION AND IMPROVEMENTS

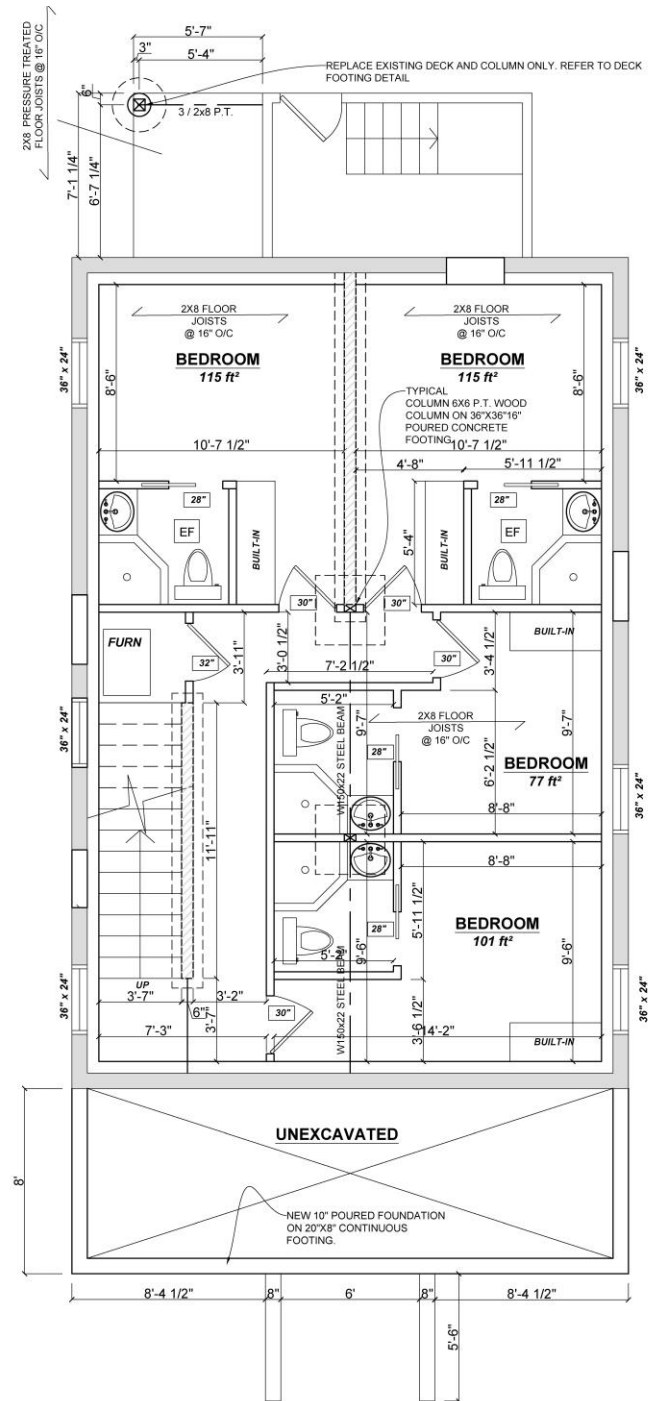




## PROPOSED RESTORATION AND IMPROVEMENTS



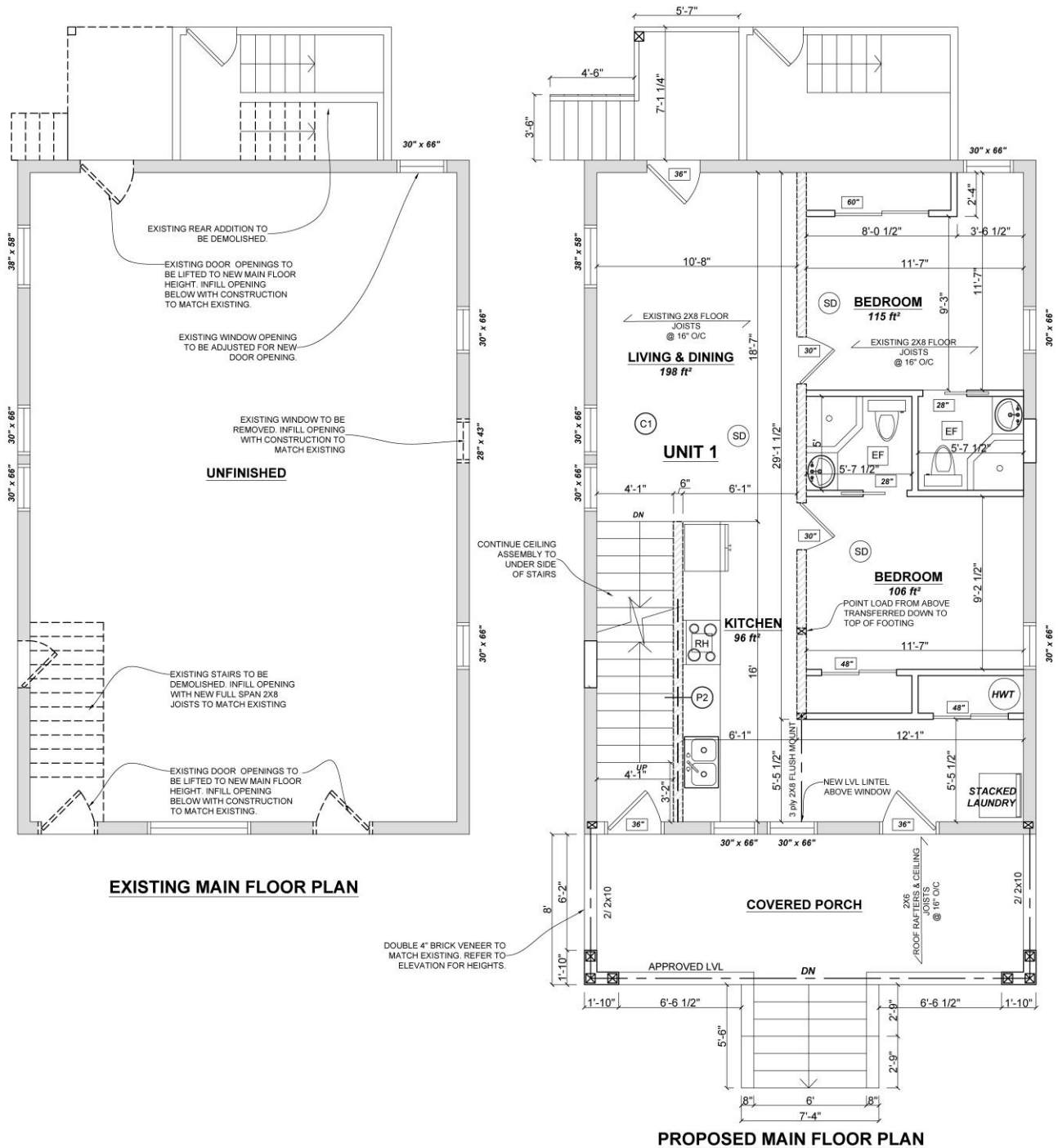
### EXISTING BASEMENT PLAN



### PROPOSED BASEMENT PLAN

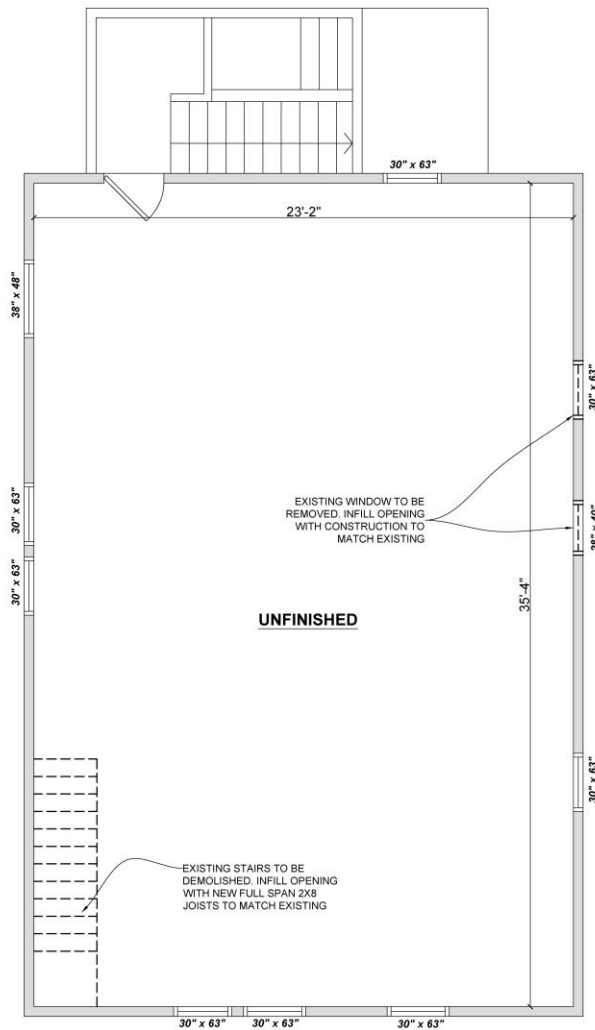


## PROPOSED RESTORATION AND IMPROVEMENTS

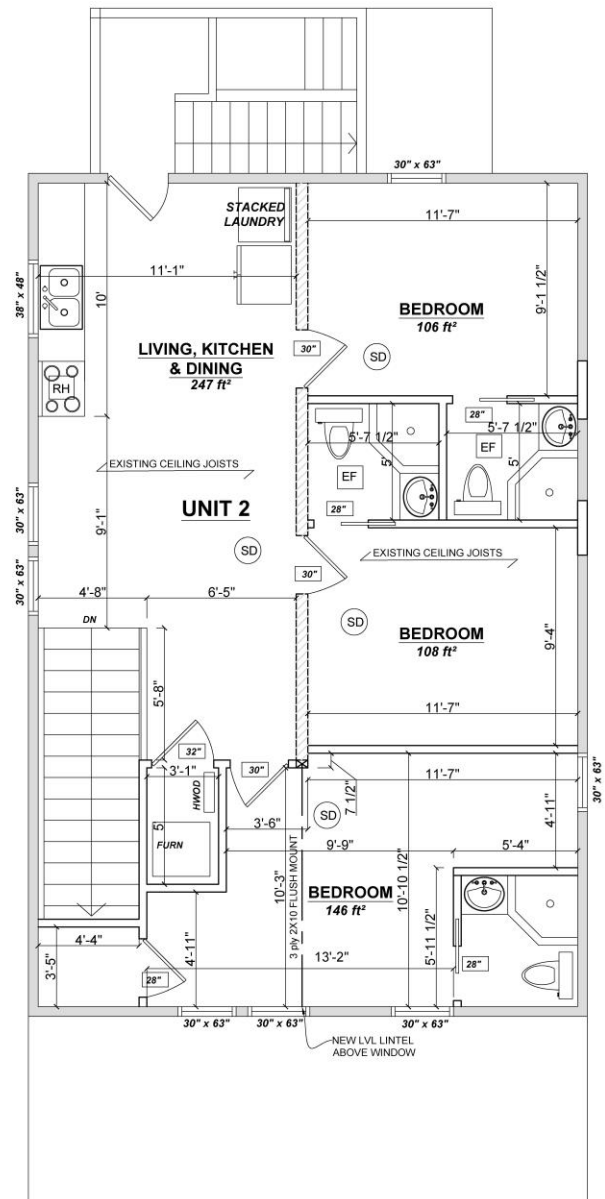




## PROPOSED RESTORATION AND IMPROVEMENTS



### EXISTING SECOND FLOOR PLAN

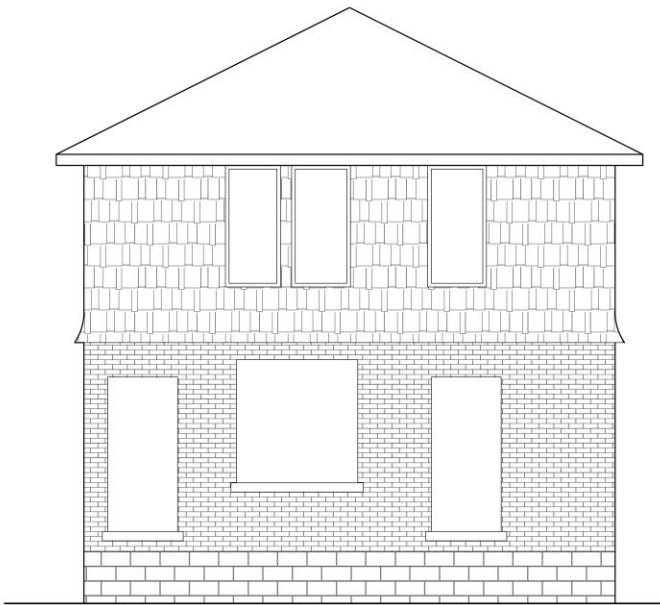


### PROPOSED SECOND FLOOR PLAN

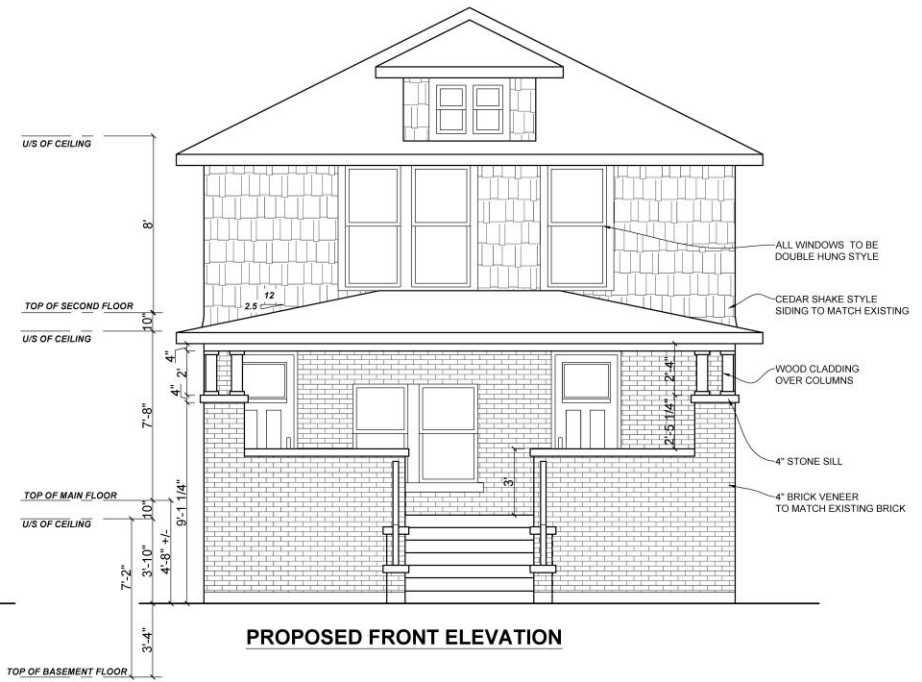


## APPENDIX 'B'

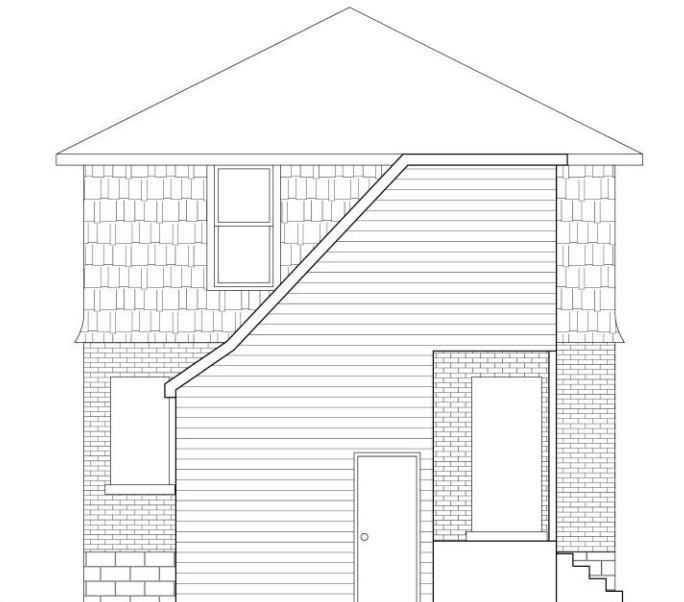
### PROPOSED RESTORATION AND IMPROVEMENTS



**EXISTING FRONT ELEVATION**



**PROPOSED FRONT ELEVATION**



**EXISTING REAR ELEVATION**



**PROPOSED REAR ELEVATION**



## APPENDIX 'B'

### PROPOSED RESTORATION AND IMPROVEMENTS



**EXISTING SIDE ELEVATION**



**PROPOSED SIDE ELEVATION**



## APPENDIX 'B'

### PROPOSED RESTORATION AND IMPROVEMENTS



**EXISTING SIDE ELEVATION**



**PROPOSED SIDE ELEVATION**





**Committee Matters: SCM 150/2025**

**Subject: Main Street CIP Application for 1801 Wyandotte Street E., Owner: 2798315 Ontario Inc. (C/O: Tony Rosati), Ward 4**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 737**

- I. THAT the request for incentives under the *Main Streets Community Improvement Plan* made by 2798315 Ontario Inc. (C/O: Tony Rosati), the owner of the property located at 1801 Wyandotte Street E. **BE APPROVED IN PRINCIPLE** for the following programs:
  - i. *Building Facade Improvement Program* totaling a maximum of \$60,000;
  - ii. *Building/Property Improvement Tax Increment Grant Program* for the lesser of 100% of the municipal portion of the tax increment for up to ten (10) years of +/- \$33,098 per year or the total eligible costs;
- II. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Main Street CIP for the *Building/Property Improvement Tax Increment Grant Program* agreement in accordance with all applicable policies, requirements, and provisions contained within the *Main Streets Community Improvement Plan* to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implication;
- 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 maximum amount of \$60,000 (*Building Facade Improvement grants*) under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Main Streets CIP* Project Fund (Project #7219018) when the grant funds are ready to be paid out;



V. THAT grants **BE PAID** to 2798315 Ontario Inc. (C/O: Tony Rosati) upon completion of improvements to the exterior of the property located at 1801 Wyandotte Street E. from the *Building Facade Improvement Program – Main Streets* CIP Project Fund (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and,

VI. 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 55/2025  
Clerk's File: Z2025

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.5 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Main Street CIP Application for 1801 Wyandotte Street E.,  
Owner: 2798315 Ontario Inc. (C/O: Tony Rosati), Ward 4**

**Reference:**

Date to Council: May 5, 2025  
Author: Kevin Alexander,  
Planner III - Special Projects  
519-255-6543 x6732  
kalexander@citywindsor.ca

Planning & Building Services  
Report Date: 4/11/2025  
Clerk's File #: Z2025

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

**Recommendation:**

- I. **THAT** the request for incentives under the *Main Streets Community Improvement Plan* made by 2798315 Ontario Inc. (C/O: Tony Rosati), the owner of the property located at 1801 Wyandotte Street E. **BE APPROVED IN PRINCIPLE** for the following programs:
  - i. *Building Facade Improvement Program* totaling a maximum of \$60,000;
  - ii. *Building/Property Improvement Tax Increment Grant Program* for the lesser of 100% of the municipal portion of the tax increment for up to ten (10) years of +/- \$33,098 per year or the total eligible costs;
- II. **THAT** the CAO and City Clerk **BE AUTHORIZED** to sign the Main Street CIP for the *Building/Property Improvement Tax Increment Grant Program* agreement in accordance with all applicable policies, requirements, and provisions contained within the *Main Streets Community Improvement Plan* to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implication;
- 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 maximum amount of \$60,000 (*Building Facade Improvement grants*) under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve



Fund 226 to the *Main Streets CIP* Project Fund (Project #7219018) when the grant funds are ready to be paid out;

V. **THAT** grants **BE PAID** to 2798315 Ontario Inc. (C/O: Tony Rosati) upon completion of improvements to the exterior of the property located at 1801 Wyandotte Street E. from the *Building Facade Improvement Program – Main Streets CIP* Project Fund (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and,

VI. **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.

### **Executive Summary:**

N/A

### **Background:**

Through CR383/2022 DHSC 414 the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP* was amended and renamed *Main Streets CIP*. The new *Main Streets CIP* includes the following programs:

1. Building Facade Improvement Program
2. Building Property Improvement Tax Increment Grant Program
3. New Residential Development Grant Program (Creation of residential units)

On May 15th, 2023, 2798315 Ontario Inc. (C/O: Tony Rosati), the owner of the property located at 1801 Wyandotte Street E., applied for grants through the Main Streets CIP for the *Building Facade Improvement Program* and *Building/Property Improvement Tax Increment Grant Program*.

The property is located within the Walkerville Business Improvement Area (BIA), Walkerville Heritage Area (as per Schedule G of the Official Plan) and Main Streets CIP Area (See Appendix A). 1801 Wyandotte Street E. is listed on the Windsor Municipal Heritage Register as the Chilver Block (1801-33 Wyandotte Street E.) and was constructed in 1904 by Hogle & Davis with Stahl & Kinsey. The proposed improvements are consistent with the goals and objectives of the Main Street CIP.




### **Discussion:**

#### **Building Facade Improvement Program**

The City of Windsor Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP offers financial incentives to encourage property owners and businesses to make investments to improve the exterior appearance of their buildings and storefronts along Main Streets. Such improvements provide a benefit to the community as a whole, by preserving heritage features, protecting Main Streets, and reconnecting storefronts with the public realm. The CIP is applicable to all the BIAs in the City of Windsor, except for the Sandwich Town and Downtown Windsor BIAs,



which are under separate CIPs. Funding for the Building Facade Improvement Grant Program is broken down into three categories:

	Category A (Beautification) —aesthetic and minor functional improvements aimed at making the building facade and storefront more attractive and welcoming to tenants and customers
	Category B (Restoration)—aesthetic, functional, and restoration improvements made to restore key features of the building facade
	Category C (Replacement)— encourage work that will replace or reinstate key features that have been lost or deteriorated beyond repair or are of a style that is no longer consistent with the building design.

Applicants can receive a grant for 50% of the costs for eligible building facade and storefront improvements up to a maximum of \$30,000 per project. The amount can be increased up to \$60,000 per project for larger buildings with multiple storefronts. The grant also applies to the side(s) and rear of buildings provided the building facade is visible from an adjacent street or public right-of-way or park, and as long as the storefront/facade facing the main street is improved at the same time.

The applicant is proposing to renovate both the exterior and interior of the building. The following exterior improvements are eligible to receive grants through this program:

- Repointing/cleaning of Brick
- May require new heritage appropriate brick
- Replace all windows and doors with heritage appropriate profile including the upper transom windows
- Lighting and heritage appropriate signage
- Enclose upper storey porch at the rear of the building

### **Façade Cost Breakdown**

The façade improvements will incorporate all sides of the building located at 1801 Wyandotte Street East. Facades are visible from Wyandotte Street E., Chilver Road, Walkerville Jubilee Park and laneway, and the laneway south of the building. In total, this project is eligible for a grant of \$60,000 under the *Building Façade Improvement Grant Program* for Main Streets CIP.

### **Building/Property Improvement Tax Increment Grant Program**

The drawing identified in Appendix 'B' indicate a complete interior fit up on all levels. The following interior improvements are considered eligible costs through the *Building/Property Improvement Tax Increment Grant Program*:

- Abatement/ Clean up interior spaces
- Install a new HVAC System, including duct work, etc.
- Install new electrical wiring and fixtures
- Install new plumbing systems
- Install new bathrooms
- Installation of new kitchen areas and Bar on the first floor



- Repurposing of space for office fit out on the second floor

The purpose of this program is to use the tax increase that can result when a property is rehabilitated, redeveloped, or developed to aid in securing the project financing and offset some of the costs associated with the rehabilitation. The program will provide an annual grant equal to 100% of the increase in municipal property taxes for ten (10) years after project completion, not to exceed total eligible costs, if the project results in an increase in assessment and therefore an increase in property taxes. Based on the project description and current value vs. estimated post-project assessment value of land and buildings identified in the Grant Application, the property assessment is expected to increase.

The 2023 assessment value of the subject property located at 1801 Wyandotte Street E. is \$371,000. The owner currently pays annual total property taxes of \$15,112, of which the municipal portion is \$12,277, and is expecting to invest \$5,330,129 on interior and exterior improvements to the building. However, some of the proposed costs which will be incurred, although eligible for purposes of the application, may not result in a direct increase in assessment value. In other words, the grant is calculated and paid, not on the post-project value or projections made in this report, but on the actual post-development value assessment, as determined by the Municipal Property Assessment Corporation (MPAC) after project completion. Administration has estimated the post-redevelopment property value assessment based on the drawings and information provided to be \$1,261,000. The grant will however be based upon the actual tax increment once the assessment has been determined by MPAC.

### **Risk Analysis:**

The approval of these grants does not carry significant risk, as there are sufficient funds within the new CIP reserve fund approved by Council on February 22, 2021. The applicant will not receive any grants until all work is completed and inspected to the satisfaction of the Planning and Building Department. As a requirement of Section 28 (7.3) of the *Planning Act*, Administration has confirmed that the grant amount does not exceed the total cost of the project.

### **Climate Change Risks**

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

The facade and interior improvements to the existing building will have a low impact on how the project affects climate change, because improvements are being made to the existing building which reduces the amount of co<sup>2</sup> emitted during the construction process and requires fewer building materials.

Improvements to the existing building also contributes to the revitalization of the existing Main Street and the protection of a significant built heritage resource. The completion of this project promotes a more walkable environment, thereby encouraging alternate forms of transportation.

Utilizing an existing building and infrastructure in a built-up area of the city also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.



**Climate Change Adaptation:**

The improvements to this building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency. An entranceway and windows are also proposed that will be more energy efficient than what is existing.

**Financial Matters:**

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, the approved grant amount will be regarded as committed in the CIP Reserve Fund 226, until the grant is ready to be paid out. The current uncommitted balance of the CIP reserve fund is \$176,700. This balance accounts for CIP requests that have been endorsed by the Development & Heritage Standing Committee/City Council standing committee and are not yet approved by City Council but does not account for any other CIP grant requests that are currently under consideration.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the Building Facade Improvement – Main Streets CIP Project Fund to a maximum amount of \$60,000 for the façade improvement grant once the work is completed to the satisfaction of the City Planner, and the grant is ready to be paid out.

**Building/Property Improvement Tax Increment Grant**

When the CIP application was filed in 2023, the assessment value of this property was \$371,000. The post-development assessment value is estimated to be \$1,261,000. For illustrative purposes, the table below identifies the estimated annual CIP grant to be \$33,098, which is equal to 100% of the increase in the municipal portion of property taxes. The estimated total amount of the grant over ten (10) years is \$330,980.

<b>Estimated Revitalization Tax Increment Grant for 1801 Wyandotte St. E.</b>			
<b>Annual Pre-Development Taxes (Municipal Portion Only)</b>	<b>Estimated Annual Post-Development Taxes (Municipal Portion Only)</b>	<b>Estimated Annual Increase in Taxes (Municipal Portion Only)</b>	<b>Estimated Annual Tax Increment Grant</b>
\$12,277	\$45,375	\$33,098	\$33,098

Because the Grant Program does not cancel taxes, the applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre- and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program of \$12,277 per annum; however, will be foregoing any incremental property taxes, of \$33,098 per annum to a maximum of 10 years that could otherwise be used to offset future budget pressures. After completion of the grant program (up to 10 years), the City will collect the full value of the municipal taxes (\$45,375 annually).



Eligible Incentive Programs	Grant
Building Facade Improvement – Main Streets	\$60,000
Building/Property Improvement Tax Increment Grant	\$330,980
<b>Total</b>	<b>\$390,980</b>

### Consultations:

Planners (Kevin Alexander, Senior Planner, Tracy Tang, Acting Heritage Planner and Kristina Tang, Heritage Planner) have worked with the owner and architect on the proposed improvements to 1801 Wyandotte Street E. to ensure that important elements of the building are restored, and heritage appropriate materials are used when elements such as doors and windows require replacement.

Jose Mejalli, Assessment Manager Officer was consulted regarding the Revitalization Grant Program.

Josie Gualtieri, Financial Planning Administrator was consulted with respect to the CIP Reserve Fund and the content of this Report.

Margo Moore, Permit Services Clerk from the Building Division was consulted regarding eligible Building Permit and Public Works Permit Fees for the *Municipal Development Fees Grant Program*.

### Conclusion:

Improvements to 1801 Wyandotte Street E. meet all eligibility criteria identified in this report and in the *Main Streets CIP*. The restoration and improvements to the existing Chilver Block contributes to the revitalization of the existing Walkerville Main Street area and the protection of a significant built heritage resource listed on Windsor's Municipal Heritage Register. The proposed improvements are consistent with the goals and objectives of the Main Street CIP.

### Planning Act Matters:

N/A

### Approvals:

Name	Title
Kevin Alexander	Senior Planner – Special Projects
Carolyn Nelson	Manager of Property Valuation & Administration, Taxation & Financial Projects,



<b>Name</b>	<b>Title</b>
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
John Revell	Chief Building Official
Greg Atkinson	City Planner/ Executive Director, Planning & Development Services (A)
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Lorie Gregg	On behalf of Commissioner Finance/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

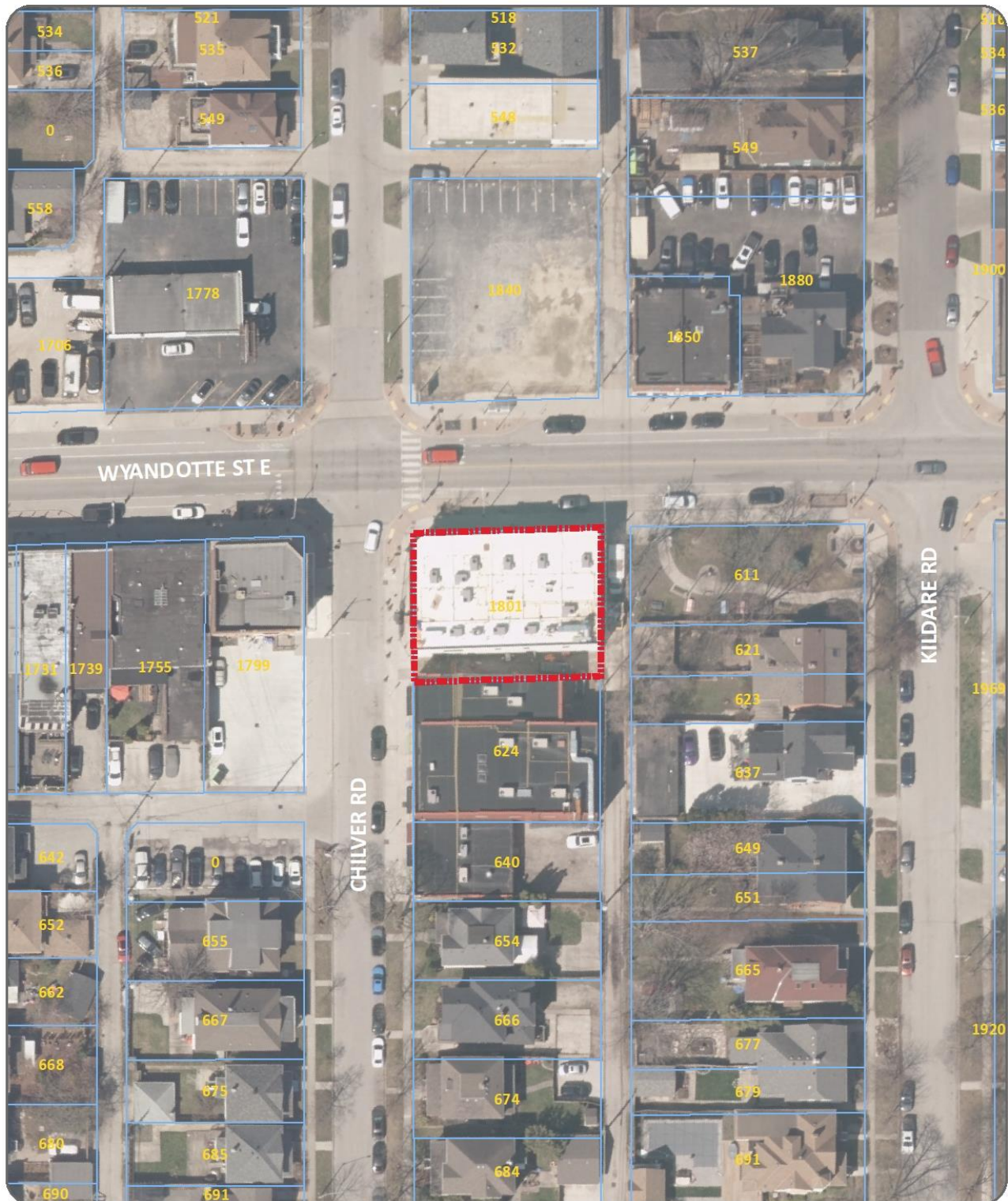
<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix 'A' - Location Map
- 2 Appendix 'B' - Proposed Improvements



## LOCATION MAP



## LOCATION MAP



SUBJECT PROPERTY : 1801-1833 WYANDOTTE STREET EAST



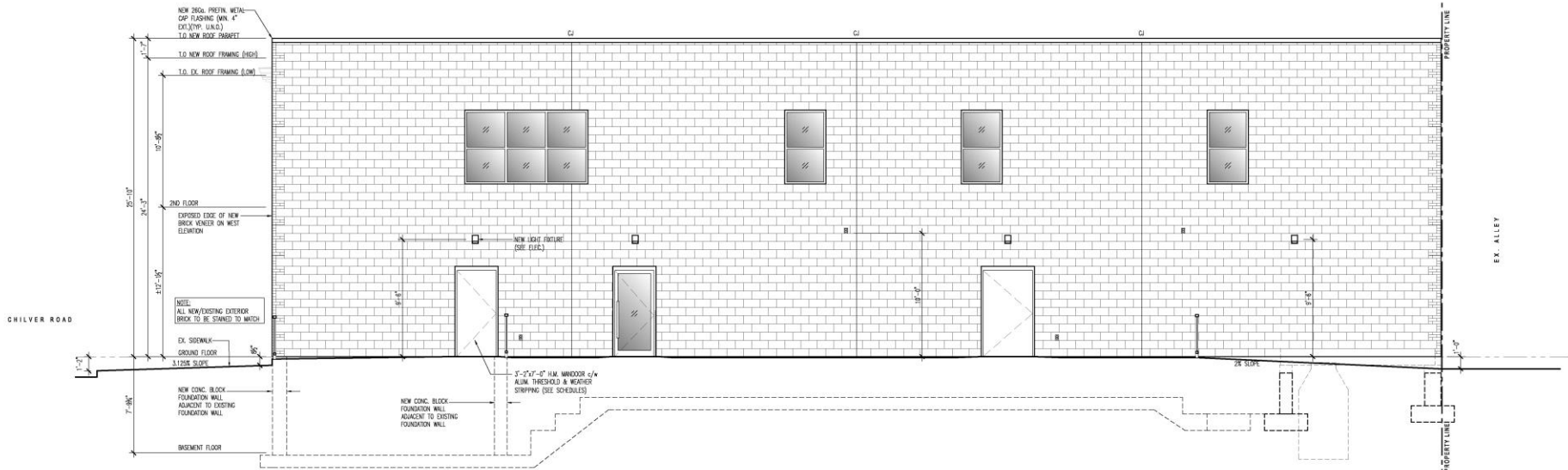
## PROPOSED DEVELOPMENT





# APPENDIX 'B'

## PROPOSED DEVELOPMENT



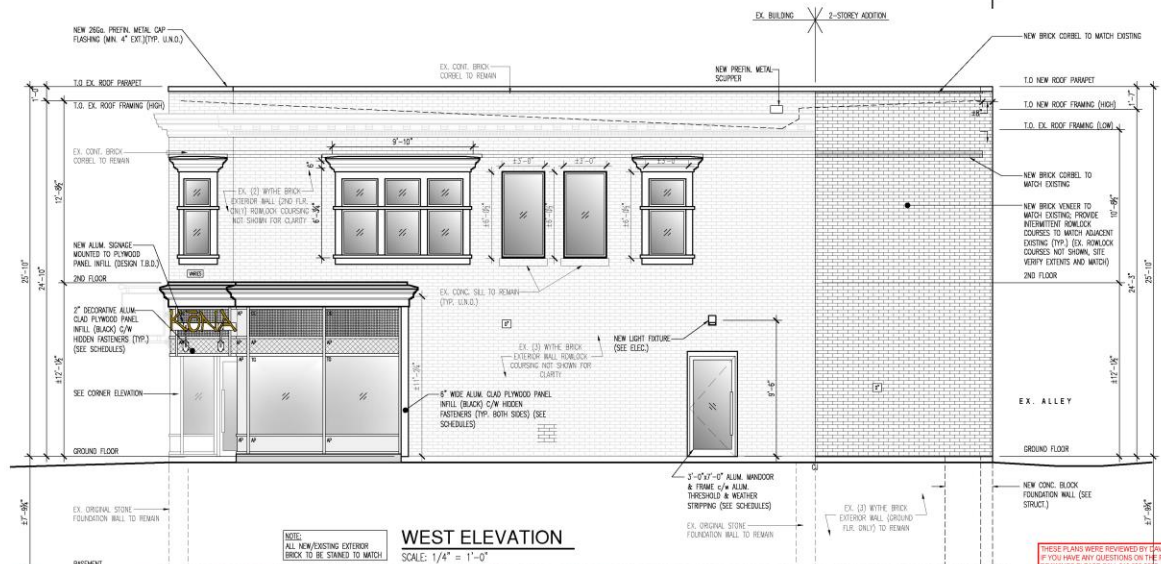
**SOUTH ELEVATION**

SCALE: 1/4" = 1'-0"



**CORNER ELEVATION**

SCALE: 1/4" = 1'-0"



**WEST ELEVATION**

SCALE: 1/4" = 1'-0"

**SEPARATE PERMIT REQUIRED**  
Any proposed sign requires a separate permit.

THESE PLANS WERE REVIEWED BY CHAD DEAN, P. ENG.  
IF YOU HAVE ANY QUESTIONS ON THE REVIEW OF THESE  
PLANS, PLEASE CALL CHAD DEAN AT 403-241-1447.  
CHAD DEAN, P. ENG. 403-241-1447

1801 WYANDOTTE STREET EAST

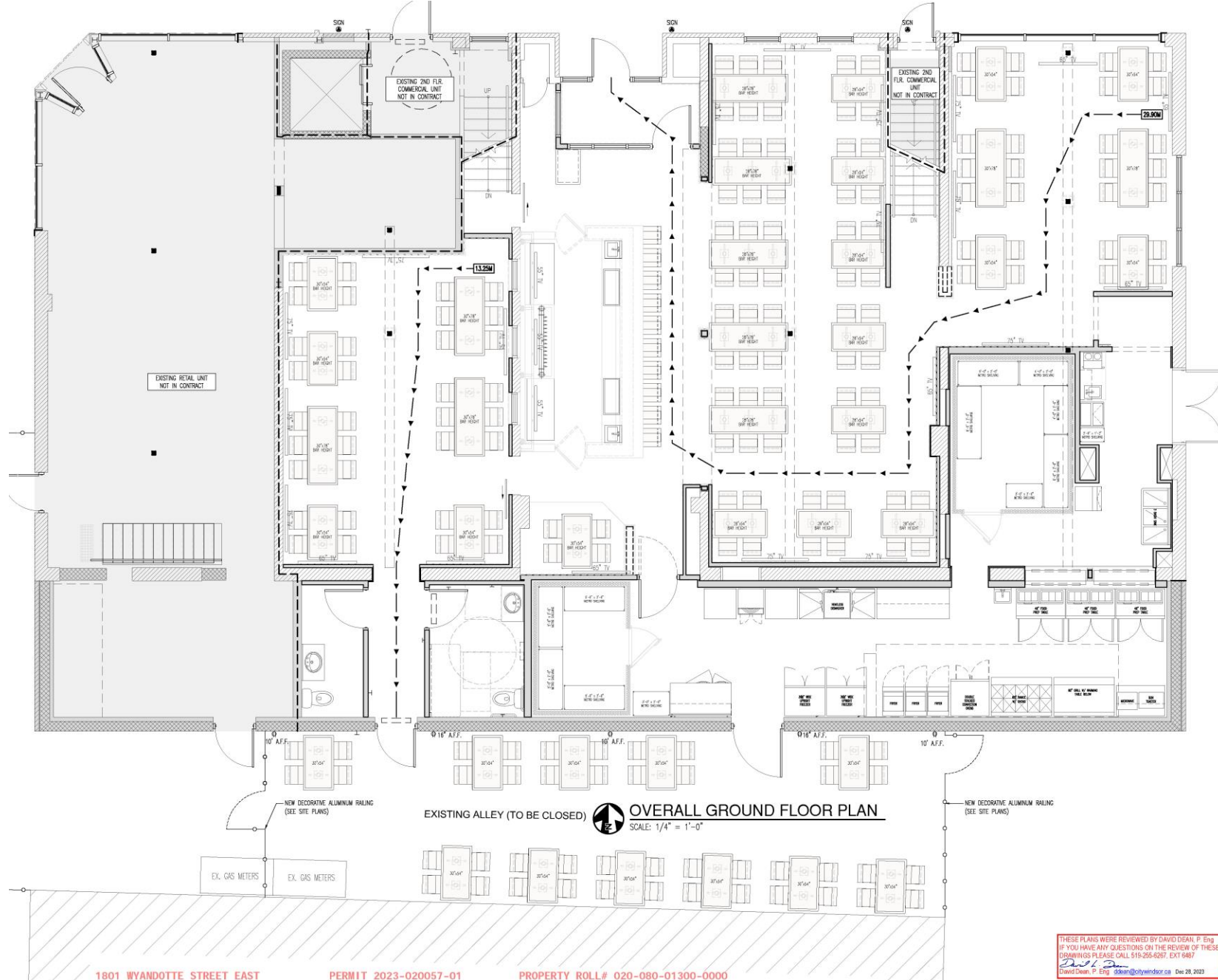
PROPERTY ROLL 3739-020-080-01300-0000

PERMIT 2024-009228-01 UNIT #120



# APPENDIX 'B'

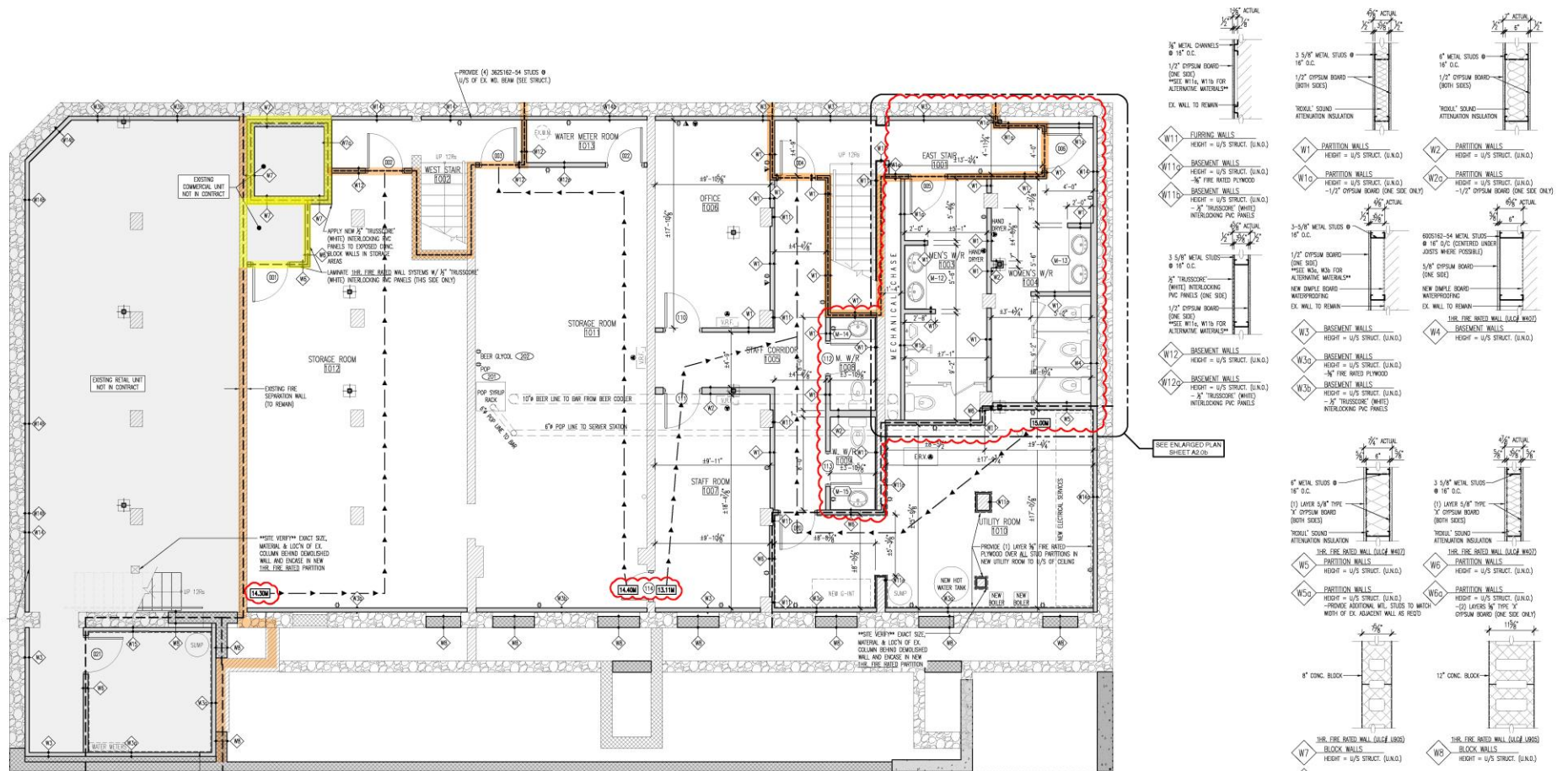
## PROPOSED DEVELOPMENT





# APPENDIX 'B'

## PROPOSED DEVELOPMENT



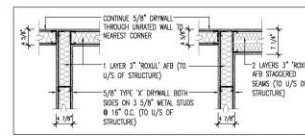
**BASEMENT FLOOR PLAN - 3,290 S.F.**



SCALE: 1/4" = 1'-0"

INDICATES FIRE-RATED WALL (SEE WALL TYPES)

INDICATES FIRE-SEPARATION WALL (SEE WALL TYPES)



OFFICE FIRE-RATED - INTERLOCKING WALLS DETAILS (TYP.)

**WALL TYPES**

SCALE: 1" = 1'-0"

THESE PLANS WERE REVIEWED BY DAVID DEAN, P.E. IF YOU HAVE ANY QUESTIONS ON THE REVIEW OF THESE DRAWINGS PLEASE CALL (510) 255-0207 EXT. 404

David Dean, P.E. david@cityengineer.ca Dec 28, 2023



APPENDIX 'B'

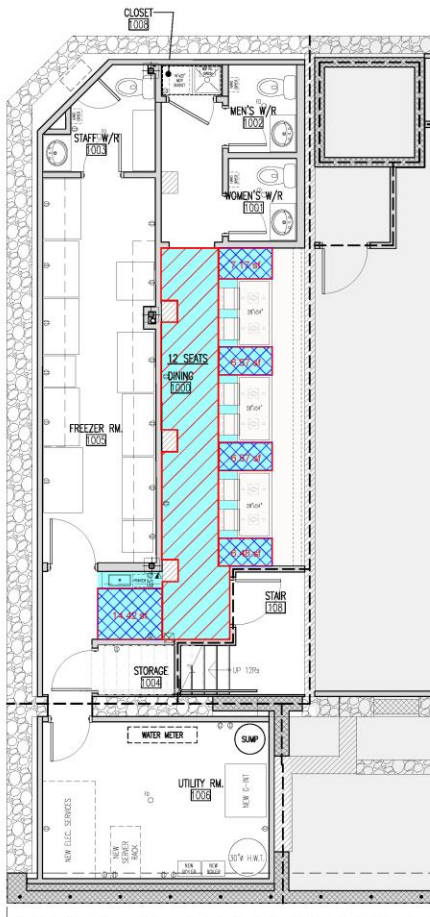
PROPOSED DEVELOPMENT



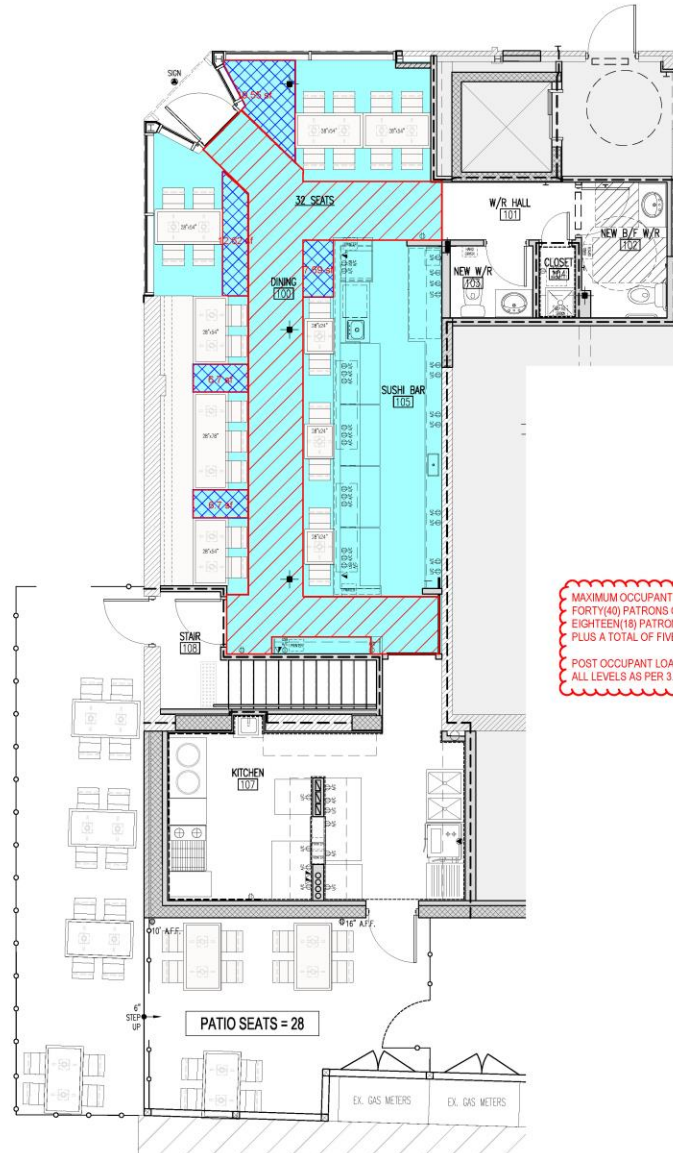
OVERALL SECOND FLOOR PLAN - 5,455 S.F.  
SCALE: 1/4" = 1'-0"



## PROPOSED DEVELOPMENT



 UNIT BASEMENT PLAN -1,130 S.F.  
SCALE: 1/4" = 1'-0"



 UNIT FLOOR PLAN -1,260 S.F.  
SCALE: 1/4" = 1'-0"

OCCUPANT LOAD LEGEND:

-  GROUND FLR. LOUNGE AREA = 685 sq.ft. / 11.84 sq.ft. per person (1.10m²) = **57 PERSONS**
-  BASEMENT LOUNGE AREA = 235 sq.ft. / 11.84 sq.ft. per person (1.10m²) = **19 PERSONS**
-  BARRIER-FREE EXIT PATH = MIN. 3'-7 1/2" WIDE (1,100mm)
-  AREAS OF NONE SEATED PATRONS      GROUND FLOOR AREA = 53.18'² = 8 PERSONS STANDING  
BASEMENT AREA = 18.18'² = 2 PERSONS STANDING

## OCCUPANT LOAD :

INDOOR SEATING - GROUND FLOOR = 32 SEATS  
INDOOR NON-SEATING - GROUND FLR = ~~25 PERSONS~~ - 8 PATRONS STANDING  
INDOOR SEATING - BASEMENT = 12 SEATS  
INDOOR NON-SEATING - BASEMENT = ~~7 PERSONS~~ - 6 PATRONS STANDING  
TOTAL INDOOR OCCUPANT LOAD = ~~76 PERSONS~~ + 5 EMPLOYEES = 81 TOTAL

OUTDOOR PATIO SEATING =  
GRAND TOTAL =

32 SEATS  
= ~~25 PERSONS~~ - 8 PATRONS STANDING  
12 SEATS  
= ~~7 PERSONS~~ - 6 PATRONS STANDING  
~~70 PERSONS + 5 EMPLOYEES - 81 TOTAL~~  
58 PATRONS + 5 EMPLOYEES = 63 TOTAL  
28 SEATS  
~~104 PERSONS + 5 EMPLOYEES - 109 GRAND TOTAL~~

MAXIMUM OCCUPANT LOAD SHALL NOT EXCEED  
FORTY(40) PATRONS ON GROUND FLOOR,  
EIGHTEEN(18) PATRONS ON BASEMENT LEVEL.  
PLUS A TOTAL OF FIVE(5) STAFF AT ANY TIME.

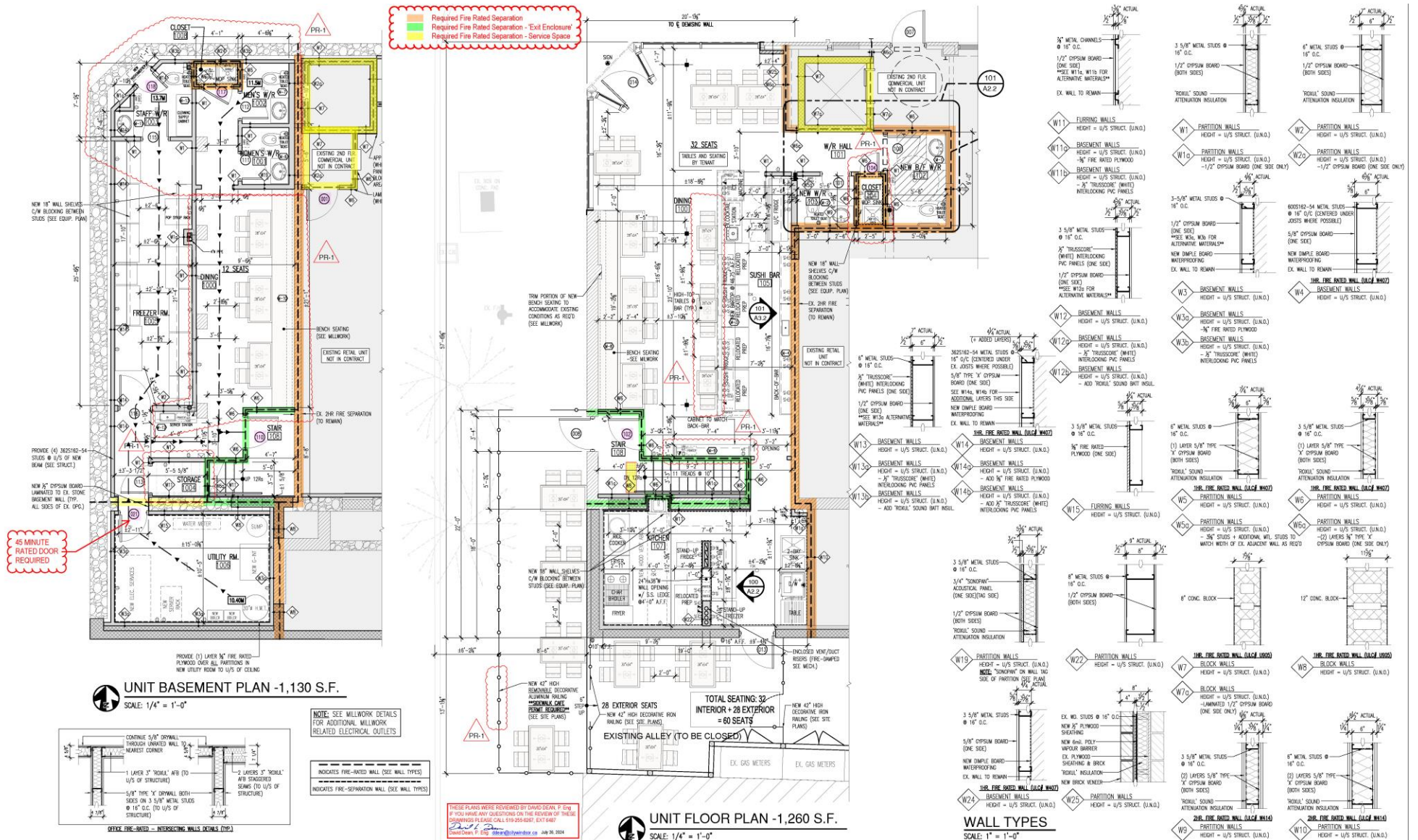
POST OCCUPANT LOAD SIGNAGE IN A CONSPICUOUS LOCATION ON ALL LEVELS AS PER 3.1.17.1.(2). OBC(2012).

[illegible]

THESE PLANS WERE REVIEWED BY DAVID DEAN, P. E.  
IF YOU HAVE ANY QUESTIONS ON THE REVIEW OF THE  
DRAWINGS PLEASE CALL 519-255-6267, EXT 6467  
  
David Dean, P. Eng. ddean@citywindor.ca July 26, 2004



## PROPOSED DEVELOPMENT







**Committee Matters: SCM 151/2025**

**Subject: Part Closure of Walker Road R.O.W. at Tecumseh Road East, and Amendment to Public Highway Dedication By-Law 4205, Ward 4**

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

Decision Number: **DHSC 738**

- I. THAT the portion of public highway located at the southwest corner of Tecumseh Road East and Walker Road, described as Part 18, Reference Plan RD-227, and shown on the aerial photo attached hereto as Appendix "A", and hereinafter referred to as the "subject public highway", **BE ASSUMED** for subsequent closure.
- II. THAT the subject public highway **BE CLOSED**, and as necessary in a manner deemed appropriate by the City Planner.
- III. THAT By-law 4205, dated October 18, 1971, and registered on title as Instrument No. R515264 on October 29, 1971, as amended by By-law 8004, dated October 9, 1984, and registered on title as Instrument No. R921050 on October 19, 1984 **BE AMENDED** as follows:
  - a. By **DELETING** all references to "Part 18" on Reference Plan RD-227.
- IV. THAT the City Solicitor **BE DIRECTED** to prepare the necessary by-law(s).
- V. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.



VI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 58/2025  
Clerk's File: SAA2025

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.6 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Part Closure of Walker Road R.O.W. at Tecumseh Road East, and Amendment to Public Highway Dedication By-Law 4205, Ward 4**

**Reference:**

Date to Council: May 5, 2025  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: April 14, 2025  
Clerk's File #: SAA2025

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

**Recommendation:**

- I. THAT the portion of public highway located at the southwest corner of Tecumseh Road East and Walker Road, described as Part 18, Reference Plan RD-227, and shown on the aerial photo attached hereto as Appendix "A", and hereinafter referred to as the "subject public highway", **BE ASSUMED** for subsequent closure.
- II. THAT the subject public highway **BE CLOSED**, and as necessary in a manner deemed appropriate by the City Planner.
- III. THAT By-law 4205, dated October 18, 1971, and registered on title as Instrument No. R515264 on October 29, 1971, as amended by By-law 8004, dated October 9, 1984, and registered on title as Instrument No. R921050 on October 19, 1984 **BE AMENDED** as follows:
  - a. By **DELETING** all references to "Part 18" on Reference Plan RD-227.
- IV. THAT the City Solicitor **BE DIRECTED** to prepare the necessary by-law(s).
- V. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.



## Executive Summary:

N/A



Figure 1 - Location Map

## Background:

The Legal Department received a letter from Shibley Righton LLP, dated February 25, 2025, on behalf of Turner Road Bible Chapel, requesting that the City amend public highway dedication By-law 4025 to remove and release lands from their client's property known as 0 Walker Road (Roll No. 020-390-13000) and 2100 Turner Road (the subject property) (refer to Figure 1 - Location Map above). The letter explains that the request is a condition of closure for their client's sale of the subject property.

On October 18, 1971, Council passed By-law 4205 (the "By-law") declaring all property acquired for the reconstruction of Walker Road, as described in Schedule "A" to the By-law be established as a public highway and part of Walker Road. The lands defined in Schedule "A" include the eastern portion of the subject property described as Part 18 on Reference Plan RD-227 ("Part 18") and known as 0 Walker Road (Roll No. 020-390-13000) (save and except the southerly 4.88 metre wide closed east/west alley) (refer to Figure 1 - Location Map above).

On May 11, 1972, the City conveyed Part 18 to the Trustees of Turner Road Gospel Chapel, now known as Turner Road Bible Chapel (Instrument No. R532570).

On October 31, 1973, the City conveyed the closed east/west alley to The Trustees of Turner Road Gospel Chapel (Instrument No. R583268).



On October 9, 1984, Council passed By-law 8004 to amend the By-law to insert a substituted Schedule “A” for purposes of updating what portions of property would be considered a public highway and part of Walker Road. Inadvertently, reference to Part 18 was not removed from the By-law, and the corresponding public highway was not closed.

**Discussion:**

The conveyance of Part 18 was to be free and clear of all encumbrances. The By-law must be amended to remove references to Part 18 and a by-law passed to close the public highway thereon in order to clear the encumbrances described herein.

**Risk Analysis:**

The recommended amendment to the by-law poses no known risk to the City.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

N/A

**Consultations:**

Adam Pillon, Manager of Right-of-Way, Engineering

**Conclusion:**

The Planning Department recommends closure of the public highway shown on attached Appendix “A”, as in Recommendation II of this report.

The Planning Department further recommends that the By-law be amended to remove references to Part 18 as in Recommendation III of this report.

**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*

*Deputy City Planner - Development / City Planner (A)*

I am not a registered Planner and have reviewed as a Corporate Team Leader

*JP*

*JM*



**Approvals:**

<b>Name</b>	<b>Title</b>
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Greg Atkinson	City Planner (A)
Jamelah Hersh	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

1 Appendix A - Aerial Photo



**APPENDIX "A"**  
**EIS Drawing - Aerial Photo**







**Committee Matters: SCM 146/2025**

**Subject: Part Closure of open north/south alley located north of Seminole Street, Ward 5, SAA-7091**

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 739**

- I. THAT the 25.0 metre portion of the 34.1 metre 2.44-metre-wide open north/south alley located north of Seminole Street and shown on Drawing No. CC-1844 (attached hereto as Appendix "A") and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure.
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to protect existing facilities;
    - ii. Cogeco Connexion Inc. to accommodate existing facilities;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned CD2.3 or RD3.1, \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1844.



- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
- Carried.

Report Number: S 59/2025  
Clerk's File: SAA2025

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.7 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Part Closure of open north/south alley located north of Seminole Street, Ward 5, SAA-7091**

**Reference:**

Date to Council: May 5, 2025  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: April 14, 2025  
Clerk's File #: SAA2025

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

**Recommendation:**

- I. THAT the 25.0 metre portion of the 34.1 metre 2.44-metre-wide open north/south alley located north of Seminole Street and shown on Drawing No. CC-1844 (attached hereto as Appendix "A") and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure.
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to protect existing facilities;
    - ii. Cogeco Connexion Inc. to accommodate existing facilities;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned CD2.3 or RD3.1, \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of

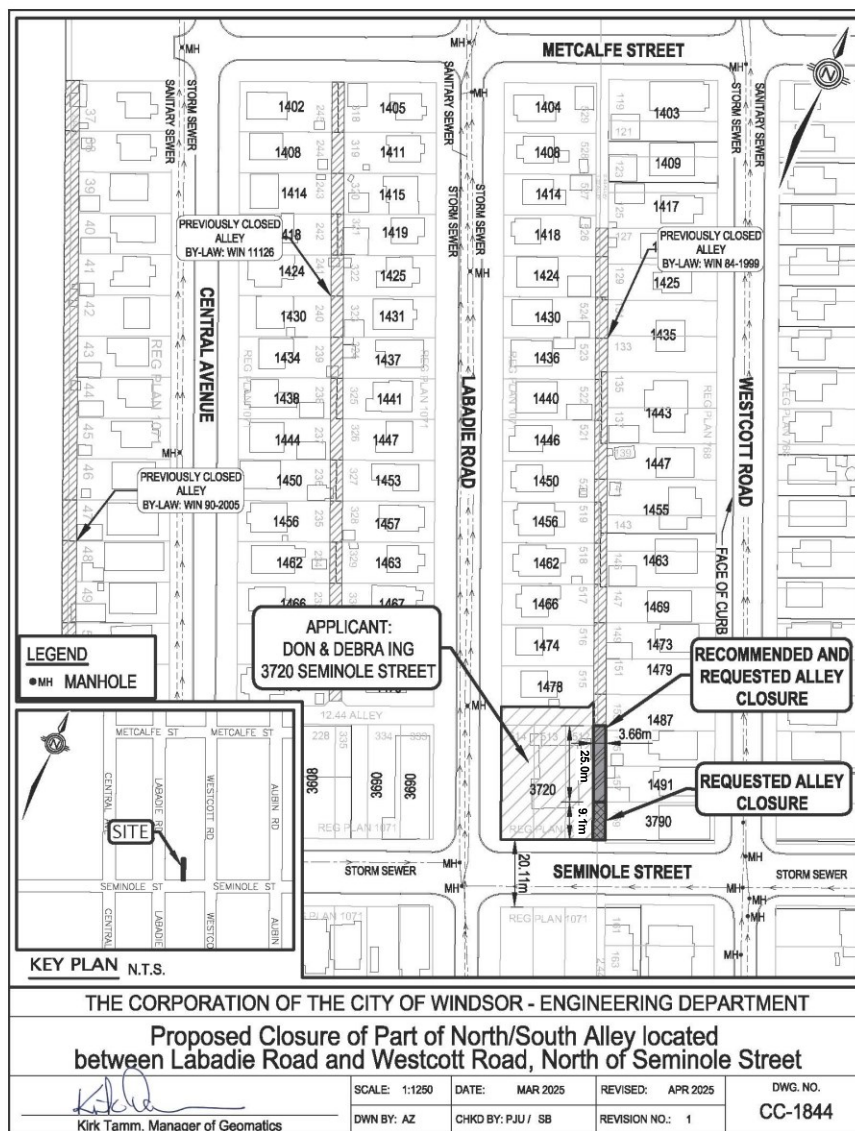


the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1844.
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

### Executive Summary:

N/A





## **Background:**

The applicant, Don Ing, owner of the property known municipally as 3720 Seminole Street (the subject property), applied to close the 34.1 metre 2.44-metre-wide open north/south alley located north of Seminole Street, and shown on Drawing No. CC-1844 attached hereto as Appendix "A", and also shown on the aerial photo attached hereto as Appendix "B".

The applicant wishes to close the aforesaid alley for the purpose of addressing ongoing illicit activities occurring therein.

The Planning Department determined that the 9.1 metre portion of the aforesaid alley abutting 3790 Seminole Street (the remaining alley) is indispensable for the following reason:

1. Serves a property fronting on a heavily travelled street
  - a. Seminole Street is designated as a Class I Collector Road
  - b. The remaining alley provides vehicular access to the parking area at 3790 Seminole Street
    - i. The parking area appears to have had vehicular access off the remaining alley since its construction around 1972
    - ii. The parking area serves the seven unit multiple dwelling on the property, also constructed in 1972

The Planning Department is subsequently recommending that the remaining 25.0 metre portion of the 2.44-metre-wide open north/south be closed (the Subject Alley).

The Subject Alley is unmaintained and composed primarily of asphalt and grass, and a small patch of natural vegetation. The Subject Alley contains utility poles with guy wires and anchors supporting overhead hydro and utility lines. The Subject Alley has been encroached on over the years by the subject property with asphalt paving. There are no Encroachment Agreements on record for the use of the Subject Alley.

The alley was established by Registered Plan of Subdivision No. 768, registered on November 18, 1914.

By-law 84-1999, registered on March 29, 1999, closed the portion of the north/south alley located between the south limit of 1417 Westcott Road and the alley.

## **Discussion:**

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix "E". The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.



## **Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The Subject Alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The Subject Alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The Subject Alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
    - i. The Subject Alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
  - e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
    - i. The Subject Alley does not contain any Fire Department connections.
2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has indicated that the Subject Alley appears to serve no usefulness.
3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has indicated that the Subject Alley appears to serve no useful purpose.
4. Alleys lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.



- a. The Subject Alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the Subject Alley “dispensable” and supports its closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the Subject Alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

### **Risk Analysis:**

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

The rate for an alley conveyed to abutting lands zoned CD2.3 or RD3.1 is assessed at \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The survey cost is estimated at \$5,000.00, which will be funded by Capital Project 7145002, which currently has an available balance of \$100,300.00.



### **Consultations:**

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached hereto as Appendix “C”.

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

The Financial Services Department was consulted on the financial matters associated with this report.

### **Conclusion:**

The Planning Department recommends closure of the Subject Alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada, Cogeco Connexion Inc., ENWIN Utilities Ltd. and Managed Network System Inc. (MNSi.), as in Recommendation II of this report.

The closed Subject Alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendation II report.

### **Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*

*Deputy City Planner - Development / City Planner (A)*

I am not a registered Planner and have reviewed as a Corporate Team Leader.

*JP*

*JM*

### **Approvals:**

<b>Name</b>	<b>Title</b>
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Greg Atkinson	City Planner (A)
Emilie Dunnigan	Manager of Development Revenue & Financial Administration
Jamelah Hersh	Senior Legal Counsel
Janice Guthrie	Commissioner, Finance & City Treasurer



Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

**Notifications:**

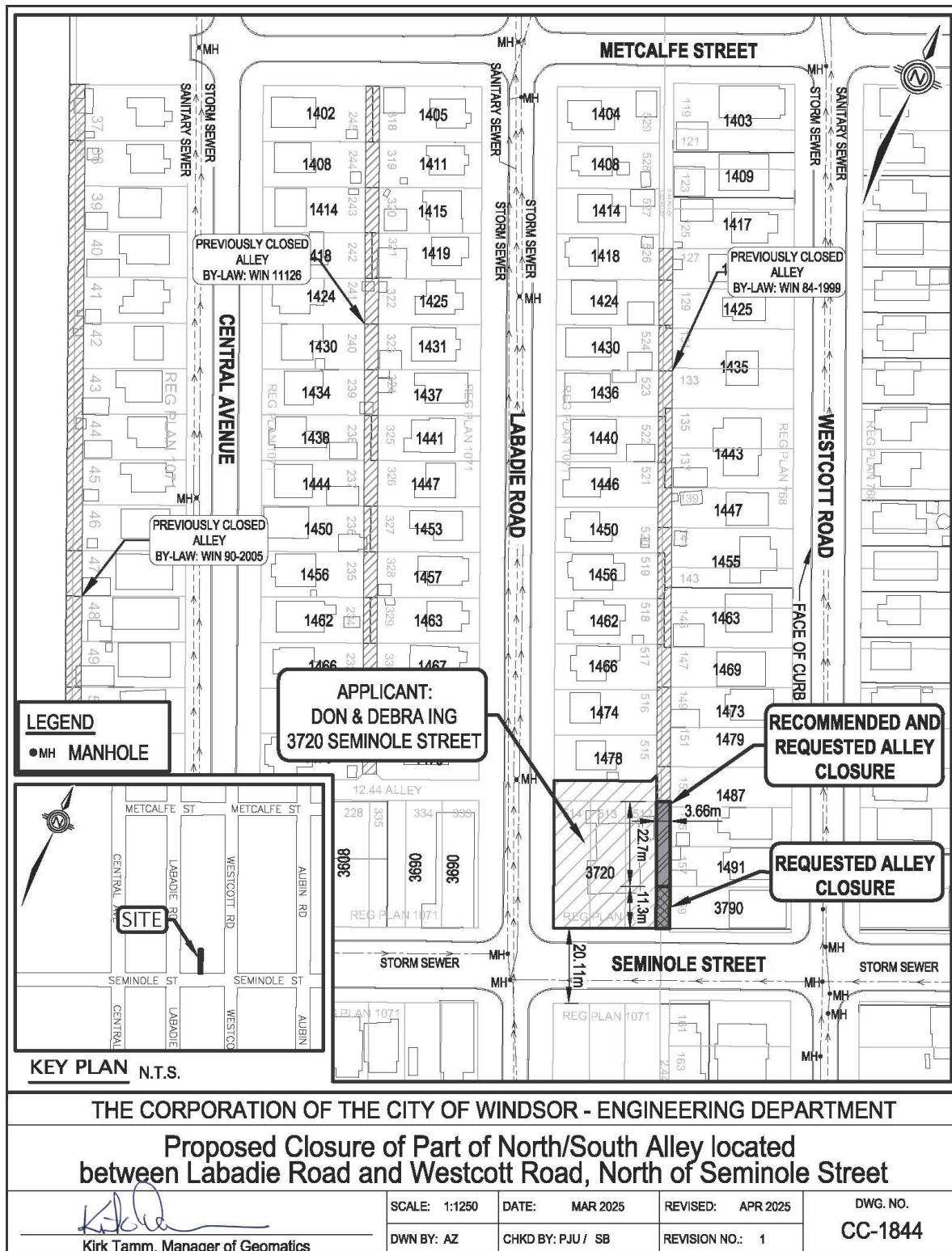
Name	Address	Email
List of mailing labels for property owners abutting the alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1844
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure



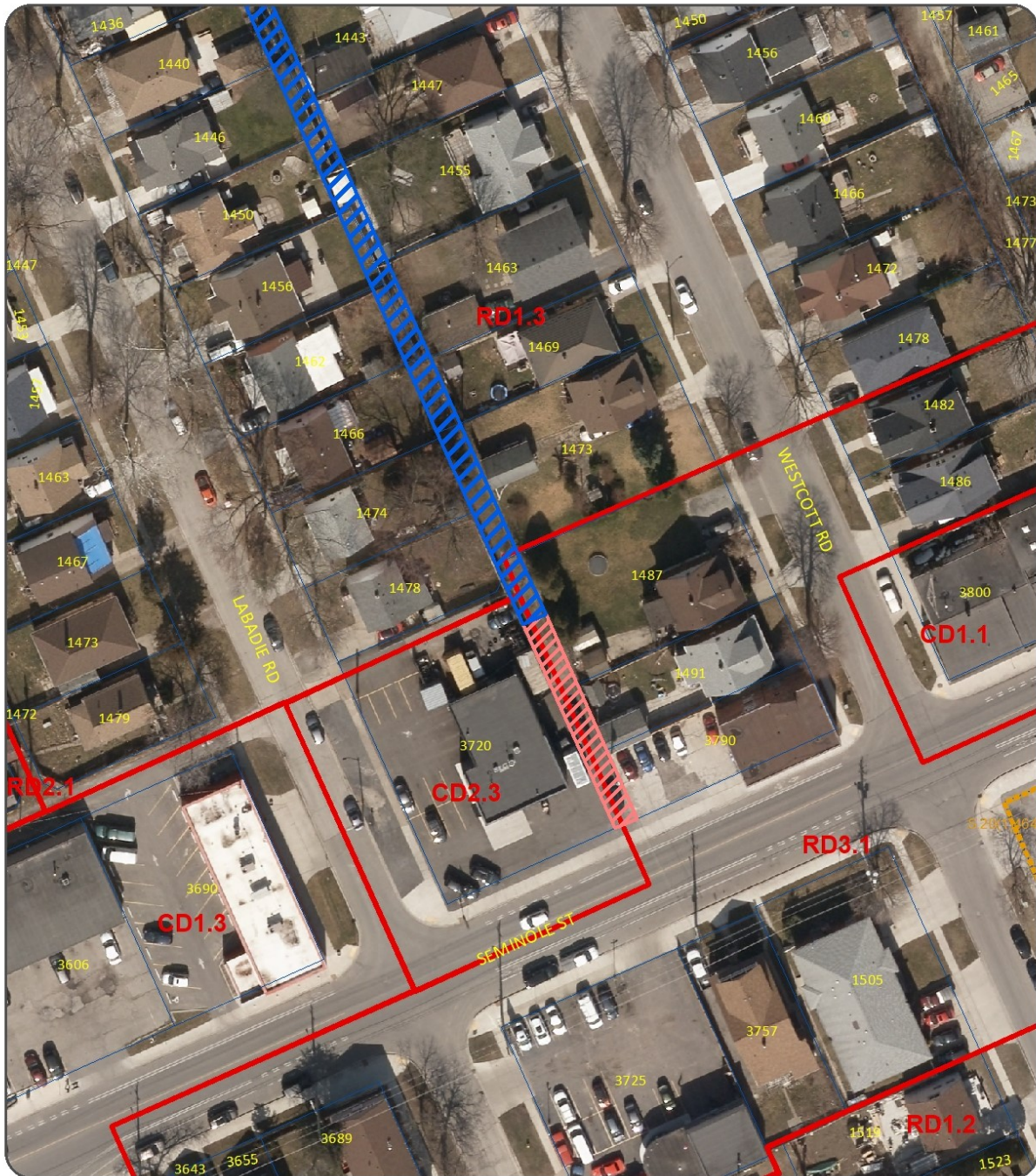
# **APPENDIX "A"** **Drawing No. CC-1844**





## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/7091)

1:750

APPLICANT : DON &amp; DEBRA ING



REQUESTED FOR CLOSURE



PREVIOUSLY CLOSED ALLEY

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MARCH, 2025



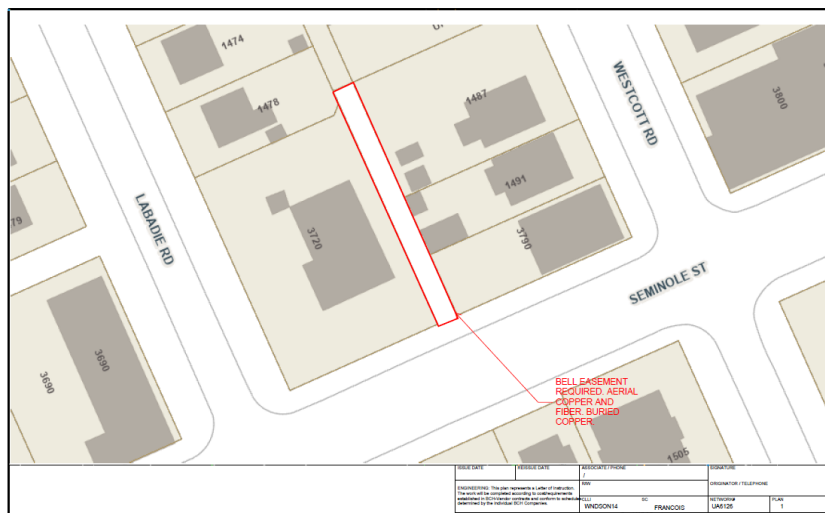


## APPENDIX “C”

### Consultations with Municipal Departments and Utility Companies

#### BELL CANADA

Please see attached response from Bell Canada requesting easement protection for existing facilities over the above-noted lands.



[Shadae Duhaney - Right of Way Control Centre]

#### COGECO CONNEXION INC.

Cogeco is attached to the Bell or EnWin poles in that alley. We would need the easement to continue from the formally closed section out to Seminole.

We have put a green box around the section.



[Daniel Haggins - Lead OSP Engineering Windsor and Essex]

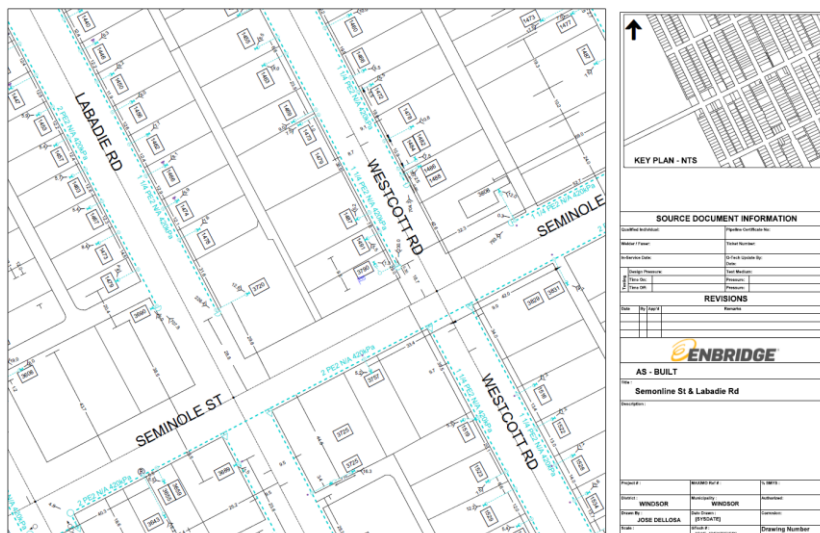


## ENBRIDGE GAS INC.

After reviewing the provided drawing at Seminole St & Labadie Rd. and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly



**[Jose Dellosa - Drafter Estimator]**

## ENGINEERING (DEVELOPMENT & ROW)

The proposed alley closure is approximately 43m long and 3.5m wide and is composed of asphalt, grass, and gravel. There are no sewers running through this alley. There are hydro poles, guy wires, and overhead wires located within the alley; an easement would be required for utilities. There is a driveway approach at the south end of this alley closure that appears to be used by the applicant. A permit will be required by the property owner to keep and maintain the driveway approach to City Standard AS-203 or AS-204. This subject alley appears to have no usefulness as per CR146/2005; therefore, we have no objections to the closure.

**[Adam Pillon - Manager of Right-of-Way]**



**ENGINEERING (OPERATIONS)**

No comments provided

**ENVIRONMENTAL SERVICES**

No concerns from Environmental Services.

**[Anne-Marie Albidone - Manager, Environmental Services]**

**ENWIN UTILITIES LTD. (HYDRO)**

No Objection, however, an easement named to ENWIN Utilities Ltd is required upon closing along the entire east limit of the site to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires.

**[Steve Zambito - Senior Hydro Engineering Technologist]**

**ENWIN UTILITIES LTD. (WATER)**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL & REAL ESTATE SERVICES**

Half of the north/south alley abutting 3720 and 3790 Seminole is zoned CD2.3 and the other half, abutting residential properties fronting on Westcott Rd. is zoned RD3.1.

For both the CD2.3 and RD3.1 portions of the alley, conveyance price would be \$20/square foot without easements and \$10/square foot with easements.

Properties abutting the alley would be responsible for their share of the deed preparation and survey costs, plus HST (if applicable).

**[Stephanie Santos - Coordinator Real Estate Services]**

**MANAGED NETWORK SYSTEM INC. (MNSi)**

MNSi will require an aerial Easement through this area as we are currently on the Poles in this Alley.

**[Dave Hartleib - Outside Plant Manager]**

**PARKS**

Parks D&D has no objection to this Liaison.

**[Hoda Kameli - Landscape Architect]**



We have no comments on this liaison.

**[Karen Alexander - Naturalist & Outreach Coordinator]**

There are a few smaller trees of no real value growing along the fence line in this alley.

I have no objections on this alley closure.

**[Yemi Adeyeye - City Forester / manager Forestry & Natural Areas]**

**PLANNING (DEVELOPMENT)**

No comments provided

**PLANNING (LANDSCAPE)**

There are no objections from a landscape architectural or urban design perspective to the request for closure.

**[Stefan Fediuk - Planner III - Senior Urban Designer]**

**ROGERS**

No comments provided

**TELECON (TELUS)**

No comments provided

**TRANSPORTATION PLANNING**

No comments provided



**APPENDIX “D”**  
**Site Photos (Google Street View - November 2023)**



*Figure 1 - Looking north towards alley from Seminole Street (3720 Seminole Street on left) (3790 Seminole Street on right)*



## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

Currently streets and alleys fall into four classifications on the basis of their usefulness:

1. Alleys that are indispensable. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
4. Alleys lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

#### **Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications:

1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.





**Committee Matters: SCM 152/2025**

**Subject: Part Closure of east/west alleys located between Thompson Boulevard and Prado Place, Ward 6, SAA-7244**

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

Decision Number: **DHSC 740**

- I. THAT the 24.63 metre portion of the 4.27-metre-wide east/west alley located between Thompson Boulevard and Prado Place, and shown as Part 1 on Drawing No. CC-1862 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject west alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject west alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
    - iii. Enbridge Gas Inc. to accommodate existing underground infrastructure;
    - iv. ENWIN Utilities Ltd. to accommodate existing primary, secondary and communication conductors, poles and down guy wires; and
    - v. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure;
- III. THAT the 4.27-metre-wide east/west alley located between Thompson Boulevard and Prado Place, and shown as Part 2 on Drawing No. CC-1862 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject east alley", **BE ASSUMED** for subsequent closure;



- IV. THAT the subject east alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing primary, secondary and communication conductors, poles and down guy wires;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure; and
    - v. Toronto West Professional Centre Inc., owner of the property described as Lots 1 & 2, Plan 841, and Lots 5 & 6, Plan 1173, known municipally as 5455 Wyandotte Street East to accommodate the existing foundation wall described in the Encroachment Agreement between the Corporation of the City of Windsor and Brewer Warehousing Company Limited (now Toronto West Professional Centre Inc.), registered as Instrument No. 656567 on February 16, 1976.
  - b. Ontario Land Surveyor be directed to create a Part for the lands described as "Parcel 2" in the aforesaid Encroachment Agreement.
- V. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned CD2.2, \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
  - b. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VI. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1862.



- VII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VIII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- IX. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003  
Carried.

Report Number: S 60/2025  
Clerk's File: SAA2025

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.8 from the Development & Heritage Standing Committee held on May 5, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250505/-1/10553>



**Subject: Part Closure of east/west alleys located between Thompson Boulevard and Prado Place, Ward 6, SAA-7244**

**Reference:**

Date to Council: May 5, 2025  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: April 14, 2025  
Clerk's File #: SAA2025

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

**Recommendation:**

- I. THAT the 24.63 metre portion of the 4.27-metre-wide east/west alley located between Thompson Boulevard and Prado Place, and shown as Part 1 on Drawing No. CC-1862 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject west alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject west alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
    - iii. Enbridge Gas Inc. to accommodate existing underground infrastructure;
    - iv. ENWIN Utilities Ltd. to accommodate existing primary, secondary and communication conductors, poles and down guy wires; and
    - v. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure;
- III. THAT the 4.27-metre-wide east/west alley located between Thompson Boulevard and Prado Place, and shown as Part 2 on Drawing No. CC-1862 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject east alley", **BE ASSUMED** for subsequent closure;



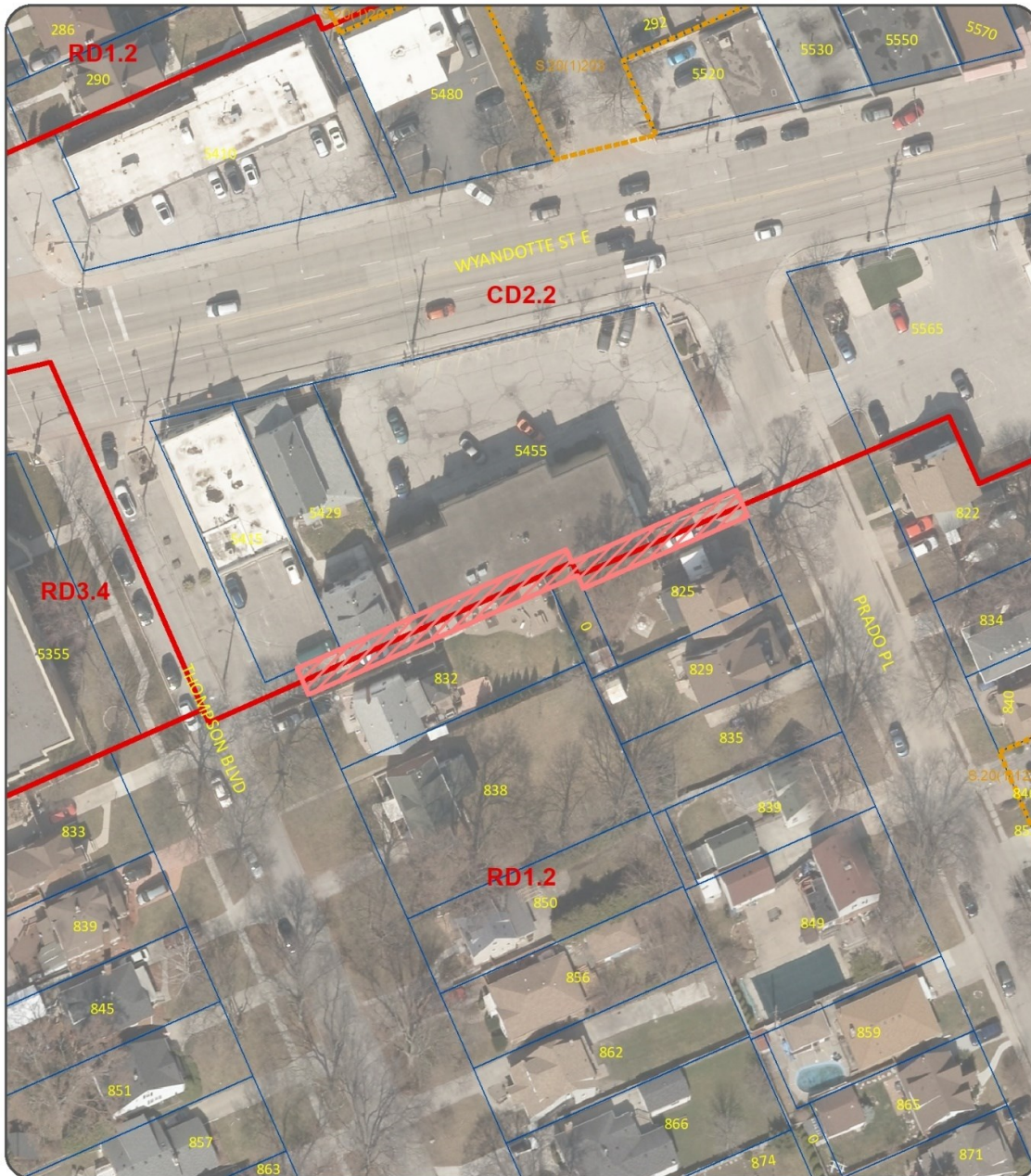
- IV. THAT the subject east alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing primary, secondary and communication conductors, poles and down guy wires;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure; and
    - v. Toronto West Professional Centre Inc., owner of the property described as Lots 1 & 2, Plan 841, and Lots 5 & 6, Plan 1173, known municipally as 5455 Wyandotte Street East to accommodate the existing foundation wall described in the Encroachment Agreement between the Corporation of the City of Windsor and Brewer Warehousing Company Limited (now Toronto West Professional Centre Inc.), registered as Instrument No. 656567 on February 16, 1976.
  - b. Ontario Land Surveyor be directed to create a Part for the lands described as "Parcel 2" in the aforesaid Encroachment Agreement.
- V. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned CD2.2, \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
  - b. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VI. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1862.
- VII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VIII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.



IX. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

### Executive Summary:

N/A



## STREET & ALLEY CLOSING (SAA/7244)

1:750

APPLICANT : SILVANA DUROCHER

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2024





**Background:**

The applicant, Silvana Durocher, owner of the property known municipally as 825 Prado Place (the subject property), applied to close the 4.27-metre-wide east/west alley located between Thompson Boulevard and Prado Place, and shown on Drawing No. CC-1862 attached hereto as Appendix "A", and also shown on the aerial photo attached hereto as Appendix "B".

The applicant wishes to close the alley for the purpose of enlarging the subject property to accommodate the construction of an accessory building for an additional dwelling unit.

The portion of the alley abutting the subject property was established by Registered Plan of Subdivision No. 841 (Plan 841), registered on September 12, 1917.

The remaining portion of the alley was established by Registered Plan of Subdivision No. 1173 (Plan 1173), registered on June 4, 1925.

The Planning Department has determined that the western portion of the alley established by Plan 1173, abutting 5415 & 5421 and 5429 & 5435 Wyandotte Street East is indispensable for the following reasons:

1. The alley serves as the only vehicular means of access to the rear parking area at 5415 & 5421 Wyandotte Street East.
  - a. The rear parking area serving the commercial building on site has existed since at least 1966 (Historic Aerials by Netroline)
  - b. The commercial building was constructed around 1963 (City of Windsor Directories - Might Directories Limited)
  - c. It is unknown if Building Permits were issued for the commercial building or parking area, as they were established under the former Town of Riverside (1921-1966)
    - i. The City does not have any Building Permit records on digital file from the former Town of Riverside
  - d. The provision of a driveway approach off Thompson Boulevard will negatively impact the functionality of the parking area (the parking area is too small)
2. The alley serves commercial properties
  - a. 5415 & 5421 Wyandotte Street East is a commercial property
3. The alley serves properties fronting on heavily travelled street
  - a. Wyandotte Street East is a Class II Arterial Road
  - b. The alley serves as a direct means of egress to the dwelling located at the rear of 5429 & 5435 Wyandotte Street East



- i. The dwelling was constructed sometime between 1943 and 1951 (City of Windsor Directories - ACME Windsor Directory Co. Limited & Historic Aerials by Netroline)

The alley established by Plan 841 and the portion of the alley established by Plan 1173 not deemed indispensable, and shown as Part 1 and Part 2 on Drawing No. CC-1862, are hereinafter referred to as the “subject alley”.

The subject alley is unmaintained and composed primarily of amenity area, grass and gravel. The subject alley contains a curb cut off Prado Place, Enbridge Gas line at its westerly end, and utility poles with guy wires and anchors supporting overhead hydro and utility lines throughout. The subject alley has been encroached on over the years by abutting properties with buildings, landscaping and structures. The subject property has been using the abutting portion of the subject alley as a driveway since at least 1969 (City of Windsor 1969 Aerial Photography). 5455 Wyandotte Street East has an Encroachment Agreement, registered as Instrument No. 656567 on February 16, 1976, for an existing foundation wall located within a small part of the subject alley. There are no other Encroachment Agreements on record for the use of the subject alley.

### **Discussion:**

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix “E”. The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

### **Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The subject alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The subject alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The subject alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?



- i. The subject alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
- e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
  - i. The subject alley does not contain any Fire Department connections.
- 2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has indicated that the subject alley appears to serve no useful purpose.
- 3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has indicated that the subject alley appears to serve no useful purpose.
- 4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The subject alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

- 1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
- 2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
- 3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the subject alley “dispensable” and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.



**Risk Analysis:**

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

**Climate Change Risks****Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

The rate for an alley conveyed to abutting lands zoned CD2.2 is assessed at \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Survey cost is estimated at \$6,500.00, which will be funded by Capital Project 7145002, which currently has an available balance of \$100,300.00.

**Consultations:**

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached hereto as Appendix "C".

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

The Financial Services Department was consulted on the financial matters associated with this report.

**Conclusion:**

The Planning Department recommends closure of the subject alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, Cogeco Connexion Inc., Enbridge Gas Inc., ENWIN Utilities Ltd., Managed Network System Inc. (MNSi.), and Toronto West Professional Centre Inc. as in Recommendations II and IV of this report.



The closed alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendations II and IV of this report.

**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*

*Deputy City Planner - Development / City Planner (A)*

I am not a registered Planner and have reviewed as a Corporate Team Leader

*JP*

*JM*

**Approvals:**

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Greg Atkinson	City Planner (A)
Emilie Dunnigan	Manager of Development Revenue & Financial Administration
Jamelah Hersh	Senior Legal Counsel
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

**Notifications:**

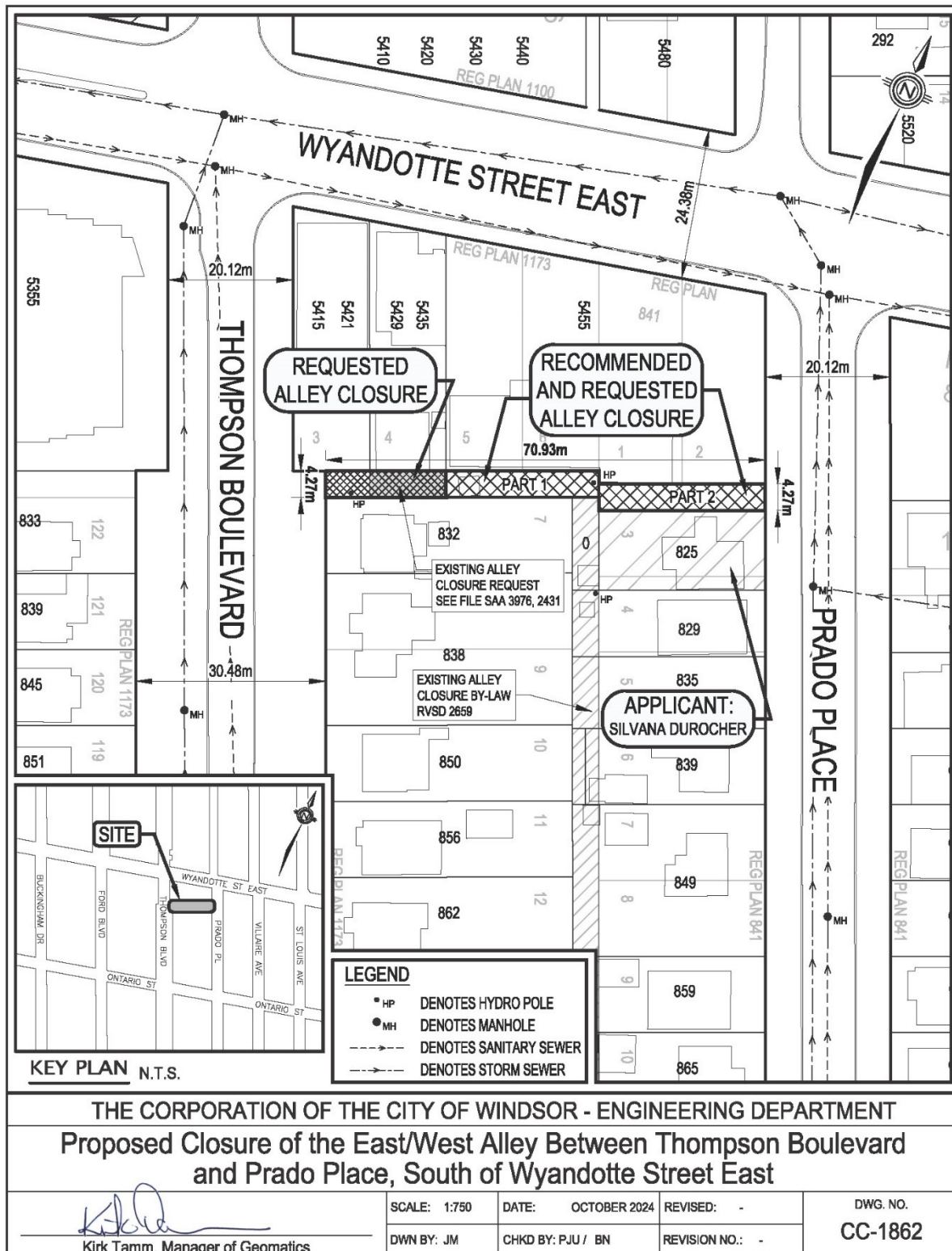
Name	Address	Email
List of mailing labels for property owners abutting the alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1862
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure



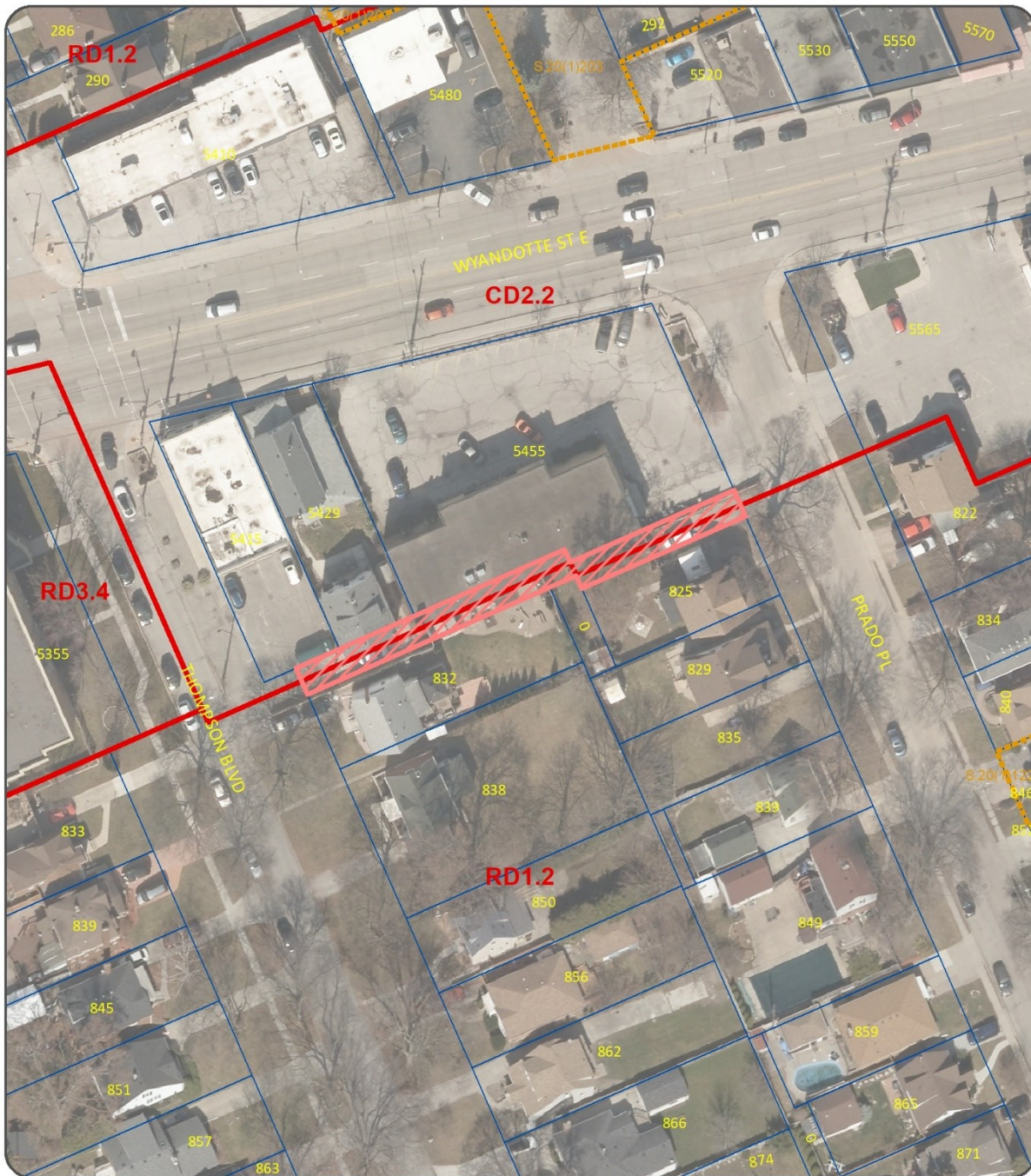
# **APPENDIX "A"** **Drawing No. CC-1862**





## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/7244)

1:750

APPLICANT : SILVANA DUROCHER

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2024





## **APPENDIX “C”**

### **Consultations with Municipal Departments and Utility Companies**

#### **BELL CANADA**

No comments provided

#### **COGECO CONNEXION INC.**

Cogeco is on EnWin/Bell poles in the alley and will need an easement.

**[Daniel Haggins - Lead OSP Engineering Windsor and Essex]**

#### **ENBRIDGE GAS INC.**

After reviewing the provided information, and consulting our mapping system, please note that Enbridge Gas has active infrastructure within the proposed area. A PDF drawing have been attached for reference.

Please Note:

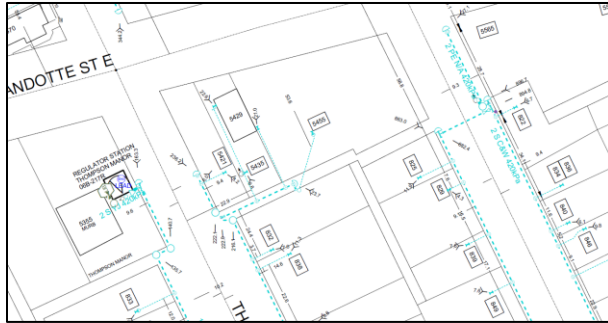
1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc.

Enbridge Gas requires a minimum separation of 0.6 m horizontal and 0.3 m vertical from all our plant less than NPS 16 and a minimum separation 1.0 m horizontal and 0.6 m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live.
- If during any job, any pipe is found that is not on the locate sheet and conflicts with your work, please call our emergency number (1-877-969-0999), and one of our Enbridge representatives will respond to determine if that plant is in fact live or dead.
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly.





**[Sandro Aversa - Drafter Estimator]**

### **ENGINEERING (DEVELOPMENT & ROW)**

The alley to be closed is approximately 76.8 m long and 4.8 m wide and made partly of asphalt gravel and grass.

There are no sewers running through this alley.

There are hydro poles, guy wires, and overhead wires located within the alley; an easement will be required for utilities.

There are back yard fence encroachments from 825 Prado and 832 Thompson.

There is a gravel driveway at east end of alley being used by 825 Prado for parking. If the alley is closed a permit will be required by the property owner to complete and maintain the driveway to City Standard AS-221 or AS-222.

The west side of the alley provides access to 5415 and 5429 Wyandotte St E, Wyandotte St E is a Class II Arterial Road therefore this alley is deemed indispensable by CR146/2005 and should not be considered for closure.

The subject alley is deemed indispensable by CR 146/2005; however, Engineering has no objection to closing the alley east of 5429 Wyandotte St E.

**[Shannon Mills - Technologist III]**

### **ENGINEERING (OPERATIONS)**

No comments provided

### **ENVIRONMENTAL SERVICES**

No comments provided

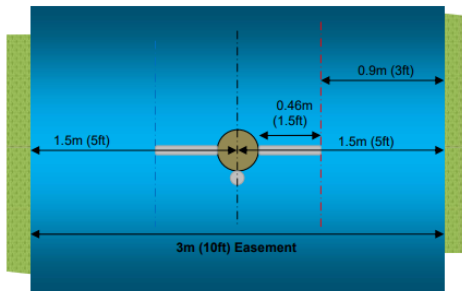
### **ENWIN UTILITIES LTD. (HYDRO)**

Within this alley there are poles carrying primary, secondary and communication conductors. ENWIN will require an easement of 1.5 m on each side of the pole line, 3 m wide in total, through the full length of the alley, beneath the poles.



**Overhead Line**

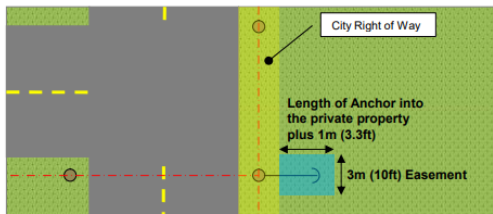
A 3m (10ft) Easement is required for a straight pole line 1.5m (5ft) (on each side)  
 This takes into consideration a 0.3m (1ft) pole diameter, 0.46m (1.5ft)  
 primary insulator, and 0.9m (3ft) clearance from any nearby structure.  
 See top view representation below:



There are also guy wires supporting some of the poles within the alley, which will require guy wire easements to cover the anchors as shown below.

**Guy and Anchor**

A 3m (10ft) wide easement is required for guy and anchor installations into private property. This easement should extend 1m (3.3ft) into the property.



**[Jeremy Allossery - Hydro Engineering Technologist]**

## **ENWIN UTILITIES LTD. (WATER)**

ENWIN Water has no objections.

**[Bruce Ogg - Water Project Review Officer]**

## **LEGAL & REAL ESTATE SERVICES**

Conveyance price for alley abutting RD1.2: \$1.00 plus survey and deed cost, plus hst if applicable.

Conveyance price for alley abutting CD2.2: \$20.00/sq foot without easements;  
 \$10.00/sq foot with

Easements; hst in addition to conveyance price if applicable.

**[Stephanie Santos - Coordinator Real Estate Services]**

## **MANAGED NETWORK SYSTEM INC. (MNSi)**

MNSi would like to be included in an aerial Easement for this closure please.

**[Dave Hartleib - Outside Plant Manager]**



**PARKS**

The Parks Development Division, including Forestry and Natural Areas, has no comments on this application.

**[Hoda Kameli - Landscape Architect]**

**PLANNING (DEVELOPMENT)**

No comments provided

**PLANNING (LANDSCAPE)**

From an urban design and landscape architecture perspective, Therefore, there are no objections to this application.

**[Hoda Kameli - Landscape Architect]**

**ROGERS**

No comments provided

**TELECON (TELUS)**

TELUS has no infrastructure between Pavement Centerline & ROW line on the same side as the proposal.

Consent expires six (6) months from approval date. If the location of your proposed design changes, it will be necessary to re-apply.

**[Frederic Sua - Design Specialist II - Access Engineering]**

**TRANSPORTATION PLANNING**

Transportation Planning has no comments.

**[Elara Mehrilou - Transportation Planner I]**

**WINDSOR FIRE**

No issue with fire

**[Mike Coste - Chief Fire Prevention Officer]**

**WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with this requested closure, as the outcome from this will not negatively impact police incident response or service delivery capability for any of the abutting properties.

**[Barry Horrobin - Director of Planning & Physical Resources]**



**APPENDIX “D”**  
**Site Photos (Google Street View - January 2021)**



*Figure 1 - Looking west towards alley from Prado Place (825 Prado Place on left)*



*Figure 2 - Looking east towards alley from Thompson Boulevard (832 Thompson Boulevard on right)*



## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

Currently streets and alleys fall into four classifications on the basis of their usefulness:

1. Alleys that are indispensable. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
4. Alleys lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

#### **Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications:

1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.





**Committee Matters: SCM 153/2025**

**Subject: Annual Progress Report of the Windsor Essex Regional Community Safety & Well-Being Plan and Next Steps - City Wide**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Renaldo Agostino

Decision Number: **CSSC 273**

THAT City Council **APPROVE** the Progress Report of the Windsor Essex Regional Community Safety & Well-Being Plan and its submission to the Province of Ontario's Ministry of the Solicitor General before December 31, 2025; and further,

THAT City Council **AUTHORIZE** the Commissioner of Human & Health Services to develop a revised Regional Community Safety and Well-Being Plan in the format required under the Community Safety and Policing Act, 2019 and bring back to Council for approval; and further;

THAT City Council **AUTHORIZE** the Commissioner of Human and Health Services to apply for grant funding available relative to community safety and well-being through the provincial or federal governments provided that City funding is not required, or is available within existing budgets, and timeframes will still allow for City Council to ratify the application for the grant funding prior to a point when a withdrawal from the program would no longer be possible.

Carried.

Report Number: S 61/2025

Clerk's File: SS/14026

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 6.1 from the Community Services Standing Committee held on May 7, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>



**Subject: Annual Progress Report of the Windsor Essex Regional Community Safety & Well-Being Plan and Next Steps - City Wide**

**Reference:**

Date to Council: 5/7/2025  
Author: Michelle Oake  
Project Lead, Human & Health Services  
519-255-5200 x 5432  
moake@citywindsor.ca

Community Development and Health Services  
Report Date: 4/17/2025  
Clerk's File #: SS/14026

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

**Recommendation:**

**THAT** City Council **APPROVE** the Progress Report of the Windsor Essex Regional Community Safety & Well-Being Plan and its submission to the Province of Ontario's Ministry of the Solicitor General before December 31, 2025; and further,

**THAT** City Council **AUTHORIZE** the Commissioner of Human & Health Services to develop a revised Regional Community Safety and Well-Being Plan in the format required under the Community Safety and Policing Act, 2019 and bring back to Council for approval; and further;

**THAT** City Council **AUTHORIZE** the Commissioner of Human and Health Services to apply for grant funding available relative to community safety and well-being through the provincial or federal governments provided that City funding is not required, or is available within existing budgets, and timeframes will still allow for City Council to ratify the application for the grant funding prior to a point when a withdrawal from the program would no longer be possible.

**Executive Summary:**

N/A

**Background:**

In 2019, the Provincial government amended the *Police Services Act* to mandate that every municipality prepare and adopt a Community Safety and Well-Being (CSWB) Plan (the Plan). The Ministry of the Solicitor General developed the Provincial CSWB Planning Framework to help guide municipalities in their planning efforts. The CSWB



Planning Framework consists of four areas of intervention including Social Development, Prevention, Risk Intervention, and Incident Response.

City and County Councils authorized a project team comprised of City and County administration staff led by the City of Windsor to develop and implement the Plan for the region. The Plan was developed with a large focus on the long-term, multi-disciplinary efforts and investments to improve longstanding systemic challenges and proactively implement evidence-based strategies to reduce locally identified priority risks, before they result in crime, victimization, or harm.

The Plan was approved by City and County Council in October and November 2021, respectively (CR522/2021) and was submitted to the Ministry of the Solicitor General for approval in December 2021. The vision for Community Safety and Well-Being in Windsor-Essex County was defined as “A community where everyone feels safe, has a sense of belonging, equitable access to services and opportunities and can have their needs met across Windsor and Essex County.” The Plan’s four regional priorities were Good Governance and Data, Engaged and Safe Communities, Mental Health and Substance Use Supports; and Financial Security and Economic Equity.

Since the development of the Plan in 2021, the world has endured a public health pandemic, experienced inflationary increases for goods and services, as well as significant housing shortages and increases in housing costs, all of which is correlated with increased use of substances and increased risks of mental health. The Plan was originally conceived as a five-year initiative ending in 2026, however, following its approval and submission, the Province legislated it be revised every four years.

This report is intended to provide a progress report of the Plan’s four regional priorities, including accomplishments, enhanced partnerships where applicable, along with an update on the current resourcing and future steps related to the revised Plan.

## **Discussion:**

### **Priority: Good Governance and Data**

The Good Governance and Data Priority was borne from the understanding that all the identified risks and opportunities from the first three categories could be addressed using a multi-sectoral collaborative approach. The priority was developed to institutionalize the governance structures of the Regional Systems Leadership Table (RSLT) and temporary data tables to implement the RCSWB Plan and identify and address community safety and well-being issues in the future. This priority has focused on strengthening relationships, increased committee representation and membership.

Mandated by the province, the RSLT is comprised of key partner organizations that institutionalize cross-sectoral collaboration to address systemic and specific service delivery opportunities. The RSLT is chaired by the City of Windsor’s Human and Health Services Commissioner and the Director, Legislative & Legal Services for the County of Essex and includes partners from various sectors, including health and mental health, education, community and social services, community and custodial services for youth, municipalities, police and public safety, and business (Appendix A).



To better leverage existing strategies and inform CSWB governance on community risks and protective factors, dedicated representation from the Enhanced Sector Network (ESN) was included as part of the RSLT. The ESN was established during the Plan's public engagement process to collaborate with committees and organizations that support individuals from eight historically underrepresented communities: Indigenous Peoples, Racialized Persons, Youth, Newcomers, Seniors, 2SLGBTQ+ communities, persons with disabilities (Accessibility communities), and broader community groups. The goal of the ESN was to ensure that diverse voices and priorities were meaningfully reflected throughout the planning process.

In addition, the RCSWB Plan was successful in connecting and leveraging existing strategies (e.g. Windsor-Essex Community Opioid and Substance Strategy) and establishing Action Tables (e.g., Regional Crime Prevention Council) as needed, for key goals and initiatives in the RCSWB plan, that include RSLT members, municipal representation, community service providers, and representation from priority and Persons with Lived Experience (PLE) populations.

### **Priority: Engaged and Safe Communities**

The Engaged and Safe Communities priority focused on promoting safe, healthy, and connected neighbourhoods and communities. Key initiatives included the implementation of evidence-based strategies to reduce locally-identified priority risks to community safety and well-being, emphasizing the involvement of all community members.

Under this initiative, community-led projects and partnerships were promoted, expanded and enhanced, including neighbourhood building initiatives to help increase feelings of safety, strengthen social capital with neighbours and promote ongoing, sustainable engagement within communities. Several opportunities were identified for collaboration with community leaders across the region to showcase and support local community initiatives (e.g. Festival of Guest Nations & Public Safety Information Day, Crime Prevention Week, and facilitation of trainings, workshops, symposiums and community engagement events). Additionally, a gap analysis was conducted in collaboration with the County of Essex and Housing Services. As a result, housing and homelessness resource materials were developed and distributed to individuals experiencing homelessness. These efforts were carried out in partnership with community organizations promoting services at the Homelessness and Housing Help Hub (H4) and the Essex County Homelessness Hub (ECH2).

A pilot CSWB Walks Program in collaboration with local Police Services based on Crime Prevention Through Environmental Design (CPTED) principles was deemed successful by partners and the community. Neighbourhood Safety and Crime Prevention Walks were facilitated in Windsor and all seven municipalities in the County of Essex. In addition, a Toolkit was created in partnership with St. Clair College with funding from WE Spark Health Institute, Windsor Police Services, LaSalle Police and Ontario Provincial Police for its sustainability. Using this toolkit as a guide, any local practitioner or community resident can host a Neighbourhood Safety and Crime Prevention Walk.



Another successful implementation activity under this Priority was the development of a Regional Crime Prevention Council (RCPC) focusing on youth gun and gang prevention in the region. The RCPC members are reflective of the Windsor-Essex Region and include sectors serving at-risk youth of gun and gangs (Appendix B). Annual actions completed by the RCPC include participation in Crime Prevention Week activities and hosting symposiums and trainings related to youth crime prevention.

Work is underway within the plan to leverage existing resources and focus funding on targeted interventions. The ability to implement community driven solutions has been made possible by leveraging funding (approximately \$2.9 million) from a three-year grant from federal Public Safety Canada's Building Safer Communities Grant Fund (CR328/2022). The grant program provides funding to regional community organizations to launch new and expanded initiatives focusing on prevention and risk-intervention in response to youth gun and gang violence in Windsor-Essex (Appendix C).

An innovative example of how the RCSWB Plan enhanced community partnerships is through the creation of a youth-supporting housing complex. With funding from three levels of government, a partnership between the City of Windsor, Public Safety Canada, Canada Mortgage and Housing Corporation, Windsor Essex Community Housing Corporation (CHC), New Beginnings and the Windsor Essex Children's Aid Society (WECAS) has led to the creation of a youth supportive housing complex with dedicated life skills programming. The housing complex created by the CHC supports up to 15 individuals between the ages of 18 and 23 transitioning out of the child welfare system and into adulthood. The BSCF funding contributed critical on-site staffing to ensure successful youth tenancies.

Finally, collaborative efforts were successful with local partnerships with post-secondary institutions related to increasing access to safe community spaces by working with students to identify communities with limited or no access to community spaces or unsafe community spaces, including the identification of cost investments for each municipal/regional community space (e.g., lighting, landscaping, paving, and target hardening).

### **Priority: Mental Health and Substance Use Supports**

The Mental Health and Substance Use Supports Priority focussed on promoting destigmatization of mental health and addiction issues and raising awareness of existing supports to promote early intervention, prevention of substance use, and overall well-being.

Closely working partnerships between the Windsor Police Service, the Windsor Essex County Health Unit and the City of Windsor resulted in shared objectives of strengthening community safety and well-being through the opportunity to expand the existing work of the Windsor-Essex Community Opioid & Substance Strategy (WECOSS). Together, and with substantial funding (approximately \$1.4 million) over 3 years from the Community Safety and Policing grant, this partnership created the



Substance Supports in Neighbourhoods Accessed through Police Partnerships (SSNAPP) which was a great success and achieved the following:

- Creation of individualized “community safety plans” for four high-priority areas disseminated and translated to over 1300 individuals;
- Distribution of a SSNAPP education campaign promoting existing mental health and substance use services, Windsor Police services, the Good Samaritan Drug Overdose Act, and the destigmatization of substance use;
- Over 820 representatives from police services and local service providers across the region benefitted from relevant education and training opportunities about trauma informed care, CPTED, de-escalation, addiction support and more.

Our region saw the successful continuation and reprioritization of safe and effective emergency response to those in crisis with the continuation of crisis response teams through the Community Safety & Policing grants that include police and specialized teams (e.g. mental health/nurses). Collaborative local outreach events in partnership with Windsor Police Services, LaSalle Police Services and Ontario Provincial Police led to improving visibility and building community trust in emergency services with at-risk youth and residents.

### **Priority: Financial Security and Economic Equity**

The Financial Security and Economic Equity Priority focussed largely on promoting local employment and increasing participation in local education and training as a proactive approach to prevention. A social policy review of support services was completed which identified the need to increase the awareness, understanding and implementation of trauma informed principles in services and related supports for those facing income insecurity and poverty.

In consultation with the Windsor Regional Employment Network (WREN), acting as the Service System Manager for Employment Ontario’s Integrated Employment Service system, this Priority is being actioned effectively and with efficient use of resources. It is important to note that the WREN was not established or funded at the time the CSWB Plan was established. Since that time, the WREN and its 11 Service Providers operating out of approximately 30 locations across Windsor Essex are working directly with clients to find the most appropriate employment, training and apprenticeship opportunities. Other related successes include:

1. Better Jobs Ontario (BJO) Program. Provides eligible unemployed individuals with up to \$28,000 in financial support for short-term training—52 weeks or less—in in-demand fields, helping them re-enter the workforce quickly
2. Development and publication of a quarterly Labour Market Insights Report, which helps to understand the demographic shifts, labour market trends, and workforce development strategies within our region. Development of several publications including the Apprenticeship Guide, Better Jobs Ontario guide and Literacy and Basic Skills (LBS) guide
3. Development and launch of a comprehensive training program for Employment Ontario staff including access to training for Cultural Awareness, Motivational



Interviewing, Job Development for people with disabilities and Diversity, Equity and Inclusion.

## **2026 Plan Revision Strategy**

In April 2024, the legislative framework governing Community Safety & Well-Being Plans in Ontario was updated. The revised legislation now requires municipalities to revise plans within four years after the day the plan was adopted, and every four years thereafter.

The revision process will follow a multi-phased approach to ensure the updated Plan is evidence based, inclusive and responsive to the unique needs of the Windsor-Essex community. A mixed methods data collection strategy will be used to reaffirm or identify new local priorities as well as realistic goals and implementation activities that can be achieved within a four-year timeline. As part of this process, a community engagement strategy will be implemented to gather input from a range of stakeholders. This will include an environmental scan, a survey of municipal and sectoral leaders, as well as focus groups and a public survey.

Administration will continue to work with the community to understand and prioritize new trends as well as City Council requests to address changing community needs, including intimate partner violence (CR28-2025), trauma informed care and youth gun and gang prevention. The revised Plan needs to be published online and will be sent to the Ministry of the Solicitor General by December 2025.

### **Risk Analysis:**

The development of a CSWB is a requirement under the Community Safety and Policing Act, 2019. Failure to receive Council approval will put the City in a position of non-compliance under the aforementioned Act.

Under the City of Windsor's Enterprise Risk Framework, Legislative & Regulatory Risk category, without ongoing funding, there will be moderate operational impacts due to initiatives not having necessary resources for implementation.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

The Province has not provided funding to municipalities to implement Community Safety & Well-Being Plans. City and County Council equally contribute to the cost of the RCSWB Project Lead's position, and each contribute \$50,000 for a combined \$100,000 towards the Plan's implementation activities. This serves as a foundation for the millions of dollars of funding secured and is required to maintain momentum and ensure



sustainability. Administration successfully partnered with organizations and secured funding for our region in multiple WERCSWB priority areas. Since 2022, a total of \$4.4 million is directly tied to primary activities for the Plan, including the City of Windsor receiving \$2.9 million over three years for the Building Safer Communities Fund ending in 2026.

Administration continues to liaise with the Ontario Municipal Social Services Association (OMSSA) and the Association of Municipalities of Ontario (AMO) CSWB tables for updates related to funding opportunities, in addition applying for funding from senior levels of government and other sources that align with the Regional Community Safety and Well-Being Plan's goals, initiatives and actions.

### **Consultations:**

Stephen Lynn - Manager, Social Policy and Planning, City of Windsor

Jamelah Hersh - Senior Legal Counsel

Myles Souilliere - Manager, Windsor Regional Employment Network

Tanya Antoniwi - Executive Director, Employment and Social Services, City of Windsor

Andrew Daher – Commissioner of Human and Health Services, City of Windsor

David Sundin – Director, Legislative & Legal Services, County of Essex

Karel DeGraaf – Deputy Chief of Police, Windsor Police Service

Mark Loucas - Superintendent – Essex County Detachment Commander, Ontario Provincial Police

Jason Woods – Deputy Chief of Police, LaSalle Police Service

### **Conclusion:**

The first Windsor Essex Regional Community Safety and Well-Being Plan was a collaborative, community-driven effort that leveraged existing strengths, resources and best practices to proactively address risks in four key areas: Good Governance and Data, Engaged and Safe Communities, Mental Health and Substance Use Supports, and Financial Security and Economic Equity. The Plan laid the groundwork for strong cross-sector collaboration that supported initiatives extending beyond its original goals.

The Plan's accomplishments reflect strong partnerships between the City of Windsor and the County of Essex, as well as policing and community partners providing support to the Plan. Mandated by the province, the revised plan will build on these strengths, applying lessons learned and adapting to our community's evolving needs.

### **Planning Act Matters:**

N/A

### **Approvals:**

Name	Title



Linda Higgins	Manager, Intergovernmental Funding-Employment Social & Health
Michelle Oake	Project Lead, Human & Health Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Andrew Daher	Commissioner, Human & Health Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
RSLT Members		

**Appendices:**

- 1 Appendix A - Regional Systems Leadership Table Membership
- 2 Appendix B - Regional Crime Prevention Council Membership
- 3 Appendix C- Building Safer Communities Fund Grant Recipients and Funded Programs



## Appendix A - Regional Systems Leadership Table Membership

Windsor Essex Regional Community Safety & Well-Being Regional Systems Leadership Table Membership List	
Name	Organization
Andrew Daher (City Chair)	City of Windsor
David Sundin (County Chair)	County of Essex
Jeanie Diamond-Francis	County of Essex
Jason Woods	LaSalle Police
Eric Nadalin	Windsor-Essex County Health Unit
Bill Marra	Hôtel-Dieu Grace Healthcare
Karel DeGraaf	Windsor Police Service
Kevin Blondin	Pozitive Pathways
Caroline Warkentin	South Essex Community Council
Mark Loucas	Ontario Provincial Police
Ciara Holmes	Family Services Windsor-Essex
Debi Croucher	Representative of ESN/PLE
Brian Cyncora	Representative of ESN/PLE
Kate Gibb	Representative of ESN/PLE
Wendi Nicholson	Representative of ESN/PLE

NOTE: Additional Members for 2026 include representation from municipal educational services as well as representation from municipal custodial services to children and youth.



## Appendix B - Regional Crime Prevention Council Membership

Regional Crime Prevention Council Membership List	
Name	Organization
Michelle Oake (Co-Chair)	City of Windsor
Hayley Wilson (Co-Chair)	New Beginnings
Stephen Lynn	City of Windsor
Amanda Alchin	City of Windsor
Catherine Brooke	St. Leonard's Windsor
Joanna Conrad	Youth Diversion
Nila Das	Windsor Essex Child/Youth Advocacy Centre
Stacey Yannacopoulos	New Beginnings
Heather Johnson-Dobransky	Hiatus House
Carol Branget	Sexual Assault Crisis Centre
Diane Quadros	Canadian Mental Health Association
John Elliott	Sandwich Teen Action Group
Leonardo Gil	Windsor-Essex Children's Aid Society
Becky Parent	Big Brothers Big Sisters
Melissa Lauzon	Safety Village
Avery Piazza	Safety Village
Amy Visser	Windsor Essex Community Health Centre
Joe Bell	Greater Essex County District School Board
Michelle Bloomfield	CSC Providence
Todd Lavigne	Ontario Provincial Police
Amy Peirone	St. Clair College
Michelle Rocheleau	Youth Wellness Hub
Karel DeGraaf	Windsor Police Service
Jason Woods	LaSalle Police Service
Mark Loucas	Ontario Provincial Police
Juliana Simon	Trans Wellness Ontario
Connie DaSilva	The Bridge
Olivier St-Maurice	CS Viamonde
DJ MacNeil	Hôtel-Dieu Grace Healthcare
Eric Nadalin	Windsor-Essex County Health Unit
Kristen Jeavons	Legal Assistance of Windsor
Jordyne Rose	Downtown Mission
Amy Lofaso	Windsor-Essex Catholic District School Board
Patrick Lenehan	Ontario Provincial Police
Daemon Hart	Windsor Fire & Rescue
Jennifer Dillon	John Howard Society
NOTE: The Membership List is revised and added to as required.	



## Appendix C- Building Safer Communities Fund Grant Recipients and Funded Programs

Organization	Project Description	Project Type
New Beginnings	Risk Intervention and Prevention Program (RIPP), is a mobile program for acute at-risk youth. This program provides service to youth that demonstrate a variety of risk factors including those who are in conflict with the law and/or have been sentenced and at risk to reoffend and/or are at a higher risk of criminal/violent behaviour and poorer outcomes, reside in a high needs community, have multiple risk factors and challenges such as: substance abuse issues, mental health issues, familial issues, housing, unemployment, poverty, education etc. This program was expanded by age to include 10-11-year-old participants, as well as 21-26-year-old participants. RIPP was also expanded geographically to include the municipalities of Leamington, Kingsville, and Essex.	Prevention
	Supportive Student Residence (SSR) is a new program aimed at providing a safe and nurturing environment to at-risk youth that is conducive to their growth and stability. At-risk youth often face challenges such as involvement in the justice system (gun and gang violence), conflict with the law and/or family, and mental health challenges. This program recognizes the urgent need for targeted intervention to break the cycle of vulnerability and provide a pathway toward independence and self-sufficiency for at-risk youth.	Prevention
	Youth Risk Prevention and Intervention Initiative (YRP II) is a Program Coordination Team to provides backbone supports for the Regional Crime Prevention Council and works closely with BSCF-funded community partners to ensure program sustainability measures are considered and program evaluation occurs.	Prevention
Youth Diversion	The Rebound Program, offers a 10-week social skills group for youth who show signs of being at-risk of dropping out of school, being in trouble with the law, or having difficulties with parent/teen interactions. These sessions are done in a very interactive group setting. The Rebound Program, was expanded by age to include 6-12-year-old participants, as well as 18-26-year-old participants.	Prevention
Windsor-Essex Children's Aid Society (WECAS)	The YouThrive Project is a program that includes life skills development and youth engagement components. All participants of the project are at-risk youth (ages 18-23), in the care of the WECAS. Key project components include: individualized risk and protective factor assessment and evaluation, youth engagement and leadership opportunities, life-skills development programming,	Prevention



	community linkages and outreach, program evaluation and sustainability planning.	
Sandwich Teen Action Group (STAG)	Creating a Safer and More Resilient Environment for At-Risk Youth is a new comprehensive community program aimed at preventing youth gun and gang violence. The overarching goal is to create a safer and more resilient environment for young individuals by addressing root causes, providing education, fostering community engagement, and offering support services. The program activities include a root cause analysis to help identify factors leading to youth involvement in gun and gang violence, data collection, collaboration with local agencies, consultation with experts, community input, and media outreach, with a goal of raising awareness about the consequences of gun and gang involvement. Program activities also include the facilitation of workshops to support the at-risk youth.	Prevention
Regional Crime Prevention Council (RCPC)	The RCPC is an interdisciplinary consultative group consisting of municipal, law enforcement, service sector, and youth representatives that seek to support the development and use of preventative safety and well-being practices, including those pertaining to crime prevention, youth gun and gang violence, youth risk intervention and prevention, and youth capacity development.	Prevention





**Committee Matters: SCM 154/2025**

**Subject: Minutes of the Age Friendly Windsor Working Group of its meeting held January 31, 2025**

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

Decision Number: **CSSC 274**

THAT the minutes of the Age Friendly Windsor Working Group of its meeting held January 31, 2025 **BE RECEIVED**.  
Carried.

Report Number: SCM 70/2025  
Clerk's File: ACO2025

**Clerk's Note:**

1. Please refer to Item 7.1 from the Community Services Standing Committee held on May 7, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>





## **Committee Matters: SCM 70/2025**

**Subject: Minutes of the Age Friendly Windsor Working Group of its meeting held January 31, 2025**



## **AGE FRIENDLY WINDSOR WORKING GROUP**

Meeting held January 31, 2025

A meeting of the Age Friendly Windsor Working Group is held this day commencing at 9:30 o'clock a.m. via Zoom video conference, there being present the following members:

Gerald Corriveau  
Larry Duffield  
Andrea Grimes  
Cindy Matchett  
Roxanne Tellier  
Tom Wilson

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

Kara Kristoff, Supervisor Community Programming  
Christina Ritorto, Client Support & Staff Development Coordinator  
Karen Kadour, Committee Coordinator

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

Kara Kristoff, Chair calls the meeting to order at 9:38 o'clock a.m. and the Working Group considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

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

None disclosed.

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

Moved by Roxanne Tellier, seconded by Tom Wilson,  
That the minutes of the meeting of the Age Friendly Windsor Working Group held October 10, 2024 **BE ADOPTED** as presented.  
Carried.

#### **4. Business Items**

##### **4.1 Review of budget and carry-forward request from 2024**



The Chair advises that a request to carry forward the 2024 Operating Budget of \$7,835.26 to 2025 has been submitted for approval. She encourages members to attend conferences and workshops that may be of interest.

Andrea Grimes asks if the working group holds a meeting at a city venue, is the rental cost waived. The Chair responds there is no cost to utilizing rooms at City Hall, however, if the committee is hosting an event and utilizing community spaces, there will be a charge for that.

## 4.2 Annual Year in Review

Christina Ritorto Client Support & Staff Development Coordinator states that the Age-Friendly Windsor Working Group 2024 Annual Report, **attached** as Appendix "A" have been submitted to the Community Services Standing Committee and City Council for approval. She provides an overview of the accomplishments noted in the report.

The Committee Coordinator advises that members of the Age-Friendly Working Group are able to attend the Standing Committee and Council meeting to speak to the Annual Report if they are registered as a delegation through the City Clerk's Office.

## 4.3 Update from Transit Windsor (Questions brought forward from the October 10, 2024 meeting)

At the direction of the Working Group at its meeting held October 10, 2024, the questions posed by the committee in italics and the answers provided by Transit Windsor are as follows:

- ***Are there current studies or surveys identifying those who utilize the bus services***
  - No studies or surveys. We do have actual ridership percentages based on categories though, including seniors, students, youth, and adult.
  -
- ***Provide the population and age groups of those use Transit Windsor***
- - 2024 Ridership Percentages up to Sept 30, 2024
  - Adults (20 to 59 years old) = 27%
  - Youth (0 to 19 years old) = 7%
  - Students (anyone enrolled in school with a UPass, Saints Pass, Semester Pass, High School Pass) = 59%
  - Seniors (60 and over) = 6%
  - Tunnel = 1%
- ***Does transit take into consideration the areas where seniors reside in terms of bus routes.***
- - Yes it is part of our evaluation
- ***Has an updated route for the Riverside area been established.***



- -We would need an exact definition of the Riverside area they are referring to in order to provide a correct answer
- ***Has consideration been given to reintroducing a “grocery run” for Seniors’ homes as an addition to the bus service.***
- No. The demand before the COVID pandemic wasn’t there and ridership was very low. Transit Windsor doesn’t have the buses available to provide that service with all routes being at record high ridership levels.

Tom Wilson asks if the percentages noted in “population and age groups of those who use Transit Windsor” are derived from the people who have passes. Larry Duffield inquires if Tom Wilson’s question relates to passes versus the cash box and asks why the Transit Windsor survey would only cover passes. He adds that any organization would want to have a clear profile of their client base to determine who their ridership is on a day-to-day basis. The Chair advises that a question will be directed to Transit Windsor to explain how the ridership percentages are calculated and what aspects of transit use go into that percentages.

Andrea Grimes questions when a user swipes their bus pass, is Transit Windsor able to collect that data? Christina Ritorto remarks that she oversees the Customer Care Centres and indicates they are now issuing Smart Ride Cards (which can be reloaded) as Transit Windsor is moving away from cash. There is also the bus pass option that can be used for 15 or 30 days. In terms of cash, Adult, Senior, Youth rates require the exact fare must be provided on the bus, so it is difficult to identify who the riders are in terms of cash. Transit Windsor does generate a report based on when these cards are reloaded.

In response to a question asked by Andrea Grimes regarding if Ontario Works subsidizes bus passes, Christina Ritorto responds that they do. Andrea Grimes asks if the data relating to subsidized bus passes by Ontario Works is captured. Christina Ritorto responds that when a card is reloaded, it is identified as being Ontario Works (free bus pass) discounted bus pass, or senior, youth or adult.

Cindy Matchett asks if the Working Group is surprised that seniors (60 and over) only represent 6% of the ridership. Larry Duffield responds that Transit Windsor is not capturing the actual ridership of seniors. Tom Wilson adds that many people prefer paying cash as opposed to using a card or a monthly pass and notes he is not certain how accurate these statistics are and adds that doing a survey would be a starting point.

Christina Ritorto states perhaps seniors do not know how to begin the process of using a ride card. She indicates that Life after Fifty at WFCU is a Customer Care Centre and she suggests passing on this information to seniors at this location. Tom Wilson concurs with this suggestion and adds that seniors are not comfortable with the use of these cards, and they prefer using cash.

In response to a question regarding where these cards are available, Christina Ritorto responds that the Transit Windsor Smart Pass Cards are available at the Community Centres (which are Customer Care Centres).



Roxanne Tellier expresses concern that there are only two locations where people can charge their card. She reiterates that a question was posed to Transit Windsor (with no response) regarding the lack of bus service to Sand Point Beach during the summer months. Kara Kristof indicates that this question will be presented to Transit Windsor for a response.

Kara Kristoff surmises there a need for awareness and education regarding how seniors and all riders can reload cards for transit. As a follow-up question for Transit Windsor, she asks what programs are available from Transit Windsor that explain the process of reloading the Smart Pass Cards. She adds that information will be provided that explains how the 6% ridership of seniors is calculated. It is suggested that Administration from Transit Windsor be invited to attend the next meeting.

Tom Wilson advises there is ample opportunity to go to seniors' places and to share information so people can be self-sufficient and independent in their later years.

Larry Duffield adds that transportation is one of the eight key domains within the Age Friendly Community model.

#### **4.4 Community Engagement Event Planning**

Kara Kristoff refers to the Fraud Discussion event taught by Frank Fazio from CySAT Security Inc. held on November 14, 2024, at the Optimist Community Centre with 11 people in attendance. She remarks that marketing was done through the City's social media pages and the community centres. She adds that Andrea Grimes was in attendance and asks how the committee can provide public awareness of events if the public does not look at the City's website and suggests using mainstream media. Larry Duffield states that organizations have mailing lists and is not aware if any of these organizations were invited to this event, i.e. Elder College, Canadian Association of Retired People (CARP), and Can Am Friendship Centre.

Andrea Grimes reports that Frank Fazio was an excellent speaker who provided actual scenarios relating to fraud.

Cindy Matchett proposes that Frank Fazio be invited to provide a further fraud discussion event. Kara Kristof adds that Frank Fazio is willing to build on his presentation and she proposes that Windsor Police be invited to attend the discussion.

Kara Kristof suggests that an event be held to address the topic of transit throughout the city. She adds that a representative from a customer care centre can be available to provide a demonstration on how to load Smart Pass Cards. Andrea Grimes concurs with inviting Transit Windsor to the Working Group's next speaking event. Larry Duffield suggests that Transit Windsor provide a presentation on the topic of "How do we



build senior participation and usage with Transit Windsor?” Andrea Grimes proposes inviting a Councillor who sits on the Transit Windsor Board of Directors to attend the event.

Tom Wilson suggests looking at what of topics of education do we want for the community that we are servicing. He asks what are the things that the city has changed over the past few years; the way the service is being utilized, i.e. the pass cards. Also, how are the parking meters being used, and how does one get the App and download it to a phone. He proposes looking at the services provided by the City to determine where the changes are and to incorporate these together into an education component.

The Chair indicates that she will reach out to Transit Windsor to determine answers to some of the questions asked in Item 4.3 and to invite them to a meeting with the Working Group. In terms of a timeline for the next event, she proposes June 2025 (as it is Senior’s Month).

Cindy Matchett asks what other topics should be considered in the upcoming event. Tom Wilson suggests that additional topics be discussed at the next meeting of the Working Group.

#### **4.5 Next Steps in Age Friendly Windsor Working Group – Local Survey**

The Chair proposes an on-line and hard copy survey be made available to the public regarding “what age-friendly resources does the community want to know more about”.

Larry Duffield advises that a defined purpose and objective is required for the survey.

Roxanne Tellier remarks that many seniors are not comfortable using the Internet and asks if we can develop a mailing list to send information to interested folks. The Chair suggests rather than a survey going out, that a request for contact information be considered. She advises that the I.T. Department will be contacted to determine if a domain can be established.

#### **4.6 Other Items – Membership in World Health Organization Age Friendly Committees Global Network**

The Chair remarks that she contacted the World Health Organization relating to the status of the former Seniors Advisory Committee and as of this date has not received a response.



**5. Summary of Action Items**

None.

**6. Date of Next Meeting**

The next meeting will be held on Wednesday, May 14, 2025 at 9:30 a.m. in a room to be determined.

**7. Adjournment**

There being no further business, the meeting is adjourned at 11:29 o'clock a.m.





## THE AGE FRIENDLY WINDSOR WORKING GROUP *2024 Year in Review*

The Age Friendly Windsor Working Group believes that the community should allow residents to have multiple opportunities for healthy aging and a full range of supports to assist them.

### Mandate

- Review projects in partnership with City administration to ensure the process of continual improvement and enhancing age-friendliness.
- Work in partnership with City administration to develop an Action Plan to enhance Windsor's status as an Age-friendly community.
- Solicit input for issues that affect local seniors.
- Identify barriers to access by seniors to City services and programs.
- Form partnerships and building relationships in the community to educate, inform and improve quality of life for seniors.
- Make recommendations and provide advice to City administration regarding strategies that could be used by City administration to address the needs of seniors in the City of Windsor.
- Assist with community consultations facilitated by administrative staff.

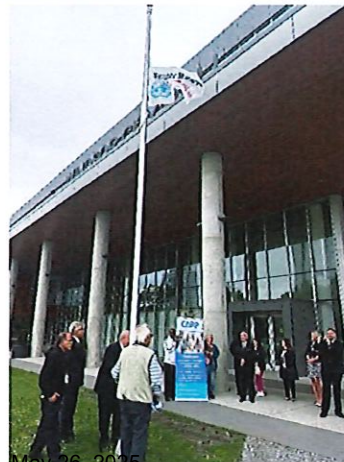
### The Membership of the Age Friendly Windsor Working Group for the term of 2023 to 2026:

The Age-Friendly Windsor Working Group consists of 8 members, including six community members and two City administration (one from Recreation and one from Parks). No City Councillor will sit on the Age-Friendly Windsor Working Group.

- |                    |   |
|--------------------|---|
| • Gerald Corriveau | • Roxanne Tellier                           |
| • Larry Duffield   | • Tom Wilson                                |
| • Andrea Grimes    | • City Administrator – Kara Kristof (Chair) |
| • Cindy Matchett   | • City Administrator – Cristina Ritorto     |

### Overview of Accomplishments

- The Age Friendly Windsor Working Group (AFWG) had its inaugural meeting on Thursday April 11, 2024, where all members met and discussed the future intention of the AFWG. Since then, the committee has had various meetings where representatives from City Departments, including Parks and Transit Windsor, give updates on age friendly initiatives to committee members.
- AFWG hosted a flag raising on June 10<sup>th</sup>, 2024, to recognize **June is Senior's Month** that saw committee members, City Councillors and Windsor residents attend.
- AFWG recognized **October 1, 2024, as National Senior's Day** with a Public Service Announcement through City of Windsor social media pages, a proclamation, and a recognized recreation offering of Aquafit for In-Motion week.
- AFWG made connections with the Ontario Age-Friendly Communities Outreach Program, through the Centre for Studies in Aging & Health at Providence Care, who will help the group pave a way forward with age friendly work in Windsor.
- The committee hosted the first in a Community Speaker Series, Thursday, November 14<sup>th</sup> from 10am-11:30am at the Optimist Community Centre. Speaker Frank Fazio spoke about *Staying Safe in the Digital World: Protecting Yourself from Online Threats* to 11 attendees.





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- Make recommendations and provide advice to City administration regarding strategies that could be used by City administration to address the needs of seniors in the City of Windsor.
- Assist with community consultations facilitated by administrative staff.

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- |                    |   |
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**Committee Matters: SCM 155/2025**

**Subject: Minutes of the Windsor Accessibility Advisory Committee of its meeting held March 13, 2025**

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

Decision Number: **CSSC 275**

THAT the minutes of the Windsor Accessibility Advisory Committee of its meeting held March 13, 2025 **BE RECEIVED**.  
Carried.

Report Number: SCM 85/2025  
Clerk's File: ACO2025

**Clerk's Note:.**

1. Please refer to Item 7.2 from the Community Services Standing Committee held on May 7, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>





## **Committee Matters: SCM 85/2025**

**Subject: Minutes of the Windsor Accessibility Advisory Committee of its meeting held March 13, 2025**





## **Windsor Accessibility Advisory Committee (WAAC)**

Meeting held March 13, 2025

A meeting of the Windsor Accessibility Advisory Committee is held this day commencing at 10:00 o'clock a.m. via Zoom video conference, there being present the following members:

Sally Bennett Olczak, Co-Chair  
Peter Best, Co-Chair  
Councillor Fred Francis  
Danica McPhee  
Nicholas Petro  
Caleb Ray

### ***Absent:***

Riccardo Pappini  
Surendra Bagga

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

Mark Keeler, Accessibility/Diversity Officer  
Karen Kadour, Committee Coordinator

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

The Chair calls the meeting to order at 10:01 o'clock a.m. and the Committee considers the Agenda being Schedule A, attached hereto, matters which are dealt with as follows:

### **2. Conflict of Interest**

None disclosed.



### 3. Adoption of the Minutes

Moved by Nicholas Petro, seconded by Councillor Fred Francis,  
That the minutes of the Windsor Accessibility Advisory Committee of its meeting held December 3, 2024 **BE ADOPTED** as presented.  
Carried.

### 4. Business items

#### 4.1 Hidden Disabilities Sunflower – Update

Mark Keeler advises that it was hoped that the City of Windsor would be the first municipality in Ontario to partner with the Sunflower Program – Creating Support for Hidden Disabilities. It appears that Ajax, Ontario is the first municipality that will participate in the Hidden Disabilities Sunflower Program. A report regarding this Program will be sent to the Community Services Standing Committee and City Council for approval.

#### 4.2 Windsor Accessibility Advisory Committee Communications Changes

Mark Keeler states that discussions have been held with 311 and advises that he is now able to see and respond to the service requests in real time that deal with accessibility issues. He explains they will now get a sense of the composition of those complaints and what we are hearing from other residents that are not related to Transit Windsor issues. He adds he will report back at the next meeting of WAAC.

Danica McPhee remarks that in the past there were only a few accessibility complaints coming for Transit Windsor and asks Mark Keeler if this is correct. Mark Keeler responds that he receives on average 3 to 4 complaints daily of which 1 or 2 relate to accessibility issues. He notes there have been drivers' issues where the driver has been rude or disrespectful to people with disabilities and a supervisor has been sent to speak to the driver within the next day.

Peter Best indicates that part of his objectives for 2025 is to include communications from the various departments, i.e. Transit Windsor.

Councillor Fred Francis advises that if there are issues where departments are not responsive, he asks that he be contacted with this information.

In response to a question asked by Nicholas Petro regarding whether Administration has been looped into the 311 system, Mark Keeler responds that the programmer in 311 has to code him into their system.



### 4.3 Transit Windsor

Mark Keeler provides the following comments relating to Transit Windsor:

- There are several areas that are critical to Administration and to WAAC.
- One of the areas to look at is the transit schedules as they are not accessible. Had meetings with Transit's Planning and Marketing Departments on ways to improve the accessibility. He adds he may have to remediate their transit schedules.
- There are legislative requirements that demand that the schedules be compliant.
- When Transit was under Federal regulatory authority, due to the loss of the tunnel bus, will soon transition Transit Windsor over to the AODA as now under Provincial authority.
- In terms of the CNIB and complaints received, Mark Keeler advises that a communication is now being sent to all the accessibility groups on how to do a complaint that can be done on a screen reader.

Danica McPhee refers to those enhancements to the complaint process and asks if we will be engaging the community in what that needs to look like or is there a vision. Mark Keeler responds that it will be a case of beginning to build a rapport relationship which will go out to all the groups.

Moved by Councillor Fred Francis, seconded by Nicholas Petro,  
That the updates provided by the Diversity and Accessibility Officer regarding matters relating to Transit Windsor **BE RECEIVED** .  
Carried.

### 4.4 Communications

This matter was discussed in Item 4.2

### 4.5 Facility Accessibility Design Standards (FADS)

Mark Keeler advises that he is meeting with Administration from the various departments regarding the new FADS document for the City of Windsor. He wants to ensure that the departments are aware of the new FADS and that resources will be allocated. Sally Bennett Olczak, Co-Chair asks if there is a timeline project plan for the implementation of the FADS. Mark Keeler responds that Windsor is the only city that has an Accessibility Officer as the lead on this project. It is generally overseen by building, infrastructure or through the CAO's Office. He cautions there may be some pushback on dimensions and recommendations. Councillor Fred Francis responds that the timeline will be factored into the next few years. He advises that before it goes to Council, Administration is absorbing all the recommendations and will be phasing it into the 10-year capital plan, so may look at a 10-year window on how many of these



recommendations will make it into projects. He states that the budget will be tens of millions of dollars of recommendations. The goal is and the win is to get it a part of the regular process of thinking with our 10-year capital project budget and get the decision makers on the administrative side to advise how to facilitate it over the 10-year capital budget.

In response to a question asked by Mark Keeler to Councillor Fred Francis, he asks if he sees departments and the Administration reviewing this and then bringing the standard itself to Council next year or will it continually be evolving. Councillor Fred Francis responds that this will be absorbed within the different departments. Eventually, these recommendations will make it into the 10 Year Capital and will then be overseen by Engineering, Corporate Services, and Economic Development.

Peter Best advises that the role of WAAC is to help Administration and Engineers to understand why WAAC made various decisions outlined in their proposal for FADS. Mark Keeler concurs and adds that WAAC should be at that table with those engineers and architects.

#### **4.6 Infrastructure Group**

Peter Best, Co-Chair provides the following comments:

- In terms of the Infrastructure Group, it is important to communicate with Administration.
- WAAC is interested in helping the community express their concerns.
- Suggests putting a contact on the City of Windsor's webpage to allow the public to voice their issues.
- Wants to review the list of concerns/issues and to determine the priorities.
- Interested in sending a communication to the city's departments to encourage them to work with WAAC to help make Windsor barrier free.

Mark Keeler remarks that as this is an AODA year, he suggests speaking to the departments that are mostly impacted by accessibility.

#### **4.7 Ontario Network of Accessibility Professionals (ONAP) Conference**

Sally Bennett Olczak, Co-chair asks if the Accountability for Affected People (AAP) colleagues in the County are able to attend the ONAP Conference or is this exclusive to public administrators. Mark Keeler responds that their Terms of Reference prohibit anyone from attending other than the Officers. He further proposes the idea of bringing Accessibility Advisory Committees (AAC's) together from other communities to attend a summit or a webinar in the future.



Nicholas Petro questions if there is a venue for the ONAP Conference as WAAC members could assist in doing a run through of the area to ensure it is accessible. Danica McPhee concurs as WAAC would have “eyes” on some barriers. Mark Keeler responds that there are several members on ONAP with disabilities who can ensure the area is accessible. He remarks that a walkthrough by WAAC can be coordinated if there are members who wish to assist.

## **5. WAAC 2025 Operating and Capital Budgets**

Sally Bennett Olczak, Co-chair advises that the 2025 Operating Budget is \$10,000 (which includes a carry forward from 2024). She adds there is approximately \$450,000 in the Capital Budget. She suggests that discussion regarding the use of the funds be held at the subcommittee meetings rather than at the end of the year.

Mark Keeler remarks there are no asks for projects from the Capital Fund currently.

## **6. New Business**

Mark Keeler indicates that a complaint was received from a resident regarding the retaining wall at the Budimir Library Branch. There is a standard ramp with guardrails and a retaining wall roughly five feet tall. The resident expresses security concerns that someone may be hiding behind the retaining wall. Mark Keeler notes that he took measurements to ensure that the landing ramp is compliant. There is nothing in the FADS that prevents a retaining wall and adds that a report will be provided to the subcommittee for review.

Mark Keeler provides an overview of a different complaint by the same resident that relates to a utility pole at the corner of Curry and Grand Marais Roads. There is a push button located 4-5 feet from the utility pole and the resident has complained that the distance to the pole is inaccessible. He states there is no way that a person with a visual disability or a person in a wheelchair is safe as there is a tripping hazard. He notes that the Executive Director of Operations is aware of this and are working with a road crew from Traffic to lay a new concrete pad. A report from the subcommittee will be attached to the Service Request. Councillor Francis suggests providing this information to Councillor Jim Morrison who is the Ward Councillor.

## **7. Date of Next Meeting**

The next meeting will be held on a date to be determined in May 2025.

## **8. Adjournment**



There being no further business, the meeting is adjourned at 11:07 o'clock a.m.





**Committee Matters: SCM 156/2025**

**Subject: Minutes of the Committee of Management for Huron Lodge of its meeting held March 4, 2025**

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

Decision Number: **CSSC 276**

THAT the minutes of the Committee of Management for Huron Lodge of its meeting held March 4, 2025 **BE RECEIVED**.

Carried.

Report Number: SCM 100/2025  
Clerk's File: ACO2025

**Clerk's Note:**

1. Please refer to Item 7.3 from the Community Services Standing Committee held on May 7, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>





## **Committee Matters: SCM 100/2025**

**Subject: Minutes of the Committee of Management for Huron Lodge of its meeting held March 4, 2025**



## **Committee of Management for Huron Lodge**

Meeting held March 4, 2025

A meeting of the Committee of Management for Huron Lodge is held this day commencing at 9:00 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair  
Councillor Fred Francis

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

Councillor Jo-Anne Gignac

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

Alina Sirbu, Executive Director Long Term Care Home, Administrator of Huron Lodge  
Andrew Daher, Commissioner, Human & Health Services  
Karen Kadour, Committee Coordinator

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

The Chair calls the meeting to order at 9:00 o'clock a.m. and the Committee of Management considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

### **2. Disclosure of Interest**

None disclosed.

### **3. Minutes**

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,  
That the minutes of the Committee of Management for Huron Lodge of its meeting held December 12, 2024 **BE ADOPTED** as presented.  
Carried.



#### 4. In Camera

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman to move In Camera at 9:01 o'clock a.m. for discussion of the following items:

**Reference: s. 239 (2)(b) – Personal matters about identifiable individuals, including municipal or local board employees – Resident matters**

Motion Carried.

Discussion on the items of business.

**Verbal Motion is presented by Councillor Fred Francis, seconded by Councillor Ed Sleiman to move back into public session at 9:10 o'clock a.m.**

**Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,  
That the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In Camera Committee of Management for Huron Lodge Long Term Care Home meeting held March 4, 2025 at the next regular meeting.**

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,  
That the verbal In Camera report relating to the personal matter about identifiable individual(s) including municipal or local board employees **BE RECEIVED** and further, that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of the Committee of Management for Huron Lodge Long Term Care Home.

Carried.

#### 5. Business Items

##### 5.1 Administrator's Report

Alina Sirbu, Executive Director Long Term Care Home, Administrator of Huron Lodge advised that news from the Ministry was recently received regarding the placement of Huron Lodge in the phase of the new interRAI LTCF Transition to commence October 1, 2025. She notes that the team will be working throughout the summer to familiarize with this new methodology for assessments and what are the potential consequences regarding funding as well as training all registered staff.

Alina Sirbu advises that all long-term care facilities are mandated to have a more comprehensive program with goals, objectives and measurable outcomes for dementia care. She adds that Huron Lodge continues to develop stage 5 of the Chrysalis program which fully supports residents with dementia.



Alina Sirbu reports that the Ministry of Long-term Care inspections are being held on a frequent basis. From a financial perspective, she reports that they had a few streams that are specialized for clinical issues such as skin and wounds with professional growth training for the staff.

Alina Sirbu remarks that the Residents' Council continues to be strong, thoroughly informed and consulted in the home to uphold resident-centred voices and choices. She adds that the Palliative Care Committee continues to remain focused on supporting compassionate care at end-of-life for their residents and families.

In terms of the Resident Satisfaction Surveys, Alina Sirbu advises that the results will be provided for the next meeting of the Committee of Management.

Alina Sirbu states they have a fulsome Quality Improvement Program that is publicly reported and shared with both Resident Council as well as Family Council. From an IPAC perspective she reports that the Ministry of Labour has continued with their new process of conducting inspections on the first or second day of every outbreak. They are also looking at how staff may report infectious disease to ensure that the process is followed which Huron Lodge was found to be in compliance.

Alina Sirbu refers to a new addition to the minutes – “Shining Moments: Celebrating our Successes”. She indicates that the Ministry looked at ways to further involve the residents into the operations of the home. She notes that a member of the Residents' Council has been invited to be part of the orientation and training of the new staff. She remarks that this resident was a “star” who stood before those being trained and provided a presentation regarding what it means for him as a resident to receive the services of RN's, RPN's PSW's and dietary. This gentleman spoke from the heart and caused those in attendance to be moved to tears. Andrew Daher advises that “Shining Moments – Celebrating our Successes” will be a new section included in their quarterly reports that will highlight the stories and good feedback from the residents.

In response to a question asked by the Chair regarding if the inspections by the Ministry are random, Alina Sirbu responds that the inspections are always unannounced.

Councillor Fred Francis asks in terms of procurement, is Huron Lodge prepared if legislation comes down from Queens Park to buy goods from Ontario/Canada. Alina Sirbu responds that the majority of their medical supplies are Canadian made and have Canadian manufacturers and suppliers. They always favour local suppliers for food items. As it relates to repairs to the building, they are leaning on support with Facilities and/or the procurement process locally. Andrew Daher responds they have been working with the Office of the Chief Administrative Officer who has requested that every city department review (if the tariffs go through), what the impact will be on their department. Alina Sirbu adds that Premier Ford has had a clear focus on long term care and was trying to offset some of the costs prior to this to ensure that the residents in long term care are appropriately served. If there is direction that they have to go, there will be a slice of exemptions if needed to address health care issues.



Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,  
That the report from the Administrator of Huron Lodge providing the Committee of Management with an update on issues related to resident care, the Ministry of Long-Term Care (MLTC); Ontario Health; Home and Community Care Support Services (HCCSS) and other initiatives that impact the Long Term-Care sector **BE RECEIVED** for information and **APPROVED** for the period starting December 12, 2024 and ending March 4, 2025.  
Carried.

## 6. Date of Next Meeting

The next meeting will be held on Wednesday, June 18, 2025 at 9:30 a.m. in a room to be determined.

## 7. Adjournment

There being no further business, the meeting is adjourned at 9:25 o'clock a.m.





**Committee Matters: SCM 157/2025**

**Subject: Minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table of its meeting held December 11, 2024.**

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

Decision Number: **CSSC 277**

THAT the minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table of its meeting held December 11, 2024 **BE RECEIVED.**

Carried.

Report Number: SCM 121/2025  
Clerk's File: ACO2025

**Clerk's Note:**

1. Please refer to Item 7.4 from the Community Services Standing Committee held on May 7, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>





## **Committee Matters: SCM 121/2025**

**Subject: Minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table of its meeting held December 11, 2024.**





**MEETING OF THE  
WINDSOR ESSEX REGIONAL COMMUNITY SAFETY AND WELL-BEING  
SYSTEMS LEADERSHIP TABLE**

**MEETING MINUTES**

WEDNESDAY, DECEMBER 11<sup>TH</sup>, 2024; 9:00AM TO 10:00AM

*VISION: "A COMMUNITY WHERE EVERYONE FEELS SAFE, HAS A SENSE OF BELONGING, EQUITABLE ACCESS TO SERVICES AND OPPORTUNITIES, AND CAN HAVE THEIR NEEDS MET ACROSS WINDSOR AND ESSEX COUNTY"*

**In Attendance**

**Co-Chairs**

Andrew Daher, David Sundin

**Members**

Sean Bender (on behalf of Bill Marra), Karel DeGraaf, Jeanie Diamond-Francis, Mark Loucas, Eric Nadalin, Jason Woods, Joyce Zuk

**Project Team**

Amanda Alchin, Stephen Lynn, Michelle Oake

**Regrets**

**Members**

Kevin Blondin, Angela Ferguson, Jill Lawrence, Carolyn Warkentin

Agenda Item	Highlights	Action/Update
<b>Call to Order</b>	<p><b>1.1 Welcome</b></p> <ul style="list-style-type: none"> <li>Andrew Daher, Co-Chair, Regional Systems Leadership Table (RSLT), and Commissioner, Human &amp; Health Services, City of Windsor, welcomed members.</li> <li>The new Co-Chair, David Sundin, Director, Legislative &amp; Legal Services, County of Essex, was introduced. Sandra Zwiers, Chief Administrative Officer, County of Essex, was thanked for her time as Co-Chair.</li> <li>It was announced that, effective January 2025, Joyce Zuk would be leaving her position at Family Services Windsor-Essex (FSWE) to take a two-year secondment at the Windsor-Essex Ontario Health Team. Ciara Holmes has been appointed the Acting Executive Director of FSWE and will be joining the RSLT representing FSWE. Joyce Zuk was thanked for her time served on the RSLT.</li> </ul> <p><b>1.2 Establish Quorum and Call to Order</b></p> <ul style="list-style-type: none"> <li>9 members were present, establishing quorum.</li> <li>The meeting was called to order at 9:01 am.</li> </ul> <p><b>1.3 Approval of Today's Agenda</b></p> <p>Moved by: Andrew Daher Seconded by: Joyce Zuk</p> <ul style="list-style-type: none"> <li>The Meeting Agenda for December 11, 2024 was approved.</li> </ul> <p>Carried.</p>	



	<p><b>1.4 Declaration of Conflicts of Interest</b></p> <ul style="list-style-type: none"> <li>N/A</li> </ul> <p><b>1.5 Approval of June 12<sup>th</sup>, 2024, Meeting Minutes</b></p> <p>Moved by: Sean Bender Seconded by: Eric Nadalin</p> <ul style="list-style-type: none"> <li>The June 12, 2024 Meeting Minutes were approved.</li> </ul> <p>Carried.</p>	
<b>Matters of Discussion</b>	<p><b>2.1 Progress Updates: Ongoing WERCSWB Projects</b></p> <p><b>2.1.1 Community Investment Fund</b></p> <ul style="list-style-type: none"> <li>The RSLT was provided with a high-level update regarding activities that are well underway, notably those that fall under Goals 1, 3, 4, 5, 6, and 7 being actioned through the Community Investment Fund. <ul style="list-style-type: none"> <li>Multiple initiatives were discussed, including the Enhanced Sector Network (ESN); social policy review; WERCSWB Plan's Project Manager's representation on multiple committees; WE-SPARK partnership with St. Clair College; and creation of informational resources.</li> </ul> </li> <li>The RSLT was also provided with an update regarding activities that "appear" to have less progress, and a discussion was held on the topic.</li> </ul> <p><b>2.1.2 Building Safer Communities Fund (BSCF)</b></p> <ul style="list-style-type: none"> <li>As per Goal 4, the expansion of programs funded by the BSCF are well underway.</li> <li>The BSCF also funds the Regional Crime Prevention Council (RCPC). Many of RCPC's annual initiatives have been actioned, including its involvement in Crime Prevention Week and Neighbourhood Safety &amp; Crime Prevention Walks in LaSalle, Essex, and Colchester. The RCPC is currently preparing to host a symposium for youth. These initiatives will be actioned by the RCPC annually.</li> </ul> <p><b>2.1.3 Substance Supports in Neighbourhoods Accessed through Police Partnerships (SSNAPP)</b></p> <ul style="list-style-type: none"> <li>SSNAPP fulfills the third priority of the Plan, Mental Health &amp; Substance-Use Supports, specifically Goals 5 and 6.</li> <li>Most recently, SSNAPP launched Neighbourhood Safety Plans for four priority postal code areas.</li> <li>SSNAPP has also hosted multiple trainings for frontline service providers and residents and is currently offering a gamified trivia to increase residents' knowledge of substance use supports.</li> <li>SSNAPP's grant ends March 2025.</li> </ul> <p><b>2.2 Future Funding Opportunities</b></p> <ul style="list-style-type: none"> <li>Potential future funding opportunities were discussed. This includes National Crime Prevention Strategy (NCPS) through Public Safety Canada and Community Safety and Policing (CSP) through the Government of Ontario.</li> </ul>	



	<ul style="list-style-type: none"> <li>It was advised that anyone who is applying for funding reference the WERCSWB Plan in their application.</li> </ul> <p><b>2.3 Community Services Standing Committee Motion</b></p> <ul style="list-style-type: none"> <li>A motion was passed (Report Number: C 144/2024) that in its renewal of the Community Safety and Well-Being Plan, administration BE DIRECTED to work with community partners in incorporating Intimate Partner Violence (IPV) in the next round of the Community Safety and Well-Being Plan.</li> <li>Currently, WERCSWB Plan's Project Manager sits on the Violence Against Women Coordinating Committee Windsor-Essex's Leadership Table.</li> </ul>	
<b>Unfinished Business</b>	<p><b>3.1 New Structure of RSLT Meetings</b></p> <p><b>3.1.1 Future (ESN and PWLE) RSLT Members</b></p> <ul style="list-style-type: none"> <li>As per the last meeting, successful Expression of Interest (EOI) applicants identifying as members of an Enhanced Sector Network (ESN) and/or as Persons with Lived Experience (PWLE) have been contacted.</li> <li>It was emphasized that these individuals will be vital in the renewal of the WERCSWB Plan and should be present at all meetings moving forward.</li> </ul>	<p><b>ACTIONS</b></p> <ul style="list-style-type: none"> <li>The WERCSWB Plan's Project Manager will ensure successful EOI applicants' representation at the next RSLT meeting.</li> </ul>
<b>New Business / Round Table Discussion</b>	<p><b>4.1 Good News</b></p> <ul style="list-style-type: none"> <li>In October 2024, our Public Safety Canada's BSCF Program Officer visited Windsor for an informal 'audit,' which included a service provider site-visit, to demonstrate our programming in action.</li> <li>After this 'audit,' the City of Windsor was encouraged by the Program Officer to apply for an additional funding to support ongoing programs.</li> </ul> <p><b>4.2 Focused Discussion – Deadline for Review and Revision of CSWB Plans</b></p> <ul style="list-style-type: none"> <li>The Ontario Government has passed a motion that changes legislation as it relates to CSWB Plans. <ul style="list-style-type: none"> <li>Specifically, O. Reg. 414/23 under <i>Community Safety and Policing Act, 2019</i>, S.O. 2019, c. 1, Sched. 1 states that a municipal council must review and, if appropriate, revisit its CSWB Plan within four years after the day the plan was adopted and every four years thereafter.</li> <li>Accordingly, we must have a revised WERCSWB Plan in place by December 2025.</li> </ul> </li> <li>While seeking more information from the Ministry, we will be reviewing the reporting strategy of other municipalities and discuss options for the WERCSWB Plan, including current reporting commitments.</li> <li>A formal timeline and renewal strategy will be presented at the next RSLT Meeting.</li> </ul>	
<b>Adjournment</b>	<p><b>5.1 Next Quarterly Meetings</b></p> <ul style="list-style-type: none"> <li>Dates will be added to calendars post-meeting: <ul style="list-style-type: none"> <li>March 12, 2025 (Virtual: 9:00 am – 10:00 am)</li> <li>June 11, 2025 (Virtual: 9:00 am – 10:00 am)</li> </ul> </li> </ul>	<p><b>ACTIONS</b></p> <ul style="list-style-type: none"> <li>The WERCSWB Plan's Project Manager will invite</li> </ul>



	<ul style="list-style-type: none"> <li>○ September 10, 2025 (Virtual: 9:00 am – 10:00 am)</li> <li>○ December 10, 2025 (Virtual: 9:00 am – 10:00 am)</li> </ul> <p><b>5.2 Meeting Adjourned</b></p> <ul style="list-style-type: none"> <li>• The meeting was adjourned at 9:57 am.</li> </ul>	<p>RSLT members to future meetings.</p>
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**Committee Matters: SCM 158/2025**

**Subject: Emergency Shelter Winter Planning Update and One Time Funding for Encampment Responses**

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Mark McKenzie

Decision Number: **CSSC 278**

THAT the report of the Acting Manager, Homelessness and Housing Support and Manager of Homelessness and Housing Support, dated April 17, 2025, entitled "Emergency Shelter Winter Planning Update and One Time Funding for Encampment Responses" **BE RECEIVED** for information.

Carried.

Report Number: S 62/2025

Clerk's File: GH/11710

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.1 from the Community Services Standing Committee held on May 7, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>



**Subject: Emergency Shelter Winter Planning Update and One Time Funding for Encampment Responses**

**Reference:**

Date to Council: May 7, 2025

Author: Kelly Goz, Manager (A), Homelessness and Housing Support

Kgoz@citywindsor.ca

Jennifer Tanner, Manager of Homelessness and Housing Support

Jtanner@citywindsor.ca

Diane Wilson, Manager, Social and Affordable Housing

Diwilson@citywindsor.ca

Housing and Children's Services

Report Date: 4/17/2025

Clerk's File #: GH/11710

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

**Recommendation:**

**THAT** this report providing updates on the Emergency Shelter Winter Planning and One-Time Funding for Encampment Responses **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

On December 9, 2024, Administration brought forward a report entitled "Emergency Shelter Winter Planning and Reaching Home Funding" (C 161/2024) which outlined several initiatives to respond to the needs of people experiencing homelessness over the winter months.

More specifically, the report outlined that funding received through the Government of Canada's Reaching Home: Canada's Homelessness Strategy Incremental Funding (RH) was to be used to support a minimum of 73 temporary spaces during the winter of 2024 – 2025 including:

- Expansion of hours for overnight drop-in program at the Homelessness & Housing Help Hub (H4);



- Warming Centres at the Salvation Army, Welcome Centre Shelter for Women and Families and Essex County Homelessness Hub; and
- Urgent Repairs and/or Capital Improvements at emergency shelter facilities

Subsequent to this report, temporary shelter spaces were further expanded when the Province of Ontario announced one-time funding allocations intended to provide long-term housing and temporary accommodations for those living in encampments. This included \$5.5 million top-up to the Canada-Ontario Housing Benefit (COHB), \$50 million last-mile funding for affordable housing capital projects, and \$20 million to expand shelter capacity and create additional temporary accommodation spaces. To access this funding, municipalities were required to submit Business Cases and sign a pledge to utilize such funds for encampment clearance. Due to timing constraints to meet program requirements, authority for this was delegated by the Chief Administrative Officer (CAO 292/2024). Details were provided to Council in February 2025 through a separate report entitled *One-Time Funding to Address Homelessness Encampments* (C 26/2025).

Under the shelter expansion portion, later known as the Encampment Response Initiative (ERI), the City of Windsor was approved for up to \$170,400 which was allocated toward additional temporary emergency shelter beds/rooms for couples, single men, and men with pets, as well as to the cost of cleaning up encampments. In addition to the original 2024–2025 Canada-Ontario Housing Benefit (COHB) allocation of \$776,300 — estimated to support 145 households in Windsor-Essex County with housing affordability — supplemental funding was announced in late December 2024 and again in late March 2025. These top-up allocations, totaling \$114,100 and \$12,382 respectively, were intended to prioritize support for up to 25 additional eligible households transitioning from shelter to more stable, long-term housing. Finally, a proponent within the Windsor-Essex County Service Area has been deemed eligible to receive support to assist in completing a capital project, as part of the last-mile funding. Due to strict Provincial communication protocols, project details cannot be disclosed at this time. The province will coordinate the official announcement and will notify the City of Windsor in advance.

This report will highlight the successes for the abovementioned initiatives and will provide recommendations for 2025 and beyond.

## **Discussion:**

During the winter months, spanning between December 2024 to March 2025, approximately 98 additional temporary spaces were opened in warming centres to respond to the growing needs of the community. An overview of these spaces and some key data points are provided in Table 1.

**Table 1: Overnight Warming Centres (Dec 2024 – Mar 2025)**



Service Provider	Total number of days operated	Number of spaces	Average visits per night	Total number of unique clients
Homelessness and Housing Help Hub (H4)	84	60	55	465
Salvation Army	68	12	9	139
Welcome Centre	106	17	6	96
Essex County Homelessness Hub (ECH2)	112	9	9	43
Downtown Mission*	120	75	36	519

*\*The Downtown Mission's overnight drop-in program has been operating year-round since December 2023 but only data from December 1 to March 31, 2025, was included in the chart above for comparison purposes.*

In addition to the warming centre spaces, 31 temporary emergency shelters beds/rooms were opened at the Salvation Army to accommodate single men, men with pets and couples, which were funded through one-time provincial dollars under the Encampment Response Initiative. This was the first time that emergency shelter beds specifically for couples and men with pets were offered in Windsor and Essex County. This service enhancement aligns with recommendations from the [Review of Emergency Shelter Services in Windsor Essex \(2020\)](#) and reduces barriers to people accessing shelter. More details about these additional shelter beds are provided in Table 2.

**Table 2: Temporary Beds at the Salvation Army (Jan 30 – Mar 31, 2025)**

Population	Number of beds / rooms	Occupancy rate	Total number of unique clients
Couples	5	77%	18
Single men	22	86%	104
Men with pets	4	0%	0

In the Windsor-Essex emergency shelter system there are 187 permanent shelter beds/rooms that operate year-round at the Welcome Centre Shelter for Women and Families, Salvation Army, Downtown Mission, and Essex County Shelter Program. These services also experienced high demand over the winter months with an overall occupancy rate of 94% from December 2024 to March 2025 and service to 918 unique clients.

Without the additional warming centres and shelter spaces, permanent shelter beds would have exceeded 100% capacity over this same time period resulting in an



increase in the number of people experiencing outdoor homelessness over the winter months. To remain nimble and adjust to the evolving needs of the population, administrative staff worked closely with providers while seeking feedback from participants to increase spaces at the various sites, where needed and within pre-approved budgets. This included leveraging several staff in-kind from the City of Windsor and other community agencies including Housing Information Services (HIS) and Canadian Mental Health Association (CMHA) to temporarily open spaces at the Downtown Mission on an underutilized floor during the coldest weeks throughout January and February.

The combination of these temporary and permanent emergency shelter spaces, along with increased engagement by homelessness outreach workers, has resulted in positive outcomes with respect to encampments and outdoor sleeping. In October 2024, there were 22 known encampments, and by March 2025 that number had decreased to 4.

### **Homelessness Funding Plans for 2025 and Beyond**

Using the occupancy data compiled from December to March 2025 while ensuring there is sufficient capacity to meet the growing needs of the population, Administration has allocated municipal City funding surpluses carried forward from 2024 and plans to use this temporary funding to continue operating the 5 shelter rooms for couples and 2 rooms for single men with pets until March 2026. Additionally, incremental funding from Reaching Home will support the H4 to continue operating their overnight program subject to funding availability. By extending these two key services beyond the 2024-2025 winter months, we will better meet the needs of those experiencing homelessness and continue to address encampments in our community.

In addition, a portion of the Reaching Home incremental funding was allocated to the Downtown Mission to support consulting services for technical assistance to develop and strengthen their Policies and Procedures to ensure alignment with operational realities and support their move towards aligning as a housing focused shelter as well as an assessment on how their current built form is impacting shelter operations. Funding was also allocated to the Downtown Mission to carry out essential plumbing repairs and to enhance safety and security through the installation of upgraded security cameras both inside and outside the facility.

### **Canada Ontario Housing Benefit (COHB)**

The additional 2024-2025 COHB top-up funding in the amount of \$126,482 prompted the submission of 31 COHB applications targeting those in shelter/homeless people/households in Windsor Essex County to the Ministry of Finance (MOF) for their review, processing and final COHB eligibility and benefit determination. Understanding that to be eligible to receive a COHB, the person/household must be a renter household.

### **Risk Analysis:**

There is no risk identified with bringing this report to Council for information.



If the service enhancements were not to continue at the Salvation Army and Homelessness & Housing Help Hub into 2025-2026, there is a high probability that the existing emergency shelter system will not be able to continue to respond to the current and growing needs of the population.

### **Climate Change Risks**

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

N/A

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

N/A

#### **Financial Matters:**

On December 13, 2024, the Ministry of Municipal Affairs and Housing (MMAH) announced additional one-time funding for municipalities targeted at reducing encampments in Windsor and Essex County which was further explained in a separate Council Report entitled *One-Time Funding to Address Homelessness Encampments* (C 26/2025 and CR54/2025). This funding flowed through existing MMAH funding agreements with the Housing department. Two of the approved streams of funding are listed in Table 3.

**Table 3:**

<b>One-Time MMAH Funding to Address Encampments</b>	
<b>Program</b>	<b>Allocation</b>
Canada Ontario Housing Benefit (COHB)	\$ 126,482
Encampment Response Initiative	\$ 136,320
<b>Total</b>	<b>\$ 262,802</b>

Encampment Response Initiative which flowed through the provincial Homelessness, Prevention Program (HPP) provided additional one-time funding for the creation of additional temporary emergency shelter capacity or operating costs for temporary shelters and the cost to clean up the encampments. The Homelessness and Housing Support area is in the process of reviewing and approving cost incurred. Funding not utilized will be returned to MMAH.

On November 14, 2024, Administration received notice from Housing Infrastructure and Communities Canada (HICC) that additional incremental Funding of \$818,769 under the Reaching Home program had been allocated to the City of Windsor in the 2024 – 2025 fiscal year. This incremental funding represents a temporary increase to the base or annualized funding allocation. Administration implemented the recommended winter initiatives for the 2024 – 2025 winter season. See Table 4 below.

**Table 4:**



2024-2025 Emergency Shelter Winter Plan	
Programs	Total
Warming Centres	\$ 611,305
Other Costs	\$ 207,464
<b>Grand Total</b>	<b>\$ 818,769</b>

The full Reaching Home allocation of \$818,769 will be utilized for 2024-2025.

Homelessness and Housing Support, is recommending the Homelessness & Housing Help Hub continue to operate 24/7 utilizing the temporary incremental funding (C161/2024 and CR537/2024) from Reaching Home: Canada's Homelessness Strategy, subject to available funding and necessary approvals.

### Consultations:

Jessica Brunet, Coordinator Housing Administration and Development

Nancy Jaekel, Financial Planning Administrator

Jolayne Susko, Coordinator, Housing Administration and Policy

### Conclusion:

Administration continues to be responsive to the growing needs of the community, while seeking opportunities to leverage upper-level government funding, whenever possible. The initiatives funded between December and March 31, 2025, provided the required expansion to the existing emergency shelter system in order to ensure people experiencing homelessness had a safe alternative to staying outdoors. Newly created spaces for men with pets and couples were previous gaps in the emergency shelter system and were identified through the [2020 Review of Emergency Shelter Services in Windsor Essex](#). Additional funding provided through the Canada Ontario Housing Benefit allowed households to move from emergency shelter into longer term affordable housing and exiting their experience of homelessness. All of which are consistent with the strategies identified in the 10-year Housing and Homelessness Master Plan.

### Planning Act Matters:

N/A

### Approvals:

Name	Title
Linda Higgins	Manager, Intergovernmental Funding and Financial Administration
Jennifer Tanner	Manager, Homelessness and Housing Support



Kelly Goz	Manager (A), Homelessness and Housing Support
Diane Wilson	Manager, Social and Affordable Housing
Kirk Whittal	Executive Director, Housing and Children's Services
Andrew Daher	Commissioner, Human and Health Services
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

N/A





**Committee Matters: SCM 159/2025**

**Subject: Response to CR 433/2023 re: Homelessness Outreach Updates - City Wide**

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

Decision Number: **CSSC 279**

THAT the report of the Manager of Homelessness and Housing Support dated April 17, 2025 entitled "Response to CR 433/2023 re: Homelessness Outreach Updates" which provides an update on the homelessness outreach program and related data from 311 **BE RECEIVED** ; and further,

THAT City Council **RECEIVE** an update as to how the Administration will attempt to draw the various organizations together to collaborate and capitalize on the programs that they are prepared to offer.

Carried.

Report Number: S 63/2025  
Clerk's File: GM/7755

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Community Services Standing Committee held on May 7, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>



**Subject: Response to CR 433/2023 re: Homelessness Outreach Updates  
- City Wide**

**Reference:**

Date to Council: May 7, 2025  
Author: Jennifer Tanner  
Housing and Children's Services  
Report Date: 4/17/2025  
Clerk's File #: GM/7755

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

**Recommendation:**

**THAT** City Council **RECEIVE** this report from the Manager of Homelessness and Housing Support dated April 17, 2025 entitled "Response to CR 433/2023 re: Homelessness Outreach Updates" which provides an update on the homelessness outreach program and related data from 311; and further,

**THAT** City Council **RECEIVE** an update as to how the Administration will attempt to draw the various organizations together to collaborate and capitalize on the programs that they are prepared to offer.

**Executive Summary:**

N/A.

**Background:**

In October 2023, City Council approved recommendations related to the homelessness outreach program as noted in the Council Decision 433/2023 CSSC 208, attached in Appendix A.

At that time, Council endorsed recommendations that offered several service enhancements including:

- Improving access through the 311 Customer Contact Centre by promoting the phone number to request support for homelessness issues such as people sleeping outdoors and encampments
- Creating new 311 online and app-based service requests to allow the public to enter their own requests for service even after the 311 Contact Centres' regular hours of operation
- Adding an option to the 311 phone-line that allowed callers to be routed to the FSWE outreach team after 311's regular hours of operation



- Temporarily expanding the homelessness outreach team's schedule to 7 days per week with on-call hours in the evening (i.e. 4:00pm to 12:00am, during weekends and on holidays), based on six regular service routes
- These service enhancements to the FSWE homelessness outreach program were supported through staff gapping and in-year budget surpluses that were no longer available.

After one-year of operating with these temporary service enhancements and considering pressures on the overall homelessness budget, Administration made subsequent changes to the homelessness outreach program, which are further detailed in this report. In October 2024, a follow up report about the homelessness outreach program and changes was brought to the Community Services Standing Committee but it was deferred at that time. Report S 122/2024 is provided in Appendix B for reference.

Administration is now bringing an updated report before Council to outline the changes made to the homelessness outreach program and other subsequent service enhancements in the homelessness sector which are aimed at addressing the needs of people experiencing homelessness while being fiscally responsible and operating within approved budgets.

While the homelessness outreach program was adjusted in the fall of 2024, other homelessness services have been enhanced since that time, and we are seeing positive outcomes. For example, in October 2024 there were 23 known homelessness encampments in Windsor, and by March 2025 this has been reduced to 4.

### Discussion:

Information and data about the homelessness outreach program has been gathered and reported over two distinct periods of time which is further detailed below for comparison purposes.

**Table 1: Homelessness Outreach Program Highlights**

Data Element	Jun 2023 to Sep 2024	Oct 2024 to Mar 2025
<b>Days of operation</b>	7 days per week	5 days per week
<b>Hours of operation</b>	7:30am to 3:30pm (M + T) 10am to 6pm (W, Th + F) 10am to 6pm (S + S)	7:30am to 6pm (M to F)
<b>On call hours</b>	6pm to 9pm (M to F)	N/A
<b>Number of outreach workers</b>	4 + staff paid \$40 per day stipend when on call	4
<b>311 Access</b>	Phone line (M to F, 8am to 4pm)  Phone line rerouting option to on-call outreach worker (4pm to	Phone line (M to F, 8am to 4pm)  Phone line message redirects people to 311 app (starting



	12am, 7 days / week) 311 app (24/7, starting Nov 2023)	Sept 2024) 311 app (24/7) 311 online service request (24/7, starting Nov 2024)
<b>Number of 311 service requests</b>	586 or 39 per month	264 or 44 per month
<b>% 311 service requests received Mon to Fri</b>	94%	96%
<b>% of 311 service requests received after hours</b>	3%	13%
<b>After hours calls received by on-call outreach worker</b>	<ul style="list-style-type: none"> <li>▪ 422 in total</li> <li>▪ 18 related to homelessness</li> <li>▪ 0 required an outreach worker to be dispatched</li> </ul>	None, on-call hours discontinued in Sept 2024

Based on the data gathered from the June 2023 to September 2024 timeframe as noted in the table above and ongoing budgetary pressures, City Administration coordinated with FSWE and 311 to adjust the homelessness outreach program with the dual goals of providing a reliable service delivery model, while being fiscally responsible. These adjustments were implemented in the fall of 2024. More details and the rationale for these decisions is provided below.

#### ***Adjustment 1: Daytime Coverage (7:30am to 6:00pm)***

The homelessness outreach team's resources were refocused on daytime coverage to better align with demand and remove the after-hours on-call function between the hours of 6:00pm and 12:00am.

- From June 2023 to September 2024, FSWE had only received 18 after-hours calls related to homelessness issues none of those calls warranted the dispatch of an Outreach Worker during the late evening hours.
- Initially, FSWE had planned to provide on-call services in the evening hours without the need for additional funding, however FSWE submitted financial claims to the City requesting a \$40 per night stipend for eligible FSWE staff to be on-call which Administration approved. This was an unbudgeted expense in 2023 and although administration was able to mitigate, it was not sustainable within the 2024 and 2025 homelessness budget.
- The MOST van continues to provide supports for people experiencing homelessness in the evenings Monday to Friday from 5:30pm to 9:00pm.



- Members of the public will still be able to submit a request for a homelessness response after-hours through the 311 online app on online platform, which will be actioned by an outreach worker Monday to Friday, 7:30am to 6:00pm.
- There have been other service enhancements in the homelessness sector that complement the work of the homelessness outreach team including:
  - An overnight drop-in program at the Downtown Mission which began in December 2023 and continues to operate year-round
  - Warming centres which operated from December 2024 to March 2025
  - Additional beds at the Salvation Army specifically for couples and single men with pets which began operating in January 2025 and will continue until at least March 2026.
  - Extended hours at the Homelessness and Housing Help Hub (H4), which began operating 24/7 starting in January 2025.

More data and information about these service enhancements is provided in another Council report entitled *Emergency Shelter Winter Planning Update and One Time Encampment Response Funding (62/2025)* going before the Community Services Standing Committee on May 7, 2025.

### ***Adjustment 2: Weekday Coverage (Monday to Friday)***

A focus on homelessness outreach resources on weekday coverage, which aligns with when requests for service are typically received.

- The majority of 311 homelessness service requests from all channels (i.e. phone, app, online) are received Monday to Friday, ranging from 94% to 96% in both time periods noted in Table 1.
- A Monday to Friday schedule can be managed within the current funding allocation and staffing level of four (4) full time outreach workers dedicated to the City of Windsor.
- Initially, FSWE had planned to offset the cost of 7 day per week coverage with staff gapping dollars and reallocations of funding from other programs, however this is not sustainable, and additional funding would be required if this service were to continue to operate 7 days per week.
- The Outreach team will continue to respond to 311 requests for service during their operating hours.

### ***Adjustment 3: Expanded Service Routes***

In addition to responding to requests for services from anywhere in Windsor, outreach workers attend regular service routes in high needs areas of the city. Based on a review of 311 data from June 2023 to September 2024, new routes were implemented starting in the fall of 2024. Outreach workers attend these routes, while balancing their responses to 311 service requests.



**Table 2: Homelessness Outreach Service Routes**

Route Name	Borders	# of Days of Service/Week
Downtown	Riverside Dr E to Giles Jannette to Howard	5 days
Walkerville / Ford City	Wyandotte St E to Tecumseh Rd E Parent to Drouillard <i>*Includes Ottawa St</i>	3 days
West Windsor	Riverside Dr W to Malden Prince Rd to Huron Church	2 days
South Windsor 1	Tecumseh Rd E to EC Row Dougall to Howard <i>*Includes Jackson Park</i>	2 days
South Windsor 2	Tecumseh Rd E to EC Row Howard to Walker <i>*Includes Remington Park, Optimist Park</i>	2 days
East Windsor	Wyandotte E to Tecumseh Rd E Walker to Banwell	2 days

Administration will continue to monitor the activities and outcomes of the homelessness outreach program and adjust where needed to adapt to changing community needs. If significant changes are made or required in the future, subsequent reports to Council will be brought forward.

### **Community Outreach Tables**

In October 2023, Council directed Administration to draw other outreach organizations together to collaborate and capitalize on the programs they are prepared to offer.

In response, City staff have led several meetings with organizations that offer outreach services through volunteers including St Vincent de Paul, the Downtown Windsor Community Collaborative, Hand in Hand and other grassroots groups and volunteers. These meetings focussed on providing education about existing community services, improving coordination among the volunteer groups, and identifying synergies with the



existing professional / funded outreach services. Attendance at these meeting varied from 2 to 10 people.

City Administration has assessed that volunteer-based services are effectively operating within their scope of practice, providing essential items to those in need, while referring individuals to professional services for addiction counseling, trauma debriefing, and assistance with housing applications and placements.

Going forward, Administration will support and encourage FSWE to continue to lead the quarterly meetings with funded outreach service provider known as the Community Outreach Table (COT), ensuring open communications and coordination with the volunteer-led services.

### **Risk Analysis:**

Members of the public and others may feel more outreach workers are required however there is a risk that, without increased levels of funding, further investments in this program will come at the cost of reduced investments in other vital services that support people in exiting homelessness (e.g. rent supplements, supportive housing, affordable housing). Investments must be balanced across the homelessness and housing service system and increased to offer more homelessness prevention programs and permanent housing solutions. The current complement of four (4) homelessness outreach workers, along with other service offers appropriate coverage across the City of Windsor and responsiveness to requests for service that come through 311.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

For the 2024 – 2025 fiscal year, the overall homelessness budget was \$25.85 million which consists of \$16.7 provincial HPP, \$4.1 million under the federal Reaching Home program, \$4.6 million in municipal funding from the City of Windsor, and approximately \$450,000 for the County of Essex for a variety of homelessness programs.

Of the overall homelessness funding, \$293,934 was allocated to homelessness outreach workers dedicated to serving the City of Windsor with \$155,434 coming from HPP and \$138,500 from the City's municipal funding.

At the time of writing this report, Administration was preparing the annual Homelessness Prevention Program (HPP) Investment Plan for submission and approval by the provincial Ministry of Municipal Affairs and Housing (MMAH). While final allocations for the 2025 – 2026 fiscal year cannot be made public until approved by



MMAH, it is expected that allocations for the homelessness outreach program will be on par with the previous fiscal year.

Administration will continue to advocate for increased provincial and federal investments in homelessness and housing programs. Requests for additional municipal funding will be brought forward, as needed, through the budget development process.

**Consultations:**

Kelly Goz – Manager (A), Homelessness and Housing Support

Whitney Kitchen – Coordinator, Housing Administration and Development

Carrie MacInnes – Manager (A), Customer Contact Centre

Allison Charko – Project Manager, Communications and Customer Service

Nancy Jaekel – Financial Planning Administrator

Linda Higgins – Manager, Intergovernmental Funding and Financial Administration

**Conclusion:**

The adjustments to the homelessness outreach program better align with demand and existing resources. Members of the public can continue to request a homelessness response through the 311 phone line during regular operating hours, and through the 311 mobile app and online platform at any time of day. The outreach team will respond to such requests and attend regular service routes across Windsor Monday to Friday from 7:30am to 6:00pm.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Linda Higgins	Manager, Manager, Intergovernmental Funding and Financial Administration
Jennifer Tanner	Manager, Homelessness and Housing Support
Kirk Whittal	Executive Director, Housing and Children's Services
Andrew Daher	Commissioner, Human and Health Services
Dana Paladino	(A)Senior Executive Director, Corporate Services
Ray Mensour	Commissioner, Community and Corporate Services
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer



**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A: Council Decision (CR 433/2023 CSSC 208)
- 2 Appendix B: Homelessness Outreach Updates – City Wide (S 122/2024)



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**City Council  
Decision  
Monday, October 30, 2023**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Fred Francis

Decision Number: CR433/2023 CSSC 208

That the report of the Manager, Homelessness and Housing Support in response to CQ 20-2023 Feasibility of Expanding Outreach Services and 311 Operating Hours **BE RECEIVED** for information; and,

That City Council **ENDORSE** recent improvements made to the Homelessness Street Outreach team's schedule and improved access to such services through the 311 Contact Centre as outlined in this report; and,

That City Council **DIRECT** Administration to report back to Council with more data and information about the impact of recent improvements to the Homelessness Street Outreach team's schedule and after-hours homelessness response initiated through 311, before deciding if further expansion is needed; and,

That City Council continue to **SUPPORT** programs and services that advance the goals of the 10-year Housing and Homelessness Master Plan, and the creation and expansion of affordable and supportive housing; and,

That administration **BE REQUESTED** to report back to the Community Services Standing Committee, as to how the City will attempt to draw the various organizations together in an effort to collaborate and capitalize on the programs that they are prepared to offer.

Carried.

Report Number: SCM 274/2023 & S 118/2023 8.3  
Clerk's File: GM/7755

*Anna Ciacelli*

Deputy City Clerk  
November 6, 2023



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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**Subject: Homelessness Outreach Updates - City Wide**

**Reference:**

Date to Council: October 2, 2024  
Author: Jennifer Tanner  
Manager, Homelessness and Housing Supports  
jtanner@citywindsor.ca  
519-255-5200 ext 5250  
Housing and Children's Services  
Report Date: 9/11/2024  
Clerk's File #: MD/14771

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

**Recommendation:**

**THAT** City Council **RECEIVE** this report back requested through CR 433/2023, which provides an update on the changes made in the fall of 2023 to the Homelessness Street Outreach team's schedule and response to 311 service requests, as well as efforts to collaborate with other organizations that provide outreach-related services; and further,

**THAT** City Council **ENDORSE** adjustments to the Homelessness Street Outreach team's schedule starting in the fall of 2024 which better aligns with community needs based on the data and information gathered in the past year and is achievable and sustainable within existing funding allocations and staffing levels.

**Executive Summary:**

N/A

**Background:**

**Homelessness Outreach and 311**

The City of Windsor allocates funding for one Indigenous-led Homelessness Outreach Worker (IHOW), one County specific Outreach Worker, and four Homelessness Street Outreach Workers dedicated to the City of Windsor. The focus of this report is on the four workers in Windsor, which are provided by Family Services Windsor Essex (FSWE) and funded by the City through the provincial Homelessness Prevention Program (HPP) and municipal funding.



Homelessness outreach workers interact with people experiencing homelessness who are sleeping outdoors through a variety of progressive engagement techniques, make referrals to emergency shelters, and connect people with appropriate support services that will help them meet their housing, health, financial and social needs. People living outdoors may be disconnected from community services and it often takes time to build trust before a person is willing to accept support.

This service helps support the goals of Windsor's Strengthen the Core (STC) Plan, particularly creating Safe Streets and Health Spaces, as it complements and coordinates with other services in the community such as the Nurse Police Team (NPT) and the Homelessness and Housing Help Hub (H4).

On October 30, 2023, City Council endorsed recommendations that allowed the public to request a homelessness response through the 311 Customer Contact Centre (e.g. phone line, new afterhours menu option and the 311 Windsor mobile app). In addition, the Homelessness Outreach team's schedule was expanded to 7 days per week with on-call hours in the evening to respond to calls and service requests after the 311 Customer Contact Centre was closed (i.e. 4:00pm to 12:00am, during weekends and on holidays), and attended regular service routes in six areas of the city. Data about each of these service offerings and proposed changes are provided below.

## **Discussion:**

Between June 2023 and September 2024, the 311 Customer Contact Centre created a total of 586 requests for service for the Homelessness Outreach team with 60% of these requests to address homeless encampments which contained two or more people and 40% these requests to address individual people sleeping outdoors or needing other related assistance. When actioned by the Homelessness Outreach team, the outcomes were as follows:

- No encampment or person could be found (31%)
- Up to 3 attempts were made to contact the individual(s) but no contact made (23%)
- Contact was made but the individual(s) did not accept support (16%)
- Contact was made and the individual(s) accepted support (11%)
- The request for service was already reported or a duplicate (10%)
- The location was deemed to not be an encampment or to have a person experiencing homelessness (4%)
- The situation was referred to Windsor Police (3%)
- Unknown outcome (2%)

In November 2023, the 311 app was updated to allow the public to submit requests for a homelessness response which provided another way to make these requests after the 311 Customer Contact Centre's hours of operation. Of the total 586 service requests created since June 2023, 24% came in from the app, of which 14% were received after-hours.



Of all the 311 service requests from all channels (e.g. phone line, after hours menu option, 311 mobile app) 94% were received during the weekdays and only 6% on weekends.

FSWE has reported that since November 2023 there have been 422 after-hours phone calls routed to them from 311 where the resident selected the homeless outreach menu option (i.e. "To reach the homeless outreach team, PRESS 1). Only 18 of these phone calls were related to a homelessness concern. The other calls were about city-related matters (e.g. garbage collection) that were redirected back to 311 where residents could make their report utilizing the various channels of service available (e.g. online, mobile app or call to 311 during regular operating hours). None of the after-hours calls resulted in FSWE having to dispatch a Homelessness Outreach Worker because the situation was either already addressed by the Outreach team during regular business hours or referred to another on-duty and more appropriate service provider such as the MOST van or Windsor Police.

Starting in the summer of 2023, the Outreach team established new regular service routes in different areas of the city including the Downtown Core, Jackson Park, University Avenue West, Ford City, West Windsor and Walkerville. These routes align with the data coming from 311 which show that of the total service requests, the most common locations were:

- Ward 3 or the downtown core (42%)
- Ward 4 or the Wyandotte Street East and Walkerville areas (25%)
- Ward 2 or the west side of Windsor (11%)
- The other Wards or areas of the city had on average 3% of the requests for services

As part of the report in 2023, Administration committed to revisiting the changes after one year. As a result, administration, with support from FSWE, is adjusting the Outreach team's schedule starting in the fall of 2024 to better align with demand for the service as learned through the past year and most importantly using the data collected during that time period. The adjustments are also achievable and sustainable within current funding allocations and staffing levels while still addressing the needs in the community.

The specific changes which will begin in the fall of 2024 and the rationale for these are provided below.

#### ***Adjustment 1: Daytime Coverage (7:30am to 6:00pm)***

Focus the Outreach team's resources on daytime coverage to better align with demand and remove the after-hours on-call function between the hours of 6:00pm and 12:00am, 7 days per week.

- FSWE has only received 18 after-hours calls related to homelessness issues and has not been required to dispatch an Outreach Worker during the late evening hours.
- Initially, FSWE had planned to provide on-call services in the evening hours without the need for additional funding from the City, however FSWE submitted financial claims to the City requesting a \$40 per night stipend for eligible FSWE



staff to be on-call which the City approved. This was an unbudgeted expense in 2023 and although administration was able to mitigate, it is not sustainable within the 2024 funding allocation.

- In the past year, other related community services have expanded their hours of operation as part of the Strengthen the Core plan. This includes the Nurse Police Team (NPT) which now operates 7 days per week from 1:00pm to 1:00am; the H4 which extended its hours to 12:00am starting in early 2024; the Downtown Mission which now offers a year-round overnight drop-in program and provides up to 40 more spaces; and 12 additional sworn officers as part of the Windsor Police Service City Centre Patrol Team (CCPT).
- The MOST van continues to provide supports for this population in the evenings Monday to Friday from 5:30pm to 9:00pm.
- Members of the public will still be able to submit a request for a homelessness response after-hours through the 311 online app.
- The Outreach team will respond to requests for service received through the 311 online app Monday to Friday, 7:30am to 6:00pm.

### ***Adjustment 2: Weekday Coverage (Monday to Friday)***

Focus resources on weekday coverage to better align with demand and remove weekend coverage provided by the Outreach team.

- Over the past year, the majority of all calls for Homelessness Outreach Services (94%) were during the work week (Monday-Friday) while only 6% of requests came in on Saturdays and Sundays.
- A Monday to Friday schedule can be managed within the current funding allocation and staffing level of four (4) full time Homelessness Outreach Workers dedicated to the City of Windsor.
- Initially, FSWE had planned to offset the cost of 7 day per week coverage with staff gapping dollars and reallocations of funding from other programs, however this is not sustainable and additional funding would be required if this service were to continue to operate 7 days per week.
- The Outreach team will continue to respond to 311 requests for service during their operating hours.

### ***Adjustment 3: Expanded Service Routes***

In addition to responding to requests for services from anywhere in Windsor, the Outreach team works regular service routes in high needs areas of the city. Based on a review of 311 data from the past year geo-locating calls, the new routes starting in the fall of 2024 are as follows:



Route Name	Route Borders	Number of Days of Service
Downtown	Riverside Dr E to Giles Jannette to Howard	5 days
Walkerville / Ford City	Wyandotte St E to Tecumseh Rd E Parent to Drouillard <i>*Includes Ottawa St</i>	3 days
West Windsor	Riverside Dr W to Malden Prince Rd to Huron Church	2 days
South Windsor 1	Tecumseh Rd E to EC Row Dougall to Howard <i>*Includes Jackson Park</i>	2 days
South Windsor 2	Tecumseh Rd E to EC Row Howard to Walker <i>*Includes Remington Park, Optimist Park</i>	2 days
East Windsor	Wyandotte E to Tecumseh Rd E Walker to Banwell	2 days

Administration will continue to monitor the activities and outcome of the Homelessness Outreach team and adjust where needed to adapt to changing community needs. If significant changes are made or required in the future, subsequent reports to Council will be brought forward.

### Community Outreach Tables

In October 2023, Council directed Administration to draw other outreach organizations together to collaborate and capitalize on the programs they are prepared to offer. (CR433/2023).

In response, City staff have led several meetings with organizations that offer outreach services through volunteers including St Vincent de Paul, the Downtown Windsor Community Collaborative, Hand in Hand and other grassroots groups and volunteers. These meetings focussed on providing education about existing community services, improving coordination among the volunteer groups, and identifying synergies with the



existing professional / funded outreach services. Attendance at these meeting varied from 2 to 10 people.

City Administration has assessed that volunteer-based services are effectively operating within their scope of practice, providing essential items to those in need, while referring individuals to professional services for addiction counseling, trauma debriefing, and assistance with housing applications and placements.

Administration recommends that moving forward, FSWE continue to lead the quarterly meetings with funded outreach service provider known as the Community Outreach Table (COT), ensuring open communications and coordination with the volunteer-led services. City Administration will attend these meeting as well.

### **Risk Analysis:**

Members of the public and others may feel more Outreach Workers are required however there is a risk that, without increased levels of funding, further investments in this program will come at the cost of reduced investments in other vital services that support people in exiting homelessness (e.g. rent supplements, supportive housing, affordable housing). Investments must be balanced across the homelessness and housing service system and increased to offer more homelessness prevention programs and permanent housing solutions. The current complement of four (4) Homelessness Outreach Workers offers good coverage across the City of Windsor and responsiveness to requests for service that come through 311.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

For the 2024 – 2025 fiscal year, the overall homelessness budget is \$24.42 million which consists of \$16.7 provincial HPP, \$3.29 million under the federal Reaching Home program, \$3.98 million in municipal funding from the City of Windsor, and approximately \$450,000 for the Couty of Essex for a variety of homelessness programs.

Of the overall homelessness funding, \$297,827 is allocated to Homelessness Outreach workers dedicated to serving the City of Windsor with \$158,914 coming from HPP and \$138,913 from the City's municipal funding.

Administration will continue to advocate for increased provincial and federal investments in homelessness and housing programs. Requests for additional municipal funding will be brought forward, as needed, through the budget development process.



**Consultations:**

Kelly Goz – Manager (A), Homelessness and Housing Support

Whitney Kitchen – Coordinator, Housing Administration and Development

Alena Sleziak – Senior Manager (A), Corporate Communications and Customer Service

Carrie MacInnes – Manager, Customer Contact Centre

Allison Charko – Project Manager, Communications and Customer Service

Nancy Jaekel – Financial Planning Administrator

Linda Higgins – Manager, Intergovernmental Funding and Financial Administration

**Conclusion:**

The adjustments to the Homelessness Outreach team's schedule and service routes better align with demand and existing resources. Members of the public can continue to request a homelessness response through the 311phone line during regular operating hours and through the 311 mobile app 24/7. The Outreach team will respond to such requests and attend regular service routes across Windsor Monday to Friday from 7:30am to 6:00pm.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Kelly Goz	Manager (A), Homelessness and Housing Support
Kirk Whittal	Executive Director, Housing and Children's Services
Andrew Daher	Commissioner, Human and Health Services
Ray Mensour	Commissioner, Community Services
Janice Guthrie	Commissioner, Finance and City Treasurer



**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Joyce Zuk Family Services Windsor-Essex		
Chief Jason Bellaire Windsor Policy Services		
Tracy Whiteye		
Sandra Zwiers		





**Committee Matters: SCM 160/2025**

**Subject: Response to Directive on Dog Park Policy - City Wide**

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

Decision Number: **CSSC 280**

THAT the report of the Executive Initiatives Coordinator, Community Services, dated March 21, 2025, entitled "Response to Directive on Dog Park Policy - City Wide" **BE RECEIVED**; and,

THAT administration **BE DIRECTED** to report back to the Community Services Standing Committee with amendments to the dog park policy to mirror the framework utilized by the City of Toronto and the City of Mississauga; and,

THAT administration **BE DIRECTED** to investigate whether a portion of the revenue collected from dog licensing could be used to provide additional funding for dog parks.  
Carried.

Report Number: S 45/2025  
Clerk's File: SR2025

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.2 from the Community Services Standing Committee held on May 7, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>



**Subject: Response to Directive on Dog Park Policy - City Wide**

**Reference:**

Date to Council: May 7, 2025  
Author: Samantha Magalas  
EIC, Community Services  
519-253-2300\*2730  
smagalas@citywindsor.ca

Report Date: 3/21/2025  
Clerk's File #: SR2025

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

**Recommendation:**

THAT the report of the Executive Initiatives Coordinator dated March 21, 2025 entitled "Response to Directive on Dog Park Policy-City Wide" **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

On January 15, 2024 Council directed, via CR38/2024 that:

"That the report of the Community Services Standing Committee of its meeting held December 6, 2023 entitled "Response to CQ Regarding the Dog Park Policy – City Wide" BE REFERRED back to administration to provide a report which includes information regarding municipalities that have smaller dog parks in residential areas and how they have achieved the same."

This report is in response to that directive.

"Leash Free Parks" are those areas, which have been set aside for residents to exercise their dogs off leash without being in contravention of municipal by-laws. In general, cities across Ontario can offer two types of leash free parks, namely "free running areas" and "dog parks". Free Running Areas are typically designated areas within the existing parkland and open space infrastructure, which have been set-aside for residents to exercise their dogs off-leash without being in contravention of municipal by-laws. These areas are governed by time restrictions and seasonal restrictions, and are not fenced.

Dog Parks are fenced areas, usually located within City parks where residents have the opportunity to exercise their dogs off-leash within a controlled environment without



being in contravention of municipal by-laws. This type of park is what is offered within the City of Windsor.

Prior to presenting the currently approved Dog Park Policy to City Council, Administration explored both of these options as potential opportunities to allow dog owners to exercise their pets off-leash throughout the City. In consultation with the City's By-Law Department, it was clear that free running areas were not something recommended or supported due to the potential for increased dog interaction with the general public and the potential for incidents to occur. There was also concern for dog safety and the safety of both pedestrian and automotive traffic surrounding the free running areas in the event a dog ran onto a sidewalk/trail or street. As such, these areas are not something Administration would recommend utilizing moving forward.

The current Council approved Dog Park Policy (Appendix A), allows for dog parks or off-leash areas to be built with conditions of inclusions and/or restrictions as outlined in the Policy. Specifically, section 5.2.3(a) of the policy notes that there must be a minimum of 1.5 acres of land available on which to place the park. Section 5.2.3(b) notes that there must be a separate, fenced off area for large and small dog breeds. In addition, per section 5.2.1 (c), leash-free areas must be located in either community or regional parks and may not be established in neighbourhood parks.

### **Discussion:**

When looking at dog parks specifically, various municipalities have minimum sizes that are required per their policies. For example, the City of Hamilton states in their policy that a dog park must be a minimum of 2 acres in size. The City of Kingston states that an off-leash area must be a minimum of 1.5 acres in size.

The City of Ottawa uses a point system to determine what parks are suitable for dog parks. Points are awarded based on overall park size - the smaller the park, the more points automatically assigned and as parks get bigger, points for size incrementally get smaller. Any park scoring over 30 points is deemed "not approved" for a dog park. So, parks that are less than .199 hectares (approximately .5 acres) automatically get 30 points and are not approved for a dog park due to their small size. Other park amenities located within the parks, such as buildings, sports courts, wading pools, play structures, picnic tables etc. will add additional points. Parks between .2 hectares and .399 hectares (approximate .5 to 1 acre) automatically score 25 points meaning the presence of any other amenity within these parks would likely create a score above 30 and therefor the park would be ineligible for a dog park.

The City of Brampton does not have a formal off-leash or dog park policy but their current Parks and Recreation Master Plan states new dog parks will be considered on a case-by case basis. Factors to be considered include when existing dog parks exceed their respective capacities, where they are required to service a geographical area (high density residential areas) and/or whether a qualified community organization expresses interest in funding and/or operating a leash-free area.

When selecting leash-free zones, the City of Mississauga doesn't list a minimum size requirement but similar to other cities, considers criteria such as: potential impacts on parks functionality/condition/natural environment; neighbourhood characteristics



(population density, housing types etc.; availability of adequate parking; and requirements of the Accessibility for Ontarians with Disabilities Act (AODA). The City of Toronto takes a similar stance on criteria for establishing new leash-free areas and considers the following: neighbourhood characteristics (adjacent land uses, population density, housing types, licensed dog population, proximity of existing and other potential off-leash areas located within a 15 minute walk or 1 kilometre); compatibility with the park's design, established uses, features and components; potential impacts on the park's functionality, condition and natural environment; proportion of park to be taken up by the proposed off-leash area; proximity to residences and off-leash area exclusions.

It should be noted that both the City of Toronto and City of Mississauga leash free policies mention stewardship groups or “dog associations” within their policies. These associations are noted and are mentioned in terms of contributions. For example, Mississauga’s policy states that upon approval of a new park, the City will cover the basic capital costs but the local stewardship group/association are responsible for: cost of capital improvements above the City standard; lighting; water access (where feasible); seating and information boards; cost of electricity for lights within designated park area; clean-up, clearing pathways where pathways exist, spreading mulch/wood chips; liaising with Parks, Forestry & Environment staff regarding member concerns; other amenities as approved by the City.

If the City of Windsor wishes to install a dog park that is less than the minimum 1.5 acres in size, as stated in the City’s Dog Park Policy, this would require changes to what features are included at the park. Any dog park, regardless of size, would require fencing and gates. In addition, drainage and mulch should be added to any potential small dog parks to ensure the footprint does not become unusable due to all the traffic in a small space. This would increase the overall cost of the park as well as the annual maintenance needed.

There would be no option to have separate large and small dog areas in a smaller dog park. This would result in having all sizes of dogs, all in one space, and could increase risk as dogs would be in a more congested area. This could lead to a slightly higher risk of a dog being injured while at the park. In general, dog owners use these parks at their own risk and typically decide if the park, or group of dogs using the park, are suitable for their dog to join. Additional signage could be placed at the park informing users that the space is for all dog sizes and they should use at their own risk. This may help to mitigate the risk.

Dog Parks being built in neighbourhood parks may result in residents being upset about the potential noise from barking dogs so close to their homes. Additionally, if a neighbourhood park is used, the footprint of the dog park could take up most of the park, leaving other park users with less space for their activities. Public consultation would need to occur before any new dog park is installed. With regional or community parks, Administration attempts to locate the dog park area further away from the homes surrounding the park.

In a smaller dog park, there would be no room for a walking path making the space less accessible. There also would be no water source. As noted in the climate change risks section of this report, it is anticipated that the number of days over 30°C is expected to



increase meaning the lack of a water source could become a risk during the summer months. There would also be no parking available meaning if anyone was driving to the park, they would need to utilize street parking.

### **Risk Analysis:**

There is no risk to receiving this report for information.

### **Climate Change Risks**

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

Should City Council wish to add additional dog parks, this will afford local residents the opportunity to utilize a dog park closer to their homes. Presently, some residents may be required to drive to existing dog parks in order to use them. By installing additional dog parks, there is potential to decrease the amount of driving required to get to these parks, therefore reducing community greenhouse gas emissions. The addition of the dog parks should not negatively impact Corporate greenhouse gas emissions.

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

The addition of dog parks is not expected to negatively impact the current heat islands. However, it is important to note that regardless of the current heat island impacts, the City of Windsor is expected to have a significant increase in the number of days above 30°C. For example, under Windsor's current climate the average number of days exceeding 30°C is 22, which is expected to grow to an average of 50 days in 2040. To reduce the impacts of extreme heat on both humans and dogs, administration will look at the opportunity to add shade producing features to the parks including additional tree plantings. Smaller dog parks will not provide the opportunity for an onsite water source which could become a risk to animals on hot days.

### **Financial Matters:**

There is no cost involved with changing the Dog Park Policy. There is currently no funding available in the approved 10-year capital budget for the installation of any new dog parks. There is no operating budget for the operating costs associated with maintaining any additional small dog parks, including mulch, drainage. Such costs are estimated to be a minimum of \$15,000 per park annually, subject to the features and condition of the park. Notwithstanding the 2025 Budget 10-year capital budget was deemed approved on February 27, 2025 by way of Mayoral Decision MD8-2025, if Council were to direct Administration to install any new dog parks, a capital budget funding source would need to be identified for the construction of the dog park(s) and an operating budget issue for its ongoing maintenance would need to be submitted for consideration as part of a future budget process.

### **Consultations:**

Erika Benson – Financial Planning Administrator, Parks

Michelle Moxley-Peltier – CEP Project Administrator, Environmental Sustainability & Climate Change



**Conclusion:**

After further analysis, based on the concern for drainage, lack of walking trails, accessibility, and lack of water, Administration does not recommend installing dog parks in a location with less than 1.5 acres available. If Council chooses to move forward with a dog park at a smaller location, Administration would need to be directed as to what park has been selected and a funding source would need to be identified.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Samantha Magalas	EIC - Community Services
Emilie Dunnigan	Manager - Development Revenue and Financial Administration
Wadah Al-Yassiri	Manager - Parks Development
James Chacko	Executive Director - Parks, Recreation & Facilities
Michael Chantler	Senior Executive Director, Community Services (A)
Ray Mensour	Commissioner, Community & Corporate Services/Deputy CAO
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 City of Windsor - Dog Park Policy



# THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	<b>Parks, Recreation &amp; Culture and Facilities</b>	Policy No.:	
Department:	<b>Parks</b>	Approval Date:	<b>June 5, 2019</b>
Division:	Parks Development	Approved By:	<b>CSPS 47</b>
		Effective Date:	<b>June 5, 2019</b>
Subject:	<b>Dog Park Policy</b>	Procedure Ref.:	
<b>Review Date:</b>		<i>Pages:</i>	Replaces:
Prepared By:	Mike Clement		Date:

## 1. POLICY

- 1.1. The Dog Park Policy provides the framework for selecting the future locations of all leash-free areas located within City of Windsor owned and operated parks.

## 2. PURPOSE

- 2.1. The City of Windsor recognizes the social benefits of dogs and their owners having access to and being accommodated within the parks system. Providing designated leash-free areas is an important part of this inclusion. This policy will:
- a. Provide guidelines for the establishment of new leash-free areas
  - b. Consider the impact on surrounding neighbourhoods and park users
  - c. Consider the needs and individual characteristics of each neighbourhood when creating leash-free areas.

## 3. SCOPE

- 3.1. This policy provides the criteria which is to be considered when selecting future dog park locations for all City of Windsor owned and operated property.

## 4. RESPONSIBILITY

- 4.1. The CAO will support the Dog Park Policy and its implementation
- 4.2. The Corporate Leader of Parks, Recreation & Culture and Facilities will support the Dog Park Policy and mediate any disputes regarding its implementation, should any arise
- 4.3. The Senior Manager of Parks:
- 4.3.1. Is responsible to direct a review of this policy annually
  - 4.3.2. Shall carry out the role as decision maker under this policy in good faith and in a timely manner
- 4.4. The Manager of Parks Development:
- 4.4.1. Is responsible for ensuring all new leash-free locations are selected in consideration with the guidelines in this policy



- 4.4.2. Will ensure opportunity for public consultation for any potential new location
- 4.4.3. Will be responsible for implementing the policy and providing suggestions in revising the guidelines as required
- 4.4.4. Will consult with other Departments as required (e.g. Planning Department, Windsor Police Service, Humane Society etc.)

**4.5. The Manager of Parks Operations:**

- 4.5.1. Is responsible for the maintenance and upkeep of the leash-free area
- 4.5.2. Is responsible to place appropriate signage outlining rules of the leash-free area

**4.6. The Office of the City Clerk will track any requests from residents regarding new-leash free areas and forward them to the Parks Development Manager**

## **5. GOVERNING RULES AND REGULATIONS**

**5.1. New off-leash areas will be considered in conjunction with capital redevelopment of existing parks or new park development against the policy criteria**

**5.2. The following criteria should be considered when determining a new leash-free area:**

**5.2.1. Geographic location in Windsor**

- a. New leash-free areas should be spread across Windsor in order to serve all residents in Windsor, as noted in the Parks Master Plan
- b. Leash-free areas should not be constructed in close proximity to one another
- c. Leash-free areas must be located in either community or regional parks and may not be established in neighbourhood parks.

**5.2.2. Restrictions**

Off-leash areas shall NOT be established in close proximity to the following areas:

- a. playgrounds, splash pads and wading pools;
- b. horticultural display areas or ornamental gardens;
- c. skateboard bowls, tennis courts and other sports pads;
- d. sports fields and stadiums;
- e. artificial or natural ice rinks, toboggan hills;
- f. designated heritage, memorial, commemorative and ceremonial areas;
- g. cemeteries;
- h. areas posted prohibiting dogs;
- i. swimming beaches
- j. natural areas



### 5.2.3. Inclusions

Off-leash areas MUST include the following:

- a. A minimum of 1.5 acres of available land on which to place the leash-free park on
- b. Separate, fenced off areas for large and small dog breeds
- c. A grass area for dogs to play
- d. Fencing surrounding the perimeter of the leash free area
- e. A pathway around the perimeter
- f. A gated entrance
- g. Where possible, administration should consider the overall topography to allow for adequate drainage
- h. Where possible, there should be access to a water source
- i. Alternatives to the above noted inclusions can be brought forward to be considered for approval by City Council.

**5.3.** Designation of an off-leash area may be cancelled by the Corporate Leader of Parks, Recreation & Culture and Facilities where in the opinion of the Senior Parks Manager:

- 5.3.1. the off-leash area is not being used on a regular basis
- 5.3.2. extensive damage to the park and / or natural environment is occurring
- 5.3.3. the park is no longer suitable for an off-leash area
- 5.3.4. conflicts between park users cannot be resolved
- 5.3.5. repeated, ongoing non-compliance with the Code of Conduct for off-leash area use posted at each off-leash area

### 5.4. DEFINITIONS

**Neighbourhood Parks:** are designed for the recreation and leisure activities of residents within a defined service radius of Windsor. These are local parks that serve their local residences within a comfortable walking distance, and usually focus on passive recreation activities with open spaces of grass, trees for shade, and may include pathways, small playgrounds, benches, picnic tables, and possibly a single sports field (either baseball or soccer) which is used primarily for casual use and not generally rented out for organized sports games or tournaments.

**Community Parks:** are larger scale parks ranging from 2 to 6 hectares (4.94 to 14.83 acres) serving a greater catchment area and still offer the base recreational services of a Neighbourhood Park, but with a broader range of amenities including such items as splash pads, picnic shelters, accessible playgrounds, and organized sports fields to mention a few. Such parks may also include a small arena, pool, a community centre or library as an anchor facility. There are instances in the city where community parks can be associated more closely with a school to provide a joint cooperative use.



**Regional Parks:** generally attract users from all across the city and often attract users from outside the city boundaries, or even beyond Essex County. Like Community Parks they provide the base services of a Neighbourhood Park. Since the volume of users is potentially greater, the level of services is also greater. They have a significant draw which can also foster commercial opportunities (such as; carnivals, festivals, art shows, or special events). Regional parks provide recreational services with a more organized sports focus.

## **6. RECORDS, FORMS AND ATTACHMENTS**

6.1. Records are the responsibility of The Office of the City Clerk and will be kept in accordance with the Records Retention Bylaw #21-2013 as amended from time to time.





**Committee Matters: SCM 161/2025**

**Subject: Response to CQ 43- 2024 Barron Bowl Fundraising Update - Ward 2**

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

Decision Number: **CSSC 281**

THAT the report of the Executive Initiatives Coordinator, Community Services, dated February 28, 2025, entitled "Response to CQ43-2024 Barron Bowl Fundraising Update-Ward 2" **BE RECEIVED**; and,

THAT administration **BE DIRECTED** to provide matching funds of up to \$59,261 from the Parks Community Partnership Initiative Capital Project (7129015) to move forward with improvements at the Ryan Barron Memorial Skate Park located in Atkinson Park; and,

THAT administration **BE DIRECTED** to make any and all necessary amendments, take any action required, including the signing of any agreements and contracts, and to move forward with the spending of the donations raised, ward funds, and the matching Parks Community Partnerships Initiative Capital Project (7129015) for the purposes of the new surface features as outlined in the Discussion section of the report, subject to future community consultation.

Carried.

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

Report Number: S 25/2025

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.4 from the Community Services Standing Committee held on May 7, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250507/-1/10552>



**Subject: Response to CQ 43- 2024 Barron Bowl Fundraising Update - Ward 2**

**Reference:**

Date to Council: May 7, 2025  
Author: Samantha Magalas  
EIC, Community Services  
smagalas@citywindsor.ca  
519-253-2300x2730  
Parks  
Report Date: 2/28/2025  
Clerk's File #: SR2025

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

**Recommendation:**

THAT City Council **RECEIVE** the report of the Executive Initiatives Coordinator dated February 28, 2025 entitled "Response to CQ 43-2024 Barron Bowl Fundraising Update-Ward 2".

**Executive Summary:**

N/A

**Background:**

On Monday September 23, 2024, Councillor Costante asked CQ 43-2024:

"Asks that Administration report back on the status of the Barron Bowl Project at the Ryan Barron Memorial Skate Park located in Atkinson Park. The project update to include the current funding, projected costs, design, and feasibility. Additionally, Administration to report back on alternative Ryan Barron Memorial Skate Park improvements determined through stakeholder engagement that could be completed within the current available funding and include options for a funding source to at least match the current available funds that have been raised by the Community."

This report is in response to that Council question.

The Friends for Atkinson Park and Pool Committee (FFAPPC) were formed in 2001 as a grass roots community organization to raise funds for children in the community to attend swimming lessons at Atkinson Pool, and to work with the City to develop plans to improve the park.

In 2004, Council approved a five-year lease to enable the organization to apply for grants from the Trillium Foundation for the development of a skateboard pad at the



south end of the park along University Ave W. The group was successful in obtaining a \$75,000 Trillium grant. The pad and skateboard equipment were installed in 2005. In 2010, FFAPPC purchased additional ramps from the Leamington Skateboard Park in the amount of \$30,000.

In November of 2016, Council received a communication from FFAPPC regarding a proposal to develop a skateboard bowl in Atkinson Park. A report from administration (C105/2017) was presented to Council outlining the intentions of the FFAPPC. That project was approved in principle pending a further report from administration (CR 385/2017).

On May 6, 2019, a report was presented to Council based on a request from the FFAPPC. At that meeting, Council approved the following recommendations through CR 238/2019:

***THAT the request from the Friends for Atkinson Park and Pool Committee to name the new concrete skateboard bowl at Atkinson Park the “Barron Bowl” BE APPROVED IN PRINCIPLE, subject to the completion of the project; and further***

***THAT the Friends for Atkinson Park and Pool Committee BE PERMITTED to place a plaque or signage in close proximity to the proposed new skateboard bowl at Atkinson Park recognizing the name of the bowl, subject to being satisfactory in design and content to the Corporate Leader of Parks, Recreation & Culture and Facilities; and further,***

***THAT the Friends for Atkinson Park and Pool Committee BE RESPONSIBLE for any costs associated with the purchase, installation, repairs and ongoing maintenance of the plaque or signage.***

In the 2019 request and communication from the FFAPPC, the committee addressed their desire to name the future skateboard bowl. They wanted to “dedicate the bowl in the name and memory of Ryan Barron”. City Council approved that, when the skate bowl was built, it would be formally known as the “Barron Bowl”. On August 26, 2019, a further report was presented to Council relative to the Atkinson Park. At such meeting, Council approved the following recommendations through CR439/2019:

***THAT the offer of a Skateboard Bowl in Atkinson Park donated by the Friends For Atkinson Park Inc. BE APPROVED; and further,***

***THAT AUTHORIZATION be given to the City Solicitor or designate to develop an Agreement, or Agreements, between the Corporation of the City of Windsor and the Friends For Atkinson Park and/or any other parties as may be required, to include the scope for the installation of a skateboard bowl in Atkinson Park, obligations and responsibilities, the transference of ownership of the skateboard bowl and other rights to the City of; and further,***

***THAT the CAO and City Clerk BE AUTHORIZED to sign the Agreement(s), satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Corporate Leader of Parks Recreation & Culture and Facilities.***



Administration confirms that no such agreement as authorized above has been entered into with the FFAPPC.

On January 24, 2023, the Clerk's Office received a letter from Mr. Terry Barron requesting that the skate park located at Atkinson Park be named the Ryan Barron Memorial Skate Park in honour of his son, Ryan Barron. This letter also contained seven (7) other letters of support within it, from members of the community in support of this request. Their hope was that by naming the skateboard park the "Ryan Barron Memorial Skate Park", it might assist in helping the group reach their fundraising target.

In March of 2023, City Council directed that the skateboard park at Atkinson Park be named the Ryan Barron Memorial Skate Park.

### **Discussion:**

FFAPPC has continued to raise funds in hopes of building the skate bowl. As of March 2025, a total of \$18,739.32 in donations raised by the FFAPPC are being held by the City for the concrete skate bowl in Atkinson Park. In addition, Ward Funds in the amount of \$40,522 were committed to Parks Development for Atkinson Skate Park Upgrades. In 2019, the approximate cost of the bowl was estimated to be in the range of \$100,000-\$120,000, however with rising costs and inflation, the cost has increased with new estimates of \$400,000-\$450,000. To date, no work has begun on the construction of the skateboard bowl.

As a result of the above, Mr. Barron has advised Administration that with the costs of the bowl escalating so quickly, he would like to have the existing funds that have been raised reprioritized to help fund improvements to the skate park.

In reviewing the existing space at the Ryan Barron Memorial Skate Park, Administration is confident that by using the total funds available, various above surface features could be added to the park. These features could include rails and various concrete ramps to be determined through stakeholder consultation.

As no agreement was previously entered into by the City and FFAPPC, and the use of the donated funds has been proposed to be reprioritized to fund improvements to the skate park rather than construction of the skateboard bowl, CR439/2019 would need to be amended. Administration would need to seek approval of amendments to allow for the donated funds to be used for surface upgrades at the park, and for the required agreement with FFAPPC to be finalized and executed. In addition, Administration will follow the Donation Policy to ensure the proper recording and accounting of the donated funds.

### **Risk Analysis:**

There is no risk involved in receiving this report. This report was in response to CQ 43-2024 requesting an update to the project.



## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

It is estimated that the cost to build a new skate bowl would be upwards of \$450,000 in 2025 prices. Previously, \$40,522 of ward funds were committed to Parks Development for Ryan Barron Memorial Skate Park upgrades. An additional \$18,739 of funds have been raised by the FFAPPC for a total of \$59,261. Administration will need to seek approval to reprioritize the available funding to use toward other projects and upgrades at the Ryan Barron Memorial Skate Park and account. This amount is expected to be sufficient to fund the above surface features that could be added to the park. There is no anticipated impact to the 2025 budget that was deemed approved on February 27, 2025 by way of Mayoral Decision MD8-2025.

It should be noted that the \$40,522 of previously committed ward funding can only be utilized for capital projects at the skate park and cannot be used for Community Based Funds. There are similar stipulations in that the \$18,739 in funding can only be used capital improvements to the skate park.

### **Consultations:**

Erika Benson – FPA, Parks

Wadah Al-Yassiri – Manager, Parks Development

Darron Ahlstedt – Supervisor, Parks Projects

Kate Tracey – Senior Legal Counsel

Michael Dennis - Manager Strategic Capital Budget Development & Control

### **Conclusion:**

As no agreement was previously entered into by the City and FFAPPC, and the use of the donated funds has been proposed to be reprioritized to fund improvements to the skate park rather than construction of the skateboard bowl, CR439/2019 would need to be amended. Administration would need to be directed to seek approval of amendments to allow for the donated funds to be used for surface upgrades at the park, and for the required agreement with FFAPPC to be finalized and executed. In addition, as requested by the Council Question, should Council wish to match the current available funding, Administration will need to seek approval to fund a new capital project by utilizing the available balance of \$261,677 from the Parks Community Partnership



Initiative Capital Fund 7129015, as this project would meet the criteria to access these funds.

**Planning Act Matters:**

**Approvals:**

<b>Name</b>	<b>Title</b>
Samantha Magalas	EIC, Community Services
Emilie Dunnigan	Manager, Dev. Revenue & Fin. Admin.
James Chacko	Executive Director, Parks, Recreation & Facilities
Michael Chantler	Senior Executive Director, Community Services (A)
Ray Mensour	Commissioner, Community & Corporate Services/Deputy CAO
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**





**Committee Matters: SCM 167/2025**

**Subject: Auditor General Work Plan Status**

That the report from the Office of the Municipal Auditor General dated April 5, 2025, entitled “May 13, 2025 Auditor General Work Plan Status” attached as Appendix A, **BE RECEIVED** for information; and,

That City Council **ACCEPT** the Auditor General recommendations regarding the guiding protocol of the Concerned Citizen and Employee (CCEP) Hotline as outlined in Appendix D of the May 13, 2025 Auditor General Work Plan Status report; and,

That the presentation from the Office of the Municipal Auditor General, titled “Global Internal Audit Standards – The Essential Relationship Between the Board and the Internal Audit Function: Opportunities for Board Engagement” attached as Appendix B, **BE RECEIVED** for information.

**Appendices:**

Appendix A - May 13 2025 - AG Status Report – Final (Available at [www.citywindsor.ca](http://www.citywindsor.ca) due to size)

Appendix B - Auditor General Internal Audit Governance Essentials



# Global Internal Audit Standards

## The Essential Relationship Between the Board and the Internal Audit Function: Opportunities for Board Engagement



The Institute of  
Internal Auditors



# The Importance of Internal Auditing

*An effective Auditor General and internal audit function will enhance:*



Council's ability to exercise its oversight responsibilities.



Senior Administration's ability to achieve organizational objectives.

The organization's ability to create, protect, and sustain value.



Council, senior administration, the Auditor General with internal audit have a unique partnership in driving **organizational success**.

*All three parties must support each other to enable that success.*

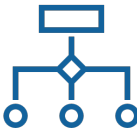




# Enabling Effective Internal Auditing



Key to successful achievement of organizational objectives.



Appropriate governance arrangements enable internal audit to fulfill expectations.



The board and senior administration are essential to the internal audit function's success.



“Essential conditions” build an effective partnership between Council, senior administration, and the Auditor General.



# Governing the Internal Audit Function

## Principle 6 – Authorized by the Board

Council establishes, approves, and supports the mandate of the Auditor General function.

## Principle 7 – Positioned Independently

Council establishes and protects the Auditor General function's independence and qualifications.

## Principle 8 – Overseen by the Board

Council oversees the Auditor General function to ensure the function's effectiveness.





# What We Need from You –

## Principle 6 Authorized by the Board

- ❖ Determine the appropriate authority, role, and responsibilities of the function (Auditor General mandate).
- ❖ Approve charter, plan, budget allocation, and resource plan.
- ❖ Ensure the Auditor General reports to a level that allows the Office of the Auditor General to fulfill its mandate.
- ❖ Specify that the Office of the Auditor General should have unrestricted access to data, records, information, personnel, and physical properties.
- ❖ Inquire whether any restrictions exist that limit the Office of the Auditor General's ability to carry out its responsibilities.
- ❖ Meet periodically with the Auditor General in private.





# What We Need from You –

## Principle 7 – Positioned Independently

- ❖ A direct reporting relationship with the Auditor General and the internal audit function.
- ❖ Authorize the appointment and removal of the Auditor General.
- ❖ Engage with senior administration to appoint a qualified, competent Auditor General to manage the Office of the Auditor General.
- ❖ Provide input to support the Auditor General's performance evaluation and budget allocation.
- ❖ Approve Auditor General roles or responsibilities beyond the scope of internal auditing.
- ❖ Establish appropriate safeguards if Auditor General roles and responsibilities impair the internal audit function's independence.



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# What We Need from You

## Principle 8 – Overseen by the Board

- ❖ Council's perspective on organizational strategies, objectives, and risks to assist the Auditor General with determining audit priorities.
- ❖ Set expectations with the Auditor General for:
  - The frequency with which Council wants to receive communications from the Auditor General.
  - The criteria for determining which issues should be escalated to Council.
  - The process for escalating matters of importance to Council.





# What We Need from You

## Principle 8 – Overseen by the Board *(continued)*

- ❖ Discuss any disagreements with senior administration or other stakeholders.
- ❖ Collaborate with senior management to ensure the Office of the Auditor General has sufficient resources.
  - Consider the impact of insufficient resources on the internal audit mandate and plan.
  - Engage with senior administration and the Auditor General on a solution if resources are determined to be insufficient.



# What We Need from You

## Principle 8 – Overseen by the Board *(continued)*

- ❖ Discuss the Quality Assurance Improvement Plan with the Auditor General.
- ❖ Approve the Office of the Auditor General's performance objectives at least annually.
- ❖ Assess the effectiveness and efficiency of the Office of the Auditor General.
- ❖ Discuss an External Quality Assessment of the Office of the Auditor General conducted by an independent, qualified assessor or assessment team.
- ❖ Collaborate with the Auditor General to determine the scope and frequency of the External Quality Assessment.
- ❖ Review and approve the Auditor General's plan for an External Quality Assessment.
- ❖ Receive External Quality Assessment results from the assessor.
- ❖ Review and approve the Auditor General's plans to address deficiencies and opportunities for improvement.
- ❖ Approve a timeline for action plan completion and monitor progress.



# Summary



An effective internal audit function enables good corporate governance and the organization's ability to create, protect, and sustain value.



A partnership among Council, senior administration, and the Auditor General is critical to achieving effective internal auditing.



The Global Internal Audit Standards require much from the Auditor General that, if achieved, will result in an effective internal audit function.



Council and senior administration provide necessary support to the Auditor General and enable effective internal auditing.





# Q&A



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*Note: The material was updated to reflect the role of Council versus “the Board.”*



**Subject: Municipal Flag Policy Update - City Wide**

**Reference:**

Date to Council: May 26, 2025  
Author: Katherine Donaldson  
Corporate Policy Coordinator  
519-255-6100 x 6533  
kdonaldson@citywindsor.ca  
Policy, Gaming, Licensing & By-Law Enforcement  
Report Date: 5/14/2025  
Clerk's File #: GM2025

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

**Recommendation:**

**THAT** Council **APPROVE** the updated Flag Policy attached as Appendix A.

**Executive Summary:**

N/A

**Background:**

The Flag, Building Illumination and Proclamation Policy was approved by Council in 2022 and is now due for review. Since its adoption, a total of 425 applications for illumination, proclamation, or flag raising have been processed. Of these, 345 were approved, 79 denied, and 1 withdrawn by the requestor. A detailed breakdown is provided in the Discussion section of this report.

As of November 24, 2024, the City paused the Flag Raising, Building Illumination, and Proclamation program due to construction activities related to the City Hall Civic Esplanade redevelopment. During this pause, Administration conducted a comprehensive review of best practices in other Ontario municipalities to ensure that the City's policies remain consistent with current standards

**Discussion:**

As noted, the Flag Raising, Building Illumination and Proclamation program has had a total of 425 applications since 2022. A detailed breakdown of overall requests can be found below.



Type	Total Requests	Approved	Denied	Withdrawn
<b>Proclamations</b>	198	168	30	0
<b>Flag Raisings</b>	90	72	17	1
<b>Illuminations</b>	137	105	32	0
<b>Overall Total</b>	<b>425</b>	<b>345</b>	<b>79</b>	<b>1</b>

Each request requires administrative review and vetting to ensure compliance with established criteria and to minimize potential reputational risks. Staff must assess requests carefully to avoid approving displays that could be perceived as divisive, political, or otherwise controversial. The previous policy states the following in terms of application process and requirement:

**5.1 Requests for proclamations shall be processed by the City Clerk on the condition the request will meet the following criteria:**

- i) The request must be made at least four weeks in advance of the due date;*
- ii) The request must be submitted by a non-profit or charitable organization located in the City of Windsor on the organization's letterhead;*
- iii) The request must reflect a bona fide connection to the City of Windsor*

**5.2 Requests shall not be processed by the City Clerk if the request meets any of the following criteria:**

- i) The request includes matters of political controversy, ideological or religious beliefs or individual conviction;*
- ii) The request contravenes Corporate policies or by-laws;*
- iii) The request defames the integrity of the City of Windsor;*
- iv) The request is intended for commercial or profit-making purposes;*
- v) The request is intended to influence federal, provincial or municipal government policy.*

The requirements for flag raisings and building illumination mirror the requirements for proclamations.



Across Ontario, many municipalities have begun to reconsider their approach. Municipalities such as London and Burlington have continued to accept requests for flag raisings and proclamations but under increasingly stringent criteria. Some municipalities have maintained a flag raising program with strict criteria, but have eliminated the proclamation program, including Hamilton, Chatham-Kent and Guelph.

The Municipalities of Waterloo, Lakeshore, Leamington and Centre Hastings, have chosen to eliminate discretionary proclamations, flag raisings, and illuminations (if applicable) altogether, restricting such recognitions to governmental and civic observances only. In most cases, municipalities that have opted to forgo any or all parts of their respective programs have cited staff time in vetting being used for other purposes, the potential for reputational risks if mistakes are made, and previous instances where litigation was directed towards other municipalities due to decisions made on these matters, as driving forces behind the change.

In keeping with these best practices, and to ensure consistent and equitable application of policies, Administration recommends that Council approve the updated Flag Policy as attached. The revised policy limits the flags that may be raised to the Canadian Flag, Ontario Flag, City of Windsor Flag, and the Franco-Ontarian Flag while also providing flexibility to recognize visiting official delegations. The new policy fully eliminates the illumination and proclamation programs, thereby mitigating reputational risks and reducing administrative efforts to perform a detailed and accurate vetting process.

### **Risk Analysis:**

There is a minor risk that community groups previously engaged with the program may express dissatisfaction with its cancellation. However, this risk is mitigated by the equitable application of the revised policy, which applies uniformly to all applicants without exception.

More significantly, the reputational risk associated with administering proclamations, illuminations, and flag raisings — particularly in cases where controversial requests must be denied — is significantly reduced by eliminating the program. The updated policy supports a neutral, respectful, and consistent public image for the Corporation.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

There are no new direct financial implications arising from the approval of this report. However, by eliminating the administrative processing of proclamations, illuminations,



and discretionary flag raisings, there will be minor indirect savings in staff time and resources which will be redistributed to other corporate statutory obligations. This supports corporate objectives related to operational efficiency.

### **Consultations:**

Various Municipalities as Noted.

### **Conclusion:**

Following a thorough review of the City's existing Flag Raising, Building Illumination, and Proclamation program, and a comparative scan of policies across Ontario municipalities, it is clear that a revised approach is both warranted and appropriate. The revised Flag Policy, as presented, offers a balanced and streamlined framework that aligns with current municipal best practices while reducing administrative burden and mitigating reputational risk.

By limiting flag raisings to official governmental and civic displays and eliminating the illumination and proclamation components, the City will maintain consistency, ensure equitable application, and uphold its public image. Approval of the updated policy will reflect the evolving landscape of municipal recognition practices, and provide clarity for both staff and the public

### **Approvals:**

<b>Name</b>	<b>Title</b>
Katherine Donaldson	Corporate Policy Coordinator
Anna Ciacelli	Supervisor, Council Services/Deputy City Clerk
Steve Vlachodimos	City Clerk
Andrew Daher	Commissioner of Corporate Services
Ray Mensour	Chief Administrative Officer

### **Appendices:**

- 1 Appendix A-Flag Policy



# THE CORPORATION OF THE CITY OF WINDSOR

## POLICY

Service Area:	<b>Office of the City Clerk</b>	Policy No:	
Department:	<b>Council Services</b>	Approval Date:	
Division:		Approved By:	
		Effective Date:	
Subject:	<b>Flag Policy</b>	Procedure Ref.:	
Review Date:		Pages:	
Prepared By:			Date:

### 1. **POLICY**

1.1 To establish guidelines for the display of flags at municipal facilities and events.

### 2. **PURPOSE**

2.1 To provide a uniform and harmonized protocol for the raising, displaying and half-staffing of flags at all properties and facilities owned and operated by the City of Windsor and at events conducted by the City at other locations.

### 3. **SCOPE**

3.1 This policy applies to all flag raisings at properties and facilities owned and operated by the City of Windsor, as well as the locations of all city-run events, except those that take place where the policies of another government body would take precedence.

### 4. **RESPONSIBILITY**

#### 4.1 **The Chief Administrative Officer**

The City Clerk or his/her designate will be authorized to order the raising or lowering of flags at properties and facilities owned and operated by the City of Windsor.

4.2 The Chief Administrative Officer will provide notification to the Senior Manager of Communications & Customer Service and the 311 Call Centre accordingly when flags are ordered to a half-staff position.

4.3 The City Clerk or his/her designate will be responsible to review this policy every 3 years.

### 5. **GOVERNING RULES AND REGULATIONS**

#### 5.1 **CITY OF WINDSOR FLAG**

(a) The City of Windsor Flag will be flown at all city buildings or facilities where



there are sufficient flagpoles to do so. Either in the event that only one flagpole exists on the property, the Canadian Flag or City of Windsor Flag may be displayed.

- (b) The City of Windsor Flag may be displayed indoors, in the Council Chambers, the Mayor's Office and functions where such flags are required.
- (c) The City of Windsor Flag should be flown or displayed properly and treated with dignity and respect.
- (d) The City of Windsor Flag shall not be used for commercial purposes by any organization.
- (e) The City of Windsor reserves the right to refuse, deny or restrict the use of the City Flag with respect to where or how it will be flown or displayed.

#### **5.1.1 PROCLAMATIONS AND REQUESTS TO FLY OTHER FLAGS**

The Municipality does not grant Flag Raising requests or issue Proclamations.

The Municipality shall only raise the following flags:

- (a) National Flag of Canada;
- (b) Ontario Flag;
- (c) City of Windsor Flag;
- (d) Franco-Ontarian Flag; and
- (e) Upon visits from official delegations, as described in section 5.1.2 (i-m)

#### **5.1.2 PROTOCOL**

- (a) Flags will be flown and displayed in accordance to the manner outlined by the Federal Government which can be found at the following website: <https://www.canada.ca/en/services/culture/canadian-identity-society/anthems-symbols/national-flag.html>
- (b) Where the City of Windsor Flag is flown or displayed with the Canadian Flag, the Canadian Flag will take the place of honour, which is to the left of the observer of the flags and the City of Windsor Flag on the right.
- (c) Where the City of Windsor Flag is flown or displayed with the Canadian Flag and Province of Ontario Flag, the Canadian Flag will occupy the centre position to the observer of the flag, the Province of Ontario Flag to the left and the City of Windsor Flag to the right.
- (d) When using flags with a speaker's podium, the flags may be positioned either directly behind, or to the left of the podium from the observer's



view of the speaker. Furthermore, flags shall be positioned in accordance to the manner outlined by the Federal Government as outlined in sections 5.1.2(b) and 5.1.2(c) of this policy.

- (e) When hung indoors without a flagpole, flags must be hung horizontally or vertically.
- (f) Under the discretionary authority of the Prime Minister, exceptional circumstances may be declared to approve the half-staffing of the Canadian Flag on the Peace Tower, and/or on all or some federal buildings and establishments in Canada or abroad. The half-staffing of The City of Windsor Flag will follow the same guidelines and will adhere to the half-staffing timeframe outlined by the Federal Government.
- (g) In the event that multiple flags are flown together, the flags should be identical in size and flown from separate flagpoles, which must also be the same height and shall follow the same half-staffing protocol.
- (h) When multiple flags are to be raised and lowered, and where it is not possible to perform this task at the same time, the flags will be raised and lowered in accordance to rank, with the Canadian Flag first, followed by the Province of Ontario Flag, followed by the City of Windsor Flag.
- (i) Where an official representative of a Canadian province is visiting the City of Windsor on an official visit, that particular provincial flag may be flown at all municipal buildings and facilities where it is feasible to do so.
- (j) Where an official representative of a country recognized by Canada, is visiting the City of Windsor on an official visit, that country's flag may be flown at all municipal buildings and facilities where it is feasible to do so.
- (k) Where an official delegation is visiting Windsor from a recognized twin city, that country's flag may be flown at the City Hall Building at 350 City Hall Square West.
- (l) A flag intended to recognize a significant event or activity sponsored or supported by the City including special commemorations, coupled with other available methods of recognition including building illumination. (i.e. Summer Games, Major Sporting Tournament)
- (m) The City of Windsor reserves the right to fly flags to commemorate an event it deems appropriate at various properties such as, but not limited to, the Raid on Dieppe Memorial or Vietnam Memorial.
- (n) Flags will be destroyed and disposed of in a dignified manner and replaced as soon as they show signs of wear.



### 5.1.3 HALF-STAFFING FOR MOURNING

- (a) The flying of flags at half-staff represents a period of official mourning or commemoration.
- (b) To honour the deceased, flags will be flown at half-staff from the time of death notification until sunset on the day of the memorial service.
- (c) Flags flown at municipally owned and operated buildings and facilities shall be lowered to a half-staff position, where it is feasible to do so, as a sign of mourning upon the death of the following persons:
  - i) His Majesty the King and members of the Royal Family;
  - ii) A past or present Canadian Prime Minister;
  - iii) A past or present day elected area representative of the Federal, Provincial and Municipal governments;
  - iv) Past or present Mayor and Members of Council;
  - v) Present day employees of the Corporation of the City of Windsor
  - vi) As directed by Proclamation from the Governor General of Canada or Lieutenant Governor of Ontario;
  - vii) As directed by the Mayor and City Council or Chief Administrative Officer.
- (d) Flags flown at municipal buildings and facilities shall be lowered to a half-staff position from sunrise to sunset to observe the following days:
  - i) Workers' Day of Mourning (April 28);
  - ii) National Day of Remembrance for Victims of Terrorism (June 23);
  - iii) Second Sunday in September, Firefighters' National Memorial Day, unless half-staffing occurs near the place where a memorial is being observed, then half-staffing can occur according to the prescribed order of service, until sunset;
  - iv) Last Sunday in September, Police and Peace Officers' National Memorial Day, unless half-staffing occurs near the place where a memorial is being observed, then half-staffing can occur according to the prescribed order of service until sunset;
  - v) National Day of Truth and Reconciliation (September 30);
  - vi) Remembrance Day (November 11) unless half-staffing occurs at a place where remembrance is being observed, then half-staffing can occur at 11:00 a.m. or according to the prescribed order of service, until sunset;
  - vii) National Day of Remembrance and Action on Violence Against Women (December 6)
  - viii) Any other national day of remembrance as recognized by federal or provincial governments.



- (f) In the event of the death of a current municipal employee including those employed by Windsor Police and Windsor Fire Services, flags will be lowered to half-staff at that person's immediate workplace in accordance of Section 6.1.2(b) of this policy. Should that workplace not fly flags, the flags flown at 350 City Hall Square West will be lowered to half-staff to honour the deceased employee.
- (g) The Mayor, Acting Mayor or Chief Administrative Officer may approve the lowering of flags to half-mast:
  - i) To recognize the passing of a citizen of the City of Windsor or a person of national or international stature who has had a significant impact on the community.
  - ii) In response to a tragic or catastrophic event anywhere in the world.
- (h) When lowering to half-staff, the flag should be raised fully to the top of the flagpole, and then lowered immediately to the half-staff position.
- (i) In the event of multiple flags being flown together, all will be flown at half-staff.
- (j) The half-staff position will depend on the height of the flagpole itself; however, the flag should be lowered to the approximated centre position of the flagstaff not to be confused as a flag that has accidentally fallen.

### **5.1.3 CITY OF WINDSOR CENOTAPH**

- (a) All flags to be flown at the City of Windsor Cenotaph will have a direct association to the Allied War efforts during World War I, World War II and the Korean War.

## **6. RECORDS, FORMS AND ATTACHMENTS**

- 6.1.** Records for this policy shall be prepared and retained in accordance with Records Retention By-Law 21-2013, as amended.



**Subject: Award of Proposal 91-24 - Appointment of Drainage Engineer - 6th Concession Drain - Ward 9****Reference:**

Date to Council: May 26, 2025

Author: Daniel Lopez

Engineer II

(519) 255-6257 Ext. 6402

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

Development – Engineering

Report Date: 4/29/2025

Clerk's File #: SW/14965

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

**Recommendation:**

- I. THAT the City Council **APPROVE** the award of RFP# 91-24 – Sixth Concession Drain - Walker Road to Little River - Consulting Services under the Drainage Act to the low bidder, LEA Consulting Ltd. in the amount of \$237,928.00 (excluding tax) under project ID# 7131002; and,
- II. THAT the CAO and City Clerk **BE AUTHORIZED** to execute an agreement with LEA Consulting Ltd. in the amount of \$237,928.00 (excluding tax) satisfactory in technical content to the City Engineer, in form to the City Solicitor, and in financial content to the City Treasurer; and,
- III. THAT Council **AUTHORIZE** administration to issue any change order(s) and to use any funds in approved Capital Budget Project ID 7131002 allocated for the Sixth Concession Drain – Walker Road to Little River, as detailed herein for any change order requirements/directives related to RFT# 91-24, provided that the change order amounts do not exceed the approved budget amounts; and,
- IV. THAT LEA Consulting Ltd. **BE APPOINTED** as Drainage Engineer to prepare an engineer's report under Section 78 of the Drainage Act for improvements to the 6<sup>th</sup> Concession Drain.

**Executive Summary:**

N/A



## **Background:**

The 6<sup>th</sup> Concession Drain, a municipal drain in the City of Windsor, originates near the Highway 401 ramps to Dougall Parkway. Over time, urban development has resulted in the enclosure of significant portions of the drain between Dougall Parkway and Provincial Road, as a residential subdivision was established in the area.

From Provincial Road, the drain flows north before turning east, crossing Walker Road just south of Division Road. Certain sections are enclosed in the commercial zones. The drain continues eastward and remains mostly open from the CN Railway to its downstream outlet, where it ultimately discharges into the Little River Drain on the south side of Baseline Road.

Sections of the drain are in urgent need of repair to address ongoing erosion issues, while other improvements to the drain are included in the stormwater recommendations of the Sandwich South Master Servicing Plan ("SSMSP") to accommodate projected development in the Sandwich South Area.

## **Discussion:**

The Sixth Concession Drain east of 8th Concession Road is currently in a debilitated state. Due to erosion of the drain bank, and the proximity of the Baseline Road edge of pavement to the drain, insufficient shoulder width is remaining. The drain banks require slope softening and realignment to prevent the condition of Baseline Road from worsening.

In addition, in May of 2023, the City adopted the Sandwich South Master Servicing Plan ("SSMSP") completed by Dillon Consulting Limited which identified key improvements that would accommodate the City of Windsor's projected growth in the area. An essential component of the plan is how stormwater will be managed. The portion of the Sixth Concession Drain detailed in this request falls within these stormwater recommendations.

Request for Proposals (RFP) 91-24 was issued in accordance with Purchasing By-law 93-2012 on November 26, 2024 for consulting services including preparation of an engineer's report for proposed improvements to the 6<sup>th</sup> Concession Drain, addressing necessary repairs as well as future expansion and realignment of the drain. The proposed improvements are necessary to facilitate the development in the Sandwich South Area.

The Engineer's Report, prepared in accordance with the Drainage Act, will outline the necessary drainage improvements to ensure the appropriate level of service is maintained. RFP 91-24 closed on December 11, 2024, with LEA Consulting Ltd being the sole bidder. The bid submission was evaluated and passed the technical requirements. As such, Administration recommends LEA Consulting Ltd. Be awarded RFP 91-24. Appointing LEA Inc. as the drainage engineer will satisfy the requirements of Section 8 of the Drainage Act.



## **Risk Analysis:**

There is no risk directly associated with appointing LEA Consulting Ltd as the drainage engineer of record. LEA Consulting Ltd. is a Canadian based consulting firm in operation since 1953 with offices Canada wide including locally in Windsor. The nature of the services subject of this report are restricted to consulting services and not anticipated to have any tariff impacts. Any future construction works resulting from the recommendations of the drainage engineer of record are considered to have low to no risk of tariff impacts as it is anticipated to consist mostly of labour and time with very few materials, all of which are anticipated to be sourced locally.

## **Climate Change Risks:**

### **Climate Change Mitigation**

The recommendations do not materially advance mitigation from the impacts of climate change.

### **Climate Change Adaptation**

Future significant storms are likely to occur again and could lead to further instances of flooding within the City. Drain improvements will improve the conveyance capacity of the system, reducing the potential risk of property damage to residents.

## **Financial Matters:**

The successful bidder under RFP 91-24 was LEA Consulting Ltd. with a total bid price of \$237,928.00 (excluding tax). LEA Consulting Ltd. has signed a Single Response Agreement form. The total costs for preparation of the Engineer's Report are below.

<b>EXPENSES</b>	
LEA Consulting Ltd. (including Contingency)	\$237,928
Non-Recoverable HST	\$4,188
Other expenditures (Internal project management, contingency etc.)	\$65,700
<b>GROSS ESTIMATED PROJECT COSTS</b>	<b>\$307,816</b>



Administration recommends that this project be funded from project ID # 7131002. The Financial Planning Administrator for Engineering has confirmed that there is sufficient funding in the Capital Project budget 7131002 – Baseline/6<sup>th</sup> Concession Drain Improvements to cover the costs of the works noted above.

### **Consultations:**

Kathy Buis – Financial Planning Administrator  
Michael Dennis – Manager, Strategic Capital Budget Development  
Jennifer Musson – Purchasing Supervisor (A)  
Tom Graziano – Drainage Superintendent

### **Conclusion:**

The drainage report for the Sixth Concession Drain, and subsequently, the upgrades to the drain are necessary to accommodate both long term development in Sandwich South and integrity of the drain banks in the interim. Administration recommends appointing LEA consulting Ltd. as the drainage engineer of record and approving the award of Proposal 91-24.

### **Planning Act Matters:**

N/A

### **Approvals**

<b>Name</b>	<b>Title</b>
Mark Spizzirri	Manager, Performance Measurement & Business Case Development
Dawn Lamontagne	Purchasing Manager (A)
Patrick Winters	Manager, Development
Stacey McGuire	Executive Director of Engineering/Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance and City Treasurer
Ray Mensour	Chief Administrative Officer



**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**



**Subject: Award of RFT 44-25 - Lou Romano Water Reclamation Plant (LRWRP) Conveyor Room Repairs**

**Reference:**

Date to Council: May 26, 2025  
Author: Isak Quakenbush  
Pollution Control Project Engineer  
(519) 253-7111 Ext. 3226  
iquakenbush@citywindsor.ca  
Pollution Control

Pollution Control  
Report Date: 5/6/2025  
Clerk's File #: SW/14800

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

**Recommendation:**

**I. THAT Council **AWARD** the following Tender:**

TENDER NO.:	RFT 44-25
TENDERER:	Intrepid General Limited 505 Harvard Drive Belle River, ON, N8L OB3

TOTAL TENDER PRICE: \$659,665.21 (plus HST); and,

- II. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the above tenderer, satisfactory in technical content to the City Engineer, in form to the City Solicitor, and in financial content to the City Treasurer; and,**
- III. THAT Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the Lou Romano Water Reclamation Plant (LRWRP) Conveyor Room Floor Steel Repair and Coatings – City Wide project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the Chief Financial Officer, in legal form to the City Solicitor; and in technical content to the Commissioner of Infrastructure Services; and,**



- IV. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to Chief Financial Officer, in legal form to the City Solicitor and in technical content to the Commissioner of Infrastructure Services; and,
- V. **THAT** Council **AUTHORIZE** the transfer of up to \$679,526 from the Pollution Control Reserve (Fund 208) to project 7242007 LRWRP Conveyor Room Floor.

**Background:**

As described in C61/2024 the conveyor room of the dewatering building at LRWRP was constructed in 1980. During a recent maintenance activity, it was discovered that the steel structure supporting the floor above the truck bay is notably corroding. Dewatering is the critical process of removing biosolids from the wastewater and this structure supports LRWRP's only means of removing biosolids from the plant.

**Discussion:**

Request for Tender (RFT) No. 44-25 was prepared as a result of Stantec Consulting investigation and design stemming from C61/2024. The 2025 budget approved \$400,000 for this project but it is not enough to cover the tendered price. Due to the critical nature of the work, access restrictions and potential project uncertainties, administration is seeking additional budget above the tendered price to fully manage any risks associated with the complex nature of this work.

The Tender was issued on March 3, 2025 and closed on April 10, 2025. Four bids were received (three were deemed compliant, one deemed non-compliant) as detailed below:

Vendors	Total Tender Price
Intrepid General Limited	\$659,665.21
Oscar Construction Company Limited.	\$1,049,829.33
Integral Pro Inc.	\$1,280,808.44
<i>Vince Ferro Construction Limited.</i>	<i>Non-Compliant</i>

The lowest compliant bid was from Intrepid General Limited at \$659,665.21.



## **Risk Analysis:**

There is moderate risk associated with this work as dewatering operations will continue throughout the work. Trucks will be entering and exiting the truck bay, and the conveyor will be in operation during construction. The contractor is aware of these challenges and it is within their scope to manage these conflicts either by working in the off hours or by a mechanical means.

Not repairing this structure poses significant safety and operational risks. If the structure were to fail, the consequences may result in severe injury or death, damage of other critical equipment, extreme cost associated with interim operation and reconstruction. Further, this ongoing state of disrepair would violate the plant's Ministry Issued Environmental Compliance Approval (ECA #1853-B43PVC) on the basis that Pollution Control did not take all reasonable measures to maintain plant operations as per the ECA and could be subject to substantial fines.

There is minimal risk of this project being impacted due to Tariffs as the consultant (Stantec Consulting) was able to confirm that there is sufficient supply in Canada of the coating product and steel products used for this type of work.

## **Climate Change Risks:**

### **Climate Change Mitigation**

The recommendation does not materially impact upon Climate Change Mitigation.

### **Climate Change Adaptation**

The recommendation does not materially impact upon Climate Change Adaptation.

## **Financial Matters:**

The table below provides a financial summary of the Conveyor Room Steel Repair and Coating project at LRWRP.

<b>EXPENSES</b>	
RFT 44-25 Tender Price	<b>\$659,665</b>
HST Non-Recoverable Estimated	<b>\$11,611</b>
Contingency for Unknown Conditions	<b>\$398,724</b>
<b>TOTAL EXPENSES</b>	<b>\$1,070,000</b>
<b>REVENUES</b>	
Funding Available - Project #7242007 (LRWRP Conveyor Room Floor)	\$390,474
Transfer from Pollution Control Reserve Fund 208 to Project ID 7242007 (LRWRP Conveyor Room Repairs)	\$679,526
<b>TOTAL REVENUES</b>	<b>\$ 1,070,000</b>



As discussed in the risk analysis, there is moderate risk associated with this work, as dewatering operations will continue throughout the repair. However this risk is to be assumed by the contractor through their pricing. The accessibility and visual restrictions can further create unknown conditions that could require additional work. Administration estimates an additional \$398,724 could be required which would bring the total project budget to an estimated \$1,070,000.

As indicated in the risk section, this procurement will utilize a local Canadian contracting company and there is minimal risk associated with increasing costs due to tariffs. It is recognized that the specialized powder coating materials (~ \$150,000) are manufactured in the United States, but sufficient ready stock is available through local product distributors within the province. These materials are not manufactured in Canada, and it is not certain whether an alternative product exists locally. As such, no additional provision for this matter has been incorporated into the estimated project cost. The LRWRP Conveyor Room Steel Repair project has a current balance of \$390,474. As a result, the project is currently underfunded by \$679,526.

Administration recommends that an amount up to \$679,526 transfer of currently available funding from the Pollution Control Reserve (Fund 208) be completed as required to fund the repairs and estimated contingency costs. The Pollution Control Reserve has approximately \$ 4.1 Million in uncommitted funding which can be utilized to fund the \$679,526 transfer.

### **Consultations:**

Dawn Lamontagne, Purchasing Manager (A)

Joshua Meloche, Senior Legal Counsel

Mark Nazarewich, Deputy City Solicitor

Michael Dennis, Manager of Strategic Capital Budget Development & Control

### **Conclusion:**

Administration recommends proceeding with approval of the financing and awarding tender 44-25 LRWRP Conveyor Room Floor Steel Repair and Coatings and the execution of the contract with Intrepid General Limited.

### **Planning Act Matters:**

N/A



**Approvals:**

<b>Name</b>	<b>Title</b>
Mark Spizzirri	Manager Performance Measurement and Business Case Development
Ed Valdez	Executive Director, Pollution Control (A)
Andrew Daher	Commissioner of Corporate Services
David Simpson	Commissioner, Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner of Finance and City Treasurer
Ray Mensour	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices: N/A**



**Subject: Jarvis Avenue Local Improvement (City Initiated) - Petition  
Results and Upcoming Construction - Ward 7**

**Reference:**

Date to Council: May 26, 2025

Author: Adam Mourad

Engineer III

(519) 255-6257 Ext. 6614

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

Design – Engineering

Report Date: 5/6/2025

Clerk's File #: SL2025

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

**Recommendation:**

- I. THAT the approval granted through CR533/2024 for the construction of curbs and boulevard restoration on Jarvis Avenue from Riverside Drive East to Little River Boulevard as a local improvement under the provisions of O. Reg. 586/06 under the Municipal Act **BE RESCINDED**; and,
- II. THAT notice in response to the successful City Initiated Local Improvement Petition for the construction of sidewalks, storm sewers and private drain connections (PDCs) on Jarvis Avenue from Castle Hill Road to Little River Boulevard **BE GIVEN** to affected owners; and,
- III. THAT, Council **PASS** a By-Law to authorize the construction of a storm sewer, sidewalk, and private drain connections on Jarvis Avenue from Castle Hill Road to Little River Boulevard, as shown on attached Drawing C-3836 as a local improvement under the provisions of O. Reg. 586/06 under the Municipal Act, with repayment terms of 10 years not to exceed 20 years at an interest rate deemed appropriate by Administration, and that notice of the result of the Local Improvement **BE GIVEN** to affected owners.

**Executive Summary:**

N/A



## Background:

The Wyandotte Street East Extension and Jarvis Avenue Municipal Class Environmental Assessment Study ("Class EA Study") was endorsed by Council through CR12/2024. The Class EA Study identifies neighbourhood network, safety, and infrastructure improvements for the study area which includes Jarvis Avenue from Riverside Drive East to Little River Boulevard.

Though Council Report C 158/2024, administration began the City initiated local improvement process for the construction of curbs, sidewalks, and storm sewers within the Class EA Study area. A Notice of the City's intention to pass a Local Improvement Charges By-law in accordance with O. Reg. 586/06 was issued to benefitting property owners on February 26, 2025. (the "Notice"). At its April 14, 2025 meeting, Council passed the following resolution:

CR141/2025

"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."

This report provides a response related to the petition and CR141/2025.

## Discussion:

### Curb and Boulevard Restoration Local Improvement Results

In response to the Notice, residents provided a sufficiently signed petition on March 28, 2025 AGAINST the installation of curbs under O. Reg. 586/06.

In accordance with Section 7 of O. Reg. 568/06 if, within 30 days after Notice is given to the public under section 6, the municipality receives a sufficient petition, as determined under section 10, against undertaking the work as a local improvement, **the municipality shall not undertake the work as a local improvement within two years after receiving the petition.**

Accordingly, any infrastructure works that may be constructed in the next two years on Jarvis Avenue from Riverside Drive East to Wyandotte Street East and from Dillon Drive to Little River Boulevard will NOT include the installation of curbs.

It is Administration's intention to reclassify the portion of Jarvis Avenue between Wyandotte Street East and Dillon Drive as a Class 1 Collector Road upon completion of the Wyandotte Street Extension from Banwell Road to Jarvis Avenue, in accordance with recommendations in the Class EA Study. In anticipation of such reclassification, the City may install curbs on Jarvis Avenue between Wyandotte Street East and Dillon Drive at its sole discretion and at its own cost.



## **Sidewalk, Storm Sewer, and Private Drain Connections (PDCs) Local Improvement Results**

No petitions were received in response to the separate Notice issued for the installation of new sidewalk, storm sewers, and PDCs under O. Reg. 586/06. Accordingly, and in line with the recommendations of the Class EA Study, the City intends to construct sidewalks, storm sewers, and PDCs as a local improvement under O. Reg. 586/06 on Jarvis Avenue from Castle Hill Road to Little River Boulevard as funding becomes available.

Following completion of the work, property owners will have the option to remit the costs related to their portion of the work through either a single payment or an annual special local improvement charge which is collected over a period not to exceed twenty (20) years in accordance with CR136/2020.

### **Phasing and Timing**

The Class EA Study identified that in order to provide a storm sewer connection for the Wyandotte Street East extension and provide for proper drainage for Jarvis Avenue north of Castle Hill Road, the trunk storm sewer on Castle Hill Road will be extended to Wyandotte Street East. In addition, a new sanitary sewer on Jarvis Avenue between Wyandotte Street East and the Beverly Glen Street right of-way will be reconstructed due to its poor condition.

As such, the Class EA Study identified improvements to Jarvis Avenue, including roadworks, sewer reconstruction and active transportation considerations. This work was recommended to be constructed in two phases:

- **Phase 1** – Wyandotte Street East Extension and Jarvis Avenue improvements from Wyandotte Street East to Castle Hill Road.
- **Phase 2** – Jarvis Avenue improvements from Riverside Drive East to Wyandotte Street East and from Castle Hill Road to Little River Boulevard.

On January 17, 2025 the City received confirmation of a successful application to the Housing Enabling Core Systems (HECS) fund for the Banwell Road Corridor Improvements project which includes the extension of Wyandotte Street East from Banwell Road to Jarvis Avenue. In accordance with the requirements of the HECS funding agreement, construction of the works must be completed by no later than March 31, 2028. It is anticipated that construction of Phase 1 may start as early as 2026.

The timing of future phases identified above will be dependent on the inclusion of funding in future capital budgets.



## **Risk Analysis:**

Local improvement work is consistent with the requirements set forth by O. Reg. 586/06 under the *Municipal Act*. As such, associated risks to the Corporation are considered minimal.

Other associated risks to the Corporation resulting from undertaking a local improvement project include risks typical of a construction project, such as bodily injury, property damage, and matters arising from violations of the *Occupational Health and Safety Act*. These risks will be transferred to the successful proponent, through the contract that the City and the successful bidder enter into. As part of the contract with the successful bidder, there will be sufficient insurances in place to cover the Corporation for the potential damage and claims that may arise from their work during or after construction in the maintenance period.

## **Financial Risks:**

There are a number of financial impacts associated with the extension of a repayment period of ten (10) years. This would include such items as assessing the impact to City funding, the impact on available cash flows, and costs associated with the administration of the program, etc. The portion which remains to be funded, over time, by the taxpayer is in essence a loan with the City becoming the financing authority on a long-term basis.

In terms of cash flow, in an economic environment wherein interest rates are very low and affordable, it would be advantageous for a property owner to accept and maintain a repayable loan from the City. In contrast, where interest rates are initially higher and then fall over the repayment period, a property owner can choose a payout based upon the remaining balance outstanding. The same does not hold true for the city, as interest rates rise, the City would be essentially forgoing interest revenue until the full balance owing is collected. In order to address this risk and to be consistent with Council's direction, the term and interest rates will be set going forward at the discretion of Administration with appropriate consideration to an appropriate risk premium to address the long term nature of the local improvement repayment.

## **Climate Change Risks:**

### **Climate Change Mitigation**

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

### **Climate Change Adaptation**



More frequent and intense rain events can increase the risk of flooding. Residents are encouraged to utilize the Basement Flooding Subsidy Program including sump pump installation with overflow and downspout disconnection to reduce storm water entering the system. Stormwater management design for the roadway will follow current standards and include considerations for extreme precipitation and high surface water levels when developing flooding solutions.

### **Financial Matters:**

The City's Local Improvement Policy states, with regards to new sewer construction, that abutting property owners will be assessed at the approved rate per metre frontage for the placement of a new storm sewer along the property frontage. The City will pay for the remainder of the cost for the installation of the storm sewer at intersections, in front of City owned property and alleys (if present), and for road drainage. The cost of all private drain connections, from the main sewer to the property line will be estimated and charged to the benefitting property in accordance with the provisions of the O. Reg 586/06 at a fixed rate.

Furthermore, the property owner will be assessed for 100% of the cost per metre of frontage of new sidewalks. Exceptions may be issued in accordance with the City's Local Improvement Policy and O. Reg. 586/06 for irregularly shaped properties and flankage lots where applicable. This funding was approved under CR533/2024.

Residents who may opt for a repayment plan from the City may pay the local improvement charges through a 10 year repayment option at an indicative rate of 6.14%. This rate is illustrative and based upon the City's cost of borrowing plus either 2% or 4% depending upon the term length as of the date of this report. Final interest rates will be set at the time of completion of the works, once allocation of costs are determined.

### **Consultations:**

Janelle Coombs – Engineer II

Kathy Buis – Financial Planning Administrator

### **Conclusion:**

Administration recommends the initiation of sidewalks, storm sewers and private drain connections as a local improvement under the provisions of O. Reg. 586/06 on Jarvis Avenue from Castle Hill to Little River Blvd as funding becomes available as it supports the phased works recommended in the Wyandotte Street East Extension and Jarvis Avenue Municipal Class EA Study.

### **Approvals:**

Name	Title
------	-------



Mark Spizzirri	Manager of Performance Measurement and Business Case Development
Fahd Mikhael	Manager of Design
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
Jancie Guthrie	Commissioner, Finance and City Treasurer
Ray Mensour	Chief Administrative Officer

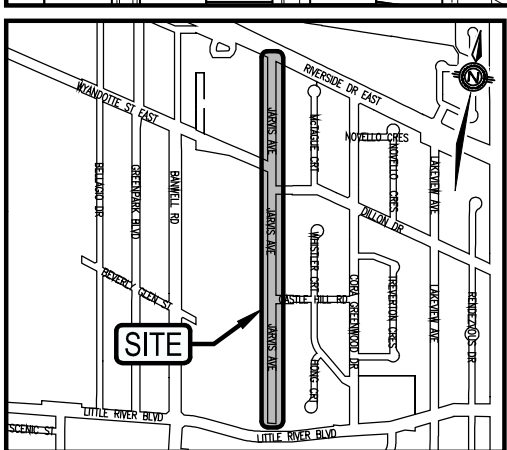
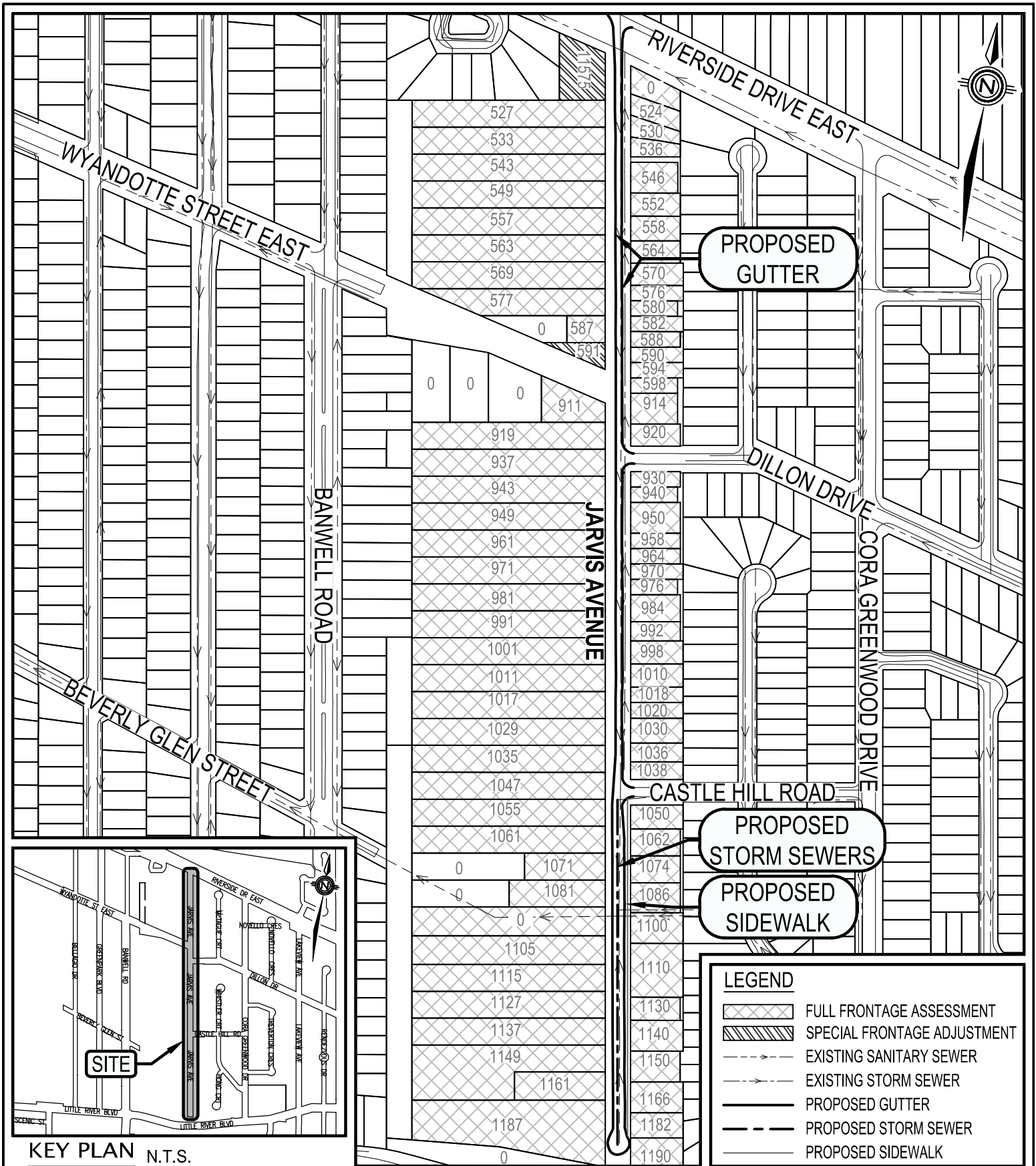
**Notifications:**

Name	Address	Email
Jarvis Avenue Local Improvement Resident Notification List		

**Appendices:**

- 1 Drawing C-3708 - Jarvis Avenue Local Improvement Map





THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

City Initiated Local Improvement on Jarvis Avenue South of  
Riverside Drive East - Proposed New Storm Sewers, Sidewalk and Gutter

*Kirk Tamm*

Kirk Tamm, Manager of Geomatics

SCALE: 1:4000

DATE: NOV 2024

REVISED: -

DWG. NO.

City Council Meeting Agenda - Monday, May 26, 2025  
Page 602 of 791

REVISION NO.: -

C-3836





**Committee Matters: SCM 332/2024**

**Subject: Repeal of By-Law 9-2019 and 140-2020, Passing of New By-Law to Establish Standards for the Maintenance and Occupancy of All Property in the City of Windsor – City Wide**

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Gary Kaschak

Decision Number: **ETPS 1029**

THAT By-law XX-2024, “A By-Law Establishing Standards for the Maintenance and Occupancy of All Property in the City of Windsor” draft attached as schedule ‘A’ **BE PASSED** by Council; and,

THAT By-law Number 9-2019 as amended by By-law 140-2020 being “A By-Law Establishing Standards for the Maintenance and Occupancy of All Property in the City of Windsor” **BE REPEALED**.

Carried

Report Number: S 133/2024

Clerk’s File: SB2024

**Clerk’s Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.1 from the Environment, Transportation & Public Safety Standing Committee held on October 30, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241030/-1/10517>



**Subject: Repeal of By-Law 9-2019 and 140-2020, Passing of New By-Law to Establish Standards for the Maintenance and Occupancy of All Property in the City of Windsor – City Wide**

**Reference:**

Date to Council: October 30, 2024  
Author: Roberto Vani, Deputy Chief Building Official - Inspections  
rvani@citywindsor.ca  
519-255-6267 x6834  
Planning & Building Services  
Planning & Building Services  
Report Date: September 26, 2024  
Clerk's File #: SB2024

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

**Recommendation:**

THAT By-law XX-2024, "A By-Law Establishing Standards for the Maintenance and Occupancy of All Property in the City of Windsor" draft attached as schedule 'A' **BE PASSED** by Council; and,

THAT By-law Number 9-2019 as amended by By-law 140-2020 being "A By-Law Establishing Standards for the Maintenance and Occupancy of All Property in the City of Windsor" **BE REPEALED**.

**Executive Summary:**

N/A

**Background:**

Section 15.1(3) of the Ontario Building Code Act, S.O. 1992, c. 23 ("BCA") authorizes Council, where an Official Plan includes provisions relating to property conditions, to pass a By-law that:

1. Prescribes standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards.



2. Requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition.

The City's Official Plan (Section 11.8.4.9) contains the provisions relating to property standards as required by the legislation.

Section 15.6 of the BCA indicates that where a property standards by-law is passed pursuant to section 15.1, then such a by-law shall provide for the establishment of a Property Standards Committee to hear appeals from Orders issued by Inspectors.

## **Discussion:**

The City of Windsor enacted its first Property Standards By-law in 1957 with the passage of By-law 1718. Since the passage of By-law 1718 numerous Property Standards By-laws have been passed and repealed by Council to address changing Provincial legislation, housekeeping amendments and organizational and operational changes to address specific community issues such as blighted and vacant buildings and the maintenance of buildings designated under the Ontario Heritage Act.

Property standards by-laws are not merely regulatory measures; they are essential tools that ensure our city remains a desirable place to live, work, and invest.

### **Key Reasons for Enforcing Property Standards By-laws:**

1. Protection of Public Health and Safety

Property standards by-laws are instrumental in safeguarding residents from hazardous conditions such as structural deficiencies, unsanitary environments, and fire risks. By enforcing these standards, we help prevent accidents, injuries, and ensure safe housing for our residents.

2. Preservation of Property Values

Well-maintained properties contribute to the overall aesthetic appeal of our neighborhoods, thereby preserving property values. When property standards are consistently enforced, they discourage neglect and blight, protecting homeowners' investments and enhancing the City's economic stability.

3. Community Pride and Quality of Life

A city that adheres to strict property standards fosters a sense of community pride. Clean, well-kept neighborhoods promote a higher quality of life, encouraging civic engagement and social cohesion. Residents are more likely to take pride in their surroundings, leading to a positive, self-reinforcing cycle of community improvement.

4. Attracting Business and Investment



For our city to remain competitive and attractive to businesses and investors, it is vital that we present a well-maintained and orderly appearance. Adherence to property standards signals to potential investors that our city is well-managed and committed to providing a stable and prosperous environment for economic growth.

Council has recently focused attention on addressing the perceptions of safety and security in the Downtown. To increase the number of businesses, attract new residents and visitors, and make significant improvements to the City's core, City Council adopted the Strengthen the Core – Downtown Windsor Revitalization Plan as part of the 2024 operating budget. These proposed by-law amendments will implement some of the 'High Standards' objectives noted in the plan, specifically numbers 2.2, 2.4 and 2.5 as noted below.

Strengthen the Core – 'High Standards' Objectives:

*2.2 Engage all relevant City of Windsor departmental teams to create or modify existing by-laws, including the Interim Control By Law for building demolitions, to encourage through education and enforcement maintenance of vacant commercial, residential buildings and their surrounding lands.*

*2.4 Expand definition of "Safety" to look at impact of buildings that are not at an adequate standard.*

*2.5 Support enforcement of City by-laws relating to maintaining property standards. Ex. replacing broken windows, landscaping, or other property elements when there is non-compliance.*

The amended Property Standards By-law (attached as Appendix 'A') includes new standards related to vacant and boarded buildings and requirements to maintain utility services in vacant buildings. Additionally, grammatical changes and language enhancements have been added to support Buildings' enforcement processes and satisfy objectives under the Strengthen the Core – Downtown.

By-law amendment highlights:

## **SECTION 2 - DEFINITIONS OF WORDS AND PHRASES**

New definitions have been added and existing definitions modified to ensure the By-law is clear in its expectations, as well as consistent with supporting our Community Improvement Plans outlined in the City's Official Plan. The following new defined terms have been added or modified:

- Derelict Building
- Duct Type Smoke Detector
- Habitable Room
- Interceptor (Grease & Oil)



- Neglect
- Private Sewer Connection
- Rear Yard Drain
- Storm Water Management System
- Vacant Building

## **SECTION 5 - STANDARDS**

Schedule A (Parts 1 to 5) were consolidated under this section using consecutive numbering.

Sub Section 5.2.16 was added to ensure the effective operation and maintenance of private rear yard drains and storm water management systems required as part of a development approval.

Sub Section 5.2.22 was added to ensure specific requirements for maintenance of private storm and sanitary drain connections, from a building to a municipal sewer, were included in the by-law.

Sub Section 5.2.33 (b) was amended to ensure that any exterior lighting must comply with the City's future lighting by-law.

Sub Sections 5.3.8 was added to ensure proper sizing, efficient operation, maintenance and longevity of all industrial oil interceptors.

Sub Section 5.4.26 (a) was added for clarity to ensure habitable basement ceiling heights comply with ceiling height requirements.

Sub Section 5.4.29 was added to address duct type smoke alarms required in shared residential ductwork/furnace ventilation systems.

Sub Section 5.5.1. was amended to distinguish between vacant buildings damaged by fire or storm and vacant buildings voluntarily vacated.

Section 5.6 was amended to be clear in its expectations and comparable with other municipalities.

## **SECTION 8 – COMPLIANCE**

Sub Section 8.1 was amended to remove the reference to Schedule A and additional wording was added to Sub Section 8.4 to ensure the by-law is conforming to the most current addition of the Ontario Building Code.

## **SECTION 11 – REPEAL AND TRANSITION**

Sub Section 11.1 and Sub Section 11.2 were amended to add the most recent by-law numbers.



## **SCHEDULE 'A' – TABLE OF CONTENTS**

The Table of Contents was removed from this section of the by-law.

## **SCHEDULE 'A' PART 1 – STANDARDS FOR ALL PROPERTIES**

This section was moved to Section 5 – Standards

Sub Section 1.35 (d) (Direction of parking lot lighting) was removed from this by-law.

## **SCHEDULE 'A' PART 2 – SUPPLEMENTARY STANDARDS FOR NON-RESIDENTIAL PROPERTIES**

This section was moved to Section 5 - Standards

## **SCHEDULE 'A' PART 3 – SUPPLEMENTARY STANDARDS FOR RESIDENTIAL PROPERTIES**

This section was moved to Section 5 - Standards

## **SCHEDULE 'A' PART 4 – ADDITIONAL REQUIREMENTS FOR VACANT BUILDINGS**

This section was moved to Section 5 – Standards

## **SCHEDULE 'A' PART 5 – SUPPLEMENTARY STANDARDS FOR HERITAGE PROPERTIES**

This section was moved to Section 5 - Standards

The vast majority of residents and businesses are compliant with the Property Standards By-Law; however, these are important changes that property owners need to be aware of so Administration will work with traditional and social media to get the word out and direct property owners to the City's website for more detailed information.

Administration will also work with respective associations such as BIA's, Chamber of Commerce and others to help direct people to the City's website for information on the changes.

Lastly, Administration suggests including a notice in the 2025 tax insert and will continue to find other channels to communicate these important updates and changes to the Property Standards By-Law.

Using a combination of these strategies can ensure that the information reaches a broad audience and is understood by residents and business owners.



## **Risk Analysis:**

Not having a comprehensive and effective Property Standards By-law along with adequate resources for enforcement impacts the City's ability to achieve the goals identified in the Strengthen the Core – Downtown Windsor Revitalization Plan and in the City of Windsor's 20-Year Strategic Vision:

1. Addressing Windsor's Reputation; and
2. Improving Quality of Life in Windsor.

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

## **Financial Matters:**

N/A

## **Consultations:**

John Revell – Chief Building Official

Brandon Calleja – Deputy Chief Building Official – Permits (A)

Aaron Farough – Senior Legal Counsel

David Simpson – City Engineer

## **Conclusion:**

Our municipal property standards by-laws are foundational to the continued success and vitality of our city. They protect public health and safety, preserve property values, promote environmental sustainability, enhance the quality of life, and attract business and investment.

It is the responsibility of every owner to maintain their property in a condition that will meet or exceed the minimum standards outlined in this by-law. These amendments and enhancements will address and improve various aspects of property maintenance, safety, help meet current community needs and will provide a more effective



enforcement tool to achieve the goals of the Strengthen the Core – Downtown Windsor Revitalization Plan. It is the recommendation of Administration that Council adopt this new Property Standards By-law and continue to support the enforcement of the by-law to reflect our ongoing commitment to a thriving, vibrant community.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Roberto Vani	Deputy Chief Building Official - Inspections
John Revell	Chief Building Official
Wira Vendrasco	City Solicitor
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

### **Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

### **Appendices:**

- 1 Schedule A - Proposed By-law



A BY-LAW TO ESTABLISH STANDARDS FOR THE  
MAINTENANCE AND OCCUPANCY OF ALL  
PROPERTY IN THE CITY OF WINDSOR

Passed the xxxxxxxxxxxxxx

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WHEREAS Section 15.1(3) of the *Building Code Act*, S.O. 1992, c. 23, as amended authorizes municipalities to enact by-laws prescribing standards for the maintenance and occupancy of all property within the municipality and for prohibiting the occupancy or use of such property that does not conform with the standards; and for requiring any property that does not conform with the standards to be repaired and maintained to conform with the standards as described herein or the site to be cleared of all buildings, structures, debris or refuse and the lands left in a graded and level condition;

AND WHEREAS the Official Plan for The Corporation of the City of Windsor includes provisions relating to property conditions as required by Section 15.1(3) of the *Building Code Act*, S. O. 1992, c. 23, as amended;



AND WHEREAS Section 35.3 of the Ontario Heritage Act, (OHA) R.S.O. 1990, c. 0.18 authorizes municipalities to pass by-laws to include minimum standards for the maintenance of heritage attributes or properties designated by the municipality under Section 29 or by the Minister under Section 34.5 OHA, and require property that has been so designated, that does not comply with the standards, to be repaired and maintained to conform with the standards;

AND WHEREAS Section 391 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that Council may, by by-law, impose fees for services and activities provided or done by or on behalf of The Corporation of the City of Windsor;

AND WHEREAS it is deemed expedient to repeal By-law 9-2019 replace it with a new consolidated By-law;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

## **SECTION 1      SHORT TITLE**

1.1      This by-law may be cited as the Property Standards By-law.

## **SECTION 2      DEFINITIONS**

2.1      In this by-law:

**ACCEPTABLE** means:

- (a)    accepted by the Chief Building Official of the Corporation with respect to matters under the Building Code; or
- (b)    accepted by the Property Standards Officer with respect to the standards set out in this by-law.

**ACCESSORY BUILDING** means a completely detached building used for an accessory use of the lot.

**ACT** means the *Building Code Act*, S.O. 1992, c. 23, as amended or any successor thereof.

**APPLIANCE** means a device to convert fuel to energy and includes all components, controls, wiring and piping required as part of the device by the applicable standard referred to in the Building Code.

**BARRIER-FREE** means that a building and its facilities can be approached, entered and used by persons with physical or sensory disabilities.

**BASEMENT** means one or more storeys of a building located below the first storey.

**BUILDING** means a structure as defined in the Act.

**BUILDING CODE** means the Regulations made under the section 34 of the Act.

**CELLAR** means any part of a building where the vertical distance from the grade to the floor is greater than the vertical distance from the grade to the ceiling above.

**CHIEF BUILDING OFFICIAL** means the Chief Building Official or his/her designate duly appointed by the Council and having jurisdiction for the enforcement of the Act.

**CITY** means The Corporation of the City of Windsor.

**COUNCIL** means the Council of the City.



**CITY CLERK** means the person duly appointed as Clerk for the City.

**CRAWLSPACE** means an enclosed space between the underside of a floor assembly and the ground cover directly below, with a clearance of less than 1.8 metres in height.

**DERELICT BUILDING** shall mean:

- (a) a building which has been left vacant and/or neglected by the owner for a period of 182 days or more; or
- (b) a building damaged by fire, storm or other catastrophic event where, in the opinion of the Officer the building is beyond practical repair.

**DUCT TYPE SMOKE DETECTOR** means a device used to detect the presence of smoke in the airstream of ductwork sections of the HVAC air handling systems.

**DWELLING** means a building or structure that is occupied for the purpose of human habitation. A correction institution, hotel, motel home, recreational vehicle, tent trailer or travel trailer is not a dwelling.

**DWELLING UNIT** means a room or suite of rooms used by or designed to be used by one (1) or more individuals as an independent and separate housekeeping unit.

**EXIT** means that part of a means of egress, including doorways, that leads from the floor area it serves to a separate building, an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.

**FLOOR AREA** means the maximum area contained within the outside walls of a building or within the walls of a room, as the case may be.

**GRADE** means:

- (a) The average elevation of the crown of that part of the street abutting the front lot line. Where the elevation of a point on a building located on the lot is equal to the grade elevation, that point is deemed to be “at grade”; and
- (b) Grade for an *accessory building* means the average elevation of the finished surface of the ground adjacent to the accessory building.

**GUARD** means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them.

**HABITABLE ROOM** a room within a dwelling that is designed, legally used, or able to be legally used for living, sleeping, cooking, or dining. A washroom/bathroom within a dwelling unit is a habitable room.

**HERITAGE ATTRIBUTES** means;

- (a) The attributes or features of property, buildings or structures that contribute to the property’s cultural heritage value or interest that are defined or described or that can be reasonably inferred
  - i. In a by-law designating a property passed under section 29 of the *Ontario Heritage Act* and identified as heritage attributes, values, reasons for designation, or otherwise; and
  - ii. In a Minister’s order made under section 34.5 of the *Ontario Heritage Act* and identified as heritage attributes, values, reasons for designation or otherwise.



- (b) The elements, features or building components including, roofs, walls, floors, retaining walls, foundations and independent interior structures and structural systems that hold up, support or protect the heritage values and attributes and without which the heritage values and attributes may be at risk.

**HERITAGE PROPERTY** means real property, and includes all buildings and structures thereon, in the City that:

- (a) Has been designated by the City under section 29 of the *Ontario Heritage Act* or by the appropriate Minister under section 34.5 of the *Ontario Heritage Act*; or
- (b) Is within a heritage conservation district pursuant to Part V of the *Ontario Heritage Act*.”

**INTERCEPTOR (GREASE & OIL)** means a plumbing device designed to trap and separate grease, oil, and other non-soluble substances from wastewater before it enters the sewage system.

**LOW-IMPACT DEVELOPMENT (LID)** is a term that describes through land use planning and engineering design an approach to manage storm water as part of green on-site infrastructure.

**MAINTAINED** means to carry out any repairs, reconstruction, refinishing or replacement of any part or parts of the structure or building or appurtenances including heating and ventilation equipment required so they may properly perform the intended function.

**MEANS OF EGRESS** means a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp or other egress facility or combination thereof for the escape of persons from any point in a building floor area, room or contained open space to a public thoroughfare or other suitable open space and includes exit and access to exits.

**MULTIPLE DWELLING** means one (1) dwelling, other than a double duplex dwelling, attached dwelling or townhome dwelling, containing a minimum of three (3) dwelling units.

**NEGLECT** means the failure of a property owner to maintain the property in accordance with the standards set out in this by-law.

**NON-RESIDENTIAL PROPERTY** means a building or structure, or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant thereto and all outbuilding fences or erections thereon or therein.

**OCCUPANT** means any person or persons over the age of eighteen years in possession of the property.

**OFFICER** means a Property Standards Officer who has been assigned the responsibility of administering and enforcing by-laws passed under Section 15.1 of the Act.

**ONTARIO BUILDING CODE (OBC)** means the regulations made under section 34 of the Act.

**ONTARIO HERITAGE ACT** means the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18 as amended.

**ORDER** means a written direction issued pursuant to the Act requiring compliance with the standards prescribed by this by-law, and “orders” shall have a corresponding meaning.



**OWNER** includes the registered owner, the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if such land and premises were let, or a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards of this by-law.

**PARKING AREA** means an area used for parking spaces, bicycle parking spaces and loading spaces and includes all collector aisles and parking aisles capable of being maintained for the parking of five (5) or more operable motor vehicles. An outdoor storage yard is not a parking area.

**PARKING GARAGE/STRUCTURE (STORAGE GARAGE)** means a building or part of a building that is intended for the storage or parking of motor vehicles and that contains no provision for the repair or servicing of motor vehicles.

**PART IV HERITAGE PROPERTY** means property designated under section 29 or 34.5 of the *Ontario Heritage Act*.

**PERSON** includes any individual, an owner, occupant, agent, contractor, tenant, firm, proprietorship, partnership, association, syndicate, trust, corporation, department, bureau or mortgagee.

**PRIVATE SEWAGE CONNECTION** means the part of a private sewer system which connects private property to a municipal sewer system and includes: the tee or tap into the municipal sewer, the entire lateral from the municipal sewer to 3 feet (1.0 metres) inside the building including the cleanout tee fitting, the riser and cap/cast iron cover or sampling manhole with cast iron frame and cover; but does not include storm drainage or storm connections.

**PRIVATE SEWAGE SYSTEM** means a system contained on private property consisting of a septic tank, treatment unit and/or leaching bed system servicing a building(s) located wholly within the boundaries of the lot or parcel of land.

**PROPERTY** means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, retaining walls, fences and erections thereon, whether heretofore or hereafter erected, and includes vacant land.

**REAR YARD DRAIN** means a drainage system located in the backyard of a property designed to collect and redirect excess rainwater.

**REPAIR** includes the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that the property conforms to the standards established in this by-law to the satisfaction of the Officer.

**RESIDENTIAL PROPERTY** means a building or structure or part of a building or structure that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes the land and premises appurtenant thereto and all mobile buildings or structures, outbuildings, retaining walls, fences and erections thereon, whether heretofore or hereafter erected.

**SAFE CONDITION** means a condition that does not pose or constitute a hazard or risk to life, limb or health of any person on or about the property, and includes a structurally sound condition.

**SERVICE ROOM** means a room provided in a building to contain equipment associated with building services.

**SEWAGE** means any liquid waste containing animal, vegetable or mineral matter in suspension or solution, but does not include storm water.

**SEWAGE SYSTEM** means the City of Windsor's system of storm sewers, sanitary



sewers and combined sewers, or a private sewage disposal system approved by the Chief Building Official within the City.

**STOREY** means that part of a building between any floor and the floor, ceiling or roof next above. Any part of a storey exceeding 4.0 metres in height is deemed to be an additional storey for each 4.0 metres, or fraction thereof, of such excess. A cellar and that part of a building located entirely within a sloping roof and having a ceiling height greater than 2.0 metres over a floor area less than 50.0 percent of the area of the floor next below, is not a storey.

**STORM WATER** means discharge from a surface as a result of rainfall, snow melt and snow fall.

**STORM WATER MANAGEMENT SYSTEM** means an infrastructure designed to manage the runoff of rainwater, including drains, pipes, detention basins, storage facilities and other components.

**SUITE** means a single room or series of rooms of complementary use, operated under a single tenancy, and includes dwelling units, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.

**TSSA** means Technical Standards and Safety Act, 2000, S.O. 2000, c. 16.

**UNSAFE CONDITION** means any condition that could be hazardous to the health or safety of any person authorized or unauthorized on or about the property.

**USER FEE SCHEDULE BY-LAW** means a by-law to establish and require the payment of fees and charges.

**VACANT BUILDING** shall mean a building which is neither used nor occupied by the owner or a tenant under a signed tenancy/lease agreement, for a period of more than 182 days.

**WIRING** means the installation of any wiring in or upon any land building, or premises from the point or points where electric power or energy is delivered therein or thereon by the supply authority or from the points where electric power or energy can be used therein or thereon by any electrical equipment and shall include the connection of any such wiring with any of the said equipment and any part of the wiring aforesaid and shall also include the maintenance, alteration, extension and repair of such wiring.

**YARD** means an open space, which is located on the same lot as a building or other structure and is unoccupied and unobstructed from ground to sky except for any encroachments not prohibited by the City Zoning By-law.

2.2 Any word or term not defined in this by-law shall have the meaning ascribed to it in the Act or the Ontario Building Code.

### **SECTION 3 AUTHORITY**

3.1 The Chief Building Official shall administer this by-law.

3.2 The Chief Building Official and appointed Officers are responsible for enforcing this by-law.

### **SECTION 4 PROPERTY STANDARDS COMMITTEE**

4.1 For the purpose of this by-law, there is hereby established a Property Standards Committee which shall be composed of not fewer than three members, who shall remain in office at the pleasure of Council.

4.2 The Council of the City may appoint members of the Property Standards



Committee, to coincide with the term of Council of the City. The members of the Property Standards Committee shall be paid such compensation as the Council may provide, and when a vacancy occurs in the membership of the Property Standards Committee, the vacancy shall forthwith be filled.

- 4.3 The members of the Property Standards Committee shall select one of themselves to act as chair, who shall preside at all meetings thereof. In case of the absence of the chair, the Property Standards Committee may appoint another member as acting chair.
- 4.4 A majority of the members of the Property Standards Committee shall constitute a quorum and the Property Standards Committee may adopt its own rules of procedure.
- 4.5 Any member of the Property Standards Committee may administer oaths.
- 4.6 The Property Standards Committee shall appoint a secretary who shall keep on file minutes and records of all applications and the decisions thereon, and all other official business of the Property Standards Committee, and Section 253 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, applies with necessary modifications to such documents.
- 4.7 The Property Standards Committee shall give notice or direct that notice be given of the hearing of an appeal to such person(s) as the Property Standards Committee considers advisable.
- 4.8 An owner who appeals an order shall pay the fee as outlined in the City of Windsor User Fee Schedule, as passed and amended by Council, from time to time, at the time the appeal is filed.

## **SECTION 5 STANDARDS**

- 5.1 The standards for the maintenance and occupancy of property set out in this by-law, are adopted as the minimum standards for all property within the City.

### **5.2 STANDARDS FOR ALL PROPERTIES**

#### **5.2.1 Maintain Safe and Sanitary Condition**

Every owner or occupant of a property shall maintain the property or part thereof they occupy or control in a clean, sanitary and safe condition in accordance with this by-law.

#### **5.2.2 Tenant/Occupant Requirements for Floor, Wall, Ceiling & Fixtures**

Every owner or occupant of a property shall maintain every floor, wall, ceiling and fixture, under his/her/its control in a clean, sanitary and safe condition.

#### **5.2.3 Storage of Garbage, Refuse, Appliances or Furniture in a Means of Egress**

Accumulations or storage of garbage, refuse, appliances or furniture by either the occupant or owner in a means of egress shall not be permitted.

#### **5.2.4 Structural**

Every part of a property shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight, the loads due to the use and occupancy, and the loads imposed by natural causes such as wind, rain and snow as set out in the Building Code regulations made under Section 34 of the Act.



### **5.2.5 Structural Engineer's Report**

Where, in the opinion of the Officer, there is doubt as to the structural condition or adequacy of the building or part thereof, the Officer may order that a building or structure or part thereof be examined by a professional engineer qualified to perform such inspections and licensed to practice as an engineer in Ontario, at the owner's expense, and that a written report, which may include drawings detailing recommended remedial work, be provided to the Officer.

### **5.2.6 Foundations**

In every building or structure, the foundations, piers, posts or other similar supports shall be maintained in good repair and structurally sound. Where necessary, foundation walls shall be extended to a depth of 1,070 mm below finish grade, provided with subsoil drains at the footings, shored, waterproofed, and treated or repaired to prevent moisture penetration or footing settlement. Every foundation wall, basement, cellar or crawlspace shall be maintained so as to protect the building against deterioration, including that due to weather, water entry, dry rot, and infestation by rodents, vermin or insects. The perimeter of slab on grade type foundations shall be maintained to prevent rodent infestation.

### **5.2.7 Exterior Walls**

All exterior walls shall be maintained in a watertight condition and in good repair so that they remain straight, level and plumbed (unless otherwise designed), presenting an appearance that is uniform and neat in the opinion of the Officer and free from any damaged, defective, unsecured or deteriorated materials and any conditions that may result in the infestation of rodents, vermin or insects. Appropriate measures shall be taken to remove any stains or other defacement occurring on the exposed finished exterior surfaces and, where necessary, to restore the surface and adjacent areas to, as near as possible, their appearance before the staining or defacement occurred.

### **5.2.8 Exterior Doors & Windows**

Exterior doors, windows and skylights shall be maintained in good repair and weather tight. Rotted and defective doors, door frames, window frames, sashes and casings shall be renewed and defective door and window hardware, weather stripping, caulking and broken glass shall be replaced. Repairs to windows shall be i) reglazing, or refitting with panes of transparent glass; or ii) the use of other materials which are compatible in finish and colour with the remainder of the facade of the building on which the broken window is located, provided such other material are of an appropriate thickness, have sufficient structural support, and are installed so that no broken glass is visible for the exterior of the building. Replace defective, damaged or missing hardware and locking devices: sash controls.

### **5.2.9 Stairs, Porches, Landings, Loading docks, Balconies, Canopies, Awnings, Fire Escapes**

All stairs, porches, landings, loading docks, balconies, canopies, awnings, fire escapes together with any guard, balustrade, railing, screen or other appurtenance attached thereto shall be maintained in good repair and in a safe and structurally sound condition.

### **5.2.10 Required Handrails or Guards at Stairs**

A handrail or guard shall be provided and maintained in good repair as follows:

- i. at least one side of stairs less than 1 100 mm in width;
- ii. two sides of stairs 1 100 mm in width or greater;



- iii. two sides of a curved stair used as an exit;
- iv. handrails are not required for stairs
  - (i) within dwelling units having not more than 2 risers; or
  - (ii) for exterior stairs having not more than 3 risers and serving not more than one dwelling unit.
- v. only one handrail is required on exterior stairs having more than 3 risers provided such stairs serve not more than one dwelling unit;
- vi. except as required in (b) & (c), one handrail may be provided centrally for stairs up to 2.4 m wide; and
- vii. handrails shall have a maximum uniform height of 920 mm when measured vertically from a line drawn through the outside of the stair nosing and minimum uniform height of 800 mm.

#### 5.2.11 Height of Guards

A guard shall be installed and maintained in good repair as follows:

- (a) Except for the edges of the floor pits in repair garages and loading docks, every surface to which access is provided for other than maintenance purposes, including but not limited to exterior lands, porches, decks, balconies, mezzanines, galleries, raised walkways and roofs, shall be protected by a guard having a minimum height of 900 mm on each side which is not protected by a wall and where there is a difference in elevation to adjacent surfaces of more than 600 mm. Except that a guard of 710 mm minimum height is acceptable for exterior porches, decks and balconies where the vertical drop from the open side exceeds 600 mm but does not exceed 1 800 mm.
- (b) Every exterior stair with more than 6 risers and every ramp shall be protected with guards on all open sides where the difference in elevation between the adjacent ground level and the stair or ramp exceeds 600 mm.
- (c) When an interior stair has more than 2 risers, the side of the stair and the landing or floor level around the stairwell shall be enclosed by walls, or be protected by guards, except that a stair to an unfinished basement in a dwelling unit is permitted to have 1 unprotected side.

#### 5.2.12 Openings in Guards

Guard – Openings

Guards for residential occupancies shall have no openings which would permit the passage of a spherical object having a diameter of 100 mm unless it can be shown that the location and size of such openings which exceed this limit does not represent a hazard.

Guards – Not to Facilitate Climbing

Guards around exterior balconies, porches and decks of buildings of residential occupancy shall be constructed and maintained not to facilitate climbing.

#### 5.2.13 Stair Requirements

Stairs

- (a) Stairs – Interior – Single Unit Dwelling



The stair tread rise and run for residential interior single dwelling unit shall not exceed the following unless existing acceptable to the Officer:

- (i) Maximum rise 210 mm
  - (ii) Minimum tread 230 mm
  - (iii) Minimum run 200 mm
  - (iv) If run is less than 240 mm, a 25 mm nosing is required
- (b) Stairs – Residential – Not Within
- (i) Maximum rise 210 mm
  - (ii) Minimum tread 240 mm
  - (iii) Minimum run 212 mm
  - (iv) If run is less than 240 mm, a 25 mm nosing is required
- (b) Stairs – Non-residential
- (i) Rise minimum 125 mm, maximum 200 mm
  - (ii) Minimum run of 230 mm, must be uniform
  - (iii) If run is less than 240 mm, a 25 mm nosing is required
  - (iv) Existing winders of not more than 3 in 90 degrees and not more than 1 set between floors are permitted and where each tread is not less than 30 degrees and each tread is not greater than 45

(c) Stairs – Service Rooms – curved/spiral

Stairs may exceed the requirements in 1.13 (c) if serving only service rooms, service spaces and other rooms unused in industrial occupancies serving equipment and machinery, or existing curved and spiral stairs in dwelling units acceptable to the officer.

#### 5.2.14 **Roofs, Chimneys, Fascia, Soffit, Antennas, Solar Panels**

All roofs, including chimneys, stacks, masts, lightning arresters, antennas, fascia, soffits, flashings, solar panel and supports, and other roof structures shall be maintained in good repair, watertight and structurally sound condition. Such maintenance may include, but is not limited to: a) removal of loose, unsecured objects or materials b) keeping roofs and chimneys weather tight and free from leaks and/or defects.

#### 5.2.15 **Eaves Troughs**

Water runoff from roof surfaces shall discharge into an eaves trough or gutter and thence to a downpipe, discharging directly to grade with an appropriate extension away from the building to prevent flooding, erosion and other nuisance to neighboring properties. Discharge into the municipal storm system may be permitted if approved or authorized by the City Engineer or Chief Building Official or his/her designate.

#### 5.2.16 **Storm Water Management and Rear Yard Drain Maintenance**

Property owners must ensure the effective operation and maintenance of their rear yard drains and storm water management systems as designed, thereby protecting their property and the surrounding environment.

#### 5.2.17 **Ventilation Systems**

All properties provided with designed mechanical ventilation systems shall operate the system on a continuous basis. The system controls, louvers and associated equipment shall be maintained in safe working order.

#### 5.2.18 **Chimneys, Prefabricated Chimneys & Vents**

Every chimney, prefabricated chimney, smoke pipe, flue and gas vent in use



or available for use in a building shall:

- (a) be of a type listed for the appliance for which it is being used, properly secured, free from fire hazards and unsafe conditions;
- (b) be maintained so as to prevent the escape of combustion gases into the building;
- (c) be adequately supported as to maintain proper alignment;
- (d) be kept clear of obstructions;
- (e) be sealed at all joints or tightly sealed; and
- (f) all deteriorated and/or loose masonry shall be repaired.

#### **5.2.19 Fuel Burning Heating Equipment**

All fuel burning heating equipment shall:

- (a) be connected to a chimney or flue, which vents to the exterior of the building;
- (b) be furnished with an adequate supply of combustion air to ensure proper combustion of the appliance; and
- (c) be maintained in a good state of repair and in a safe operating condition.

#### **5.2.20 Water Supply Premise Isolation**

All water supply cross connection devices specifically designated as “Premise isolation” or other testable devices located on the property shall be tested annually by a licensed tester at the expense of the owner or agent of the owner in accordance with the most recent edition of the CSA STANDARD listed in the Ontario Building Code for selection and installation of backflow preventers, proof of testing shall be provided upon request by the Officer.

#### **5.2.21 Sewage Discharge**

All sewage shall be discharged directly into the municipal sewage system where one is available. Where a municipal sewage system is not available, an alternate means of disposal, acceptable to the Officer, shall be used and maintained in good repair. The maintenance of a private sewage system shall include i) septic tanks ii) leaching beds iii) dry wells.

#### **5.2.22 Maintenance of Private Sewer Connections**

All private sewer connections must be maintained free from blockages, collapse or unacceptable conditions.

#### **5.2.23 Sewers: Properties Services By**

A property shall be deemed to be serviced by an available City sewer system if the sewer system is within 30.0 metres of any said property abutting municipal rights-of-way. In the event a City sewer system becomes available, the property owner will have one (1) year to connect to the available sewer and decommission the private sewage system per section 5.2.25. The availability of the sewer will be determined by the City Engineer.

#### **5.2.24 Backwater Valves**

Backwater valves installed on building drains must be maintained to provide an effective barrier to municipal backups.



#### **5.2.25 Decommissioning of Private Sewage System**

To decommission, septic tanks, treatment units, leaching beds or dry wells they shall be pumped dry and the contents disposed of at a suitable disposal site and a receipt of the disposal fee shall be submitted to the Officer. The tanks treatment units or dry wells shall be disposed of to the satisfaction of the Officer, cavities shall be filled with sand or other suitable material and the ground graded to match existing grades. Existing building drain(s) not being reused shall be removed from the foundation wall and the foundation wall shall be repaired and made impervious to water.

#### **5.2.26 Damaged Vacant Building**

A vacant building or structure damaged by fire, storm or other causes, shall be repaired to its original condition or demolished within 182 days of the issuance of an Order.

Until the necessary repair or demolition can be undertaken, the building or structure shall be supported and barricaded to avoid unauthorized entry, prevent fire hazards and prevent unsafe conditions.

#### **5.2.27 Damaged Building**

Every building damaged by fire, storm, or other unintended causes until repairs have been completed shall effectively:

- (a) be protected against the further risk of fire, or unsafe conditions;
- (b) be secured to prevent the entrance thereto of unauthorized persons; and
- (c) have the exterior building envelope sealed with an appropriate material to protect the interior from rain, snow or other environmental elements that would cause the building to further deteriorate.

#### **5.2.28 Materials Used to Board Buildings**

All materials used to board vacant buildings damaged by fire, storm, or other unintended causes, shall be tight fitted plywood, composite panels or wood boards painted with an exterior grade paint so that the colour compliments the building's exterior elements and is acceptable to the Officer.

#### **5.2.29 Demolition of a Building**

Where a building or structure is demolished:

- (a) the site shall be cleared of all rubbish, debris, refuse, masonry, lumber and other materials and left in a graded and leveled condition;
- (b) unless new construction is to commence immediately on the same footings and/or foundation walls, the footings and foundations shall be removed unless authorized and described on the demolition permit by the Chief Building Official;
- (c) only clean, inert, native material or granular material approved by the Chief Building Official shall be used as backfill;
- (d) building rubble including but not limited to, broken bricks and concrete, shall not be acceptable as backfill material;
- (e) building services such as gas, electrical and water lines, sewer lines, and other such services, shall be properly abandoned per the City Engineer's best engineering practice standards and the authority having jurisdiction; and



- (f) the site shall be properly graded, grass seeded and otherwise restored to the satisfaction of the Officer to ensure that water will not pond on the site, or drain onto adjoining properties.

#### **5.2.30 Demolition of Part of a Building**

Where part of a building or structure has been demolished, the exterior walls of the remaining part of the building or structure shall comply with the requirements of this by-law and the walls shall be finished with a parge coat of cementitious mortar or otherwise treated with a protective coating to prevent the entry of water into the building and to present a neat and uniform appearance, in the opinion of the Officer, free from the outlines of partitions, stairs, doors, floors, signs and from areas of multi-coloured paint or wallpaper.

#### **5.2.31 Yard Rubbish, Debris**

All properties and every yard shall be kept clean and free from rubbish, brush or other debris and from objects or conditions, such as holes or excavations, that might create a fire hazard or unsafe conditions.

#### **5.2.32 Buffering and Screening Garbage Containers**

Where commercial, industrial or multi-residential on site garbage containers are visible from a residential property or from a public street, the area where the receptacles are being stored shall be buffered and screened from adjoining or nearby residential properties or public areas so as to minimize the effect of the nuisance in accordance with applicable municipal by-laws.

Without limiting the generality of the foregoing, such buffering and screening shall be acceptable to the Officer, and shall include the provision and maintenance of an effective system to cover, contain, screen and facilitate the collection and removal of waste materials and debris.

#### **5.2.33 Lighting & Walkways-Multiple Dwellings and Non-Residential**

Regarding yard conditions:

- (a) In yards of multiple dwellings and non-residential properties, sufficient lighting of exterior property areas shall be provided to minimize any danger to persons using walkways;
- (b) All exterior lighting standards and fixtures shall be kept in a safe condition, in working order, in good visual condition and must be compliant with the City's lighting by-law; and
- (c) Walkways shall be maintained, resurfaced or re-graded as necessary to ensure a reasonably smooth, slip free and safe surface for pedestrian traffic.

#### **5.2.34 Water From Downspouts and Sumps**

The storm water run-off from all downspouts, sump pump discharges or impervious surfaces shall be designed and maintained so as to discharge water run-off away from the building and to prevent flooding, erosion and other nuisance to neighboring properties.

#### **5.2.35 Retaining Walls**

Retaining walls, signs and all structures appurtenant to a property shall be maintained in good repair, free from unsafe conditions including fire hazards and capable of safely performing the function for which they were designed.



#### 5.2.36 Sound Barriers

Existing barriers and berms required for sound attenuation and train safety shall be maintained safe, plumb, unless designed otherwise and structurally sound.

#### 5.2.37 Parking Areas

All parking areas shall be:

- (a) entirely paved and maintained with a hard surface consisting of concrete, asphalt, paving brick or block or similar material acceptable to the Chief Building Official that is free from excessive cracks, pot holes, and delaminating;
- (b) provided with an internal drainage system satisfactory to the Officer, which discharges into the municipal storm system as approved by the City Engineer's Office;
- (c) provided with a minimum 150 mm in height curbs or curb stops secured to minimize the risk of vehicles damaging fences, lamp standards and other structures, and to restrict access to untraveled portions of City rights-of-way;
- (d) provided with sufficient full-cut off lighting compliant with City's LISS Council Resolution 228/2005; and
- (e) provided with visible markings and islands, to indicate parking spaces, ingress and egress routes.

Note: Parking areas using 'Low Impact Design' (*LID*) criteria that have been approved and constructed pursuant to the City's Site Plan Control by-law are exempt from section 5.2.37.

#### 5.2.38 Fire & Suppression Systems

Fire detection systems, fire alarm systems, standpipe and sprinkler systems, where required, shall be maintained in working condition and records for the routine testing and maintenance of these systems shall be readily available for the Officer's review upon demand.

#### 5.2.39 Fire Separations

The integrity of all required fire separations and associated smoke seals and fire stopping systems shall be maintained.

#### 5.2.40 Elevators, Hoists, Lifts, Moving Walkways & Escalators

Elevators, hoists, lifts, moving walkways and escalators shall be maintained in working order and in accordance with the requirements of the TSS Act, 2000, S.O., 2000, c 16 as amended from time to time, and any regulations made there under. Including lighting fixtures, elevator buttons, floor indicators and ventilation fans. Routine testing and maintenance records of these systems shall be readily available for the Officer's review upon demand. Repair of inoperable elevators shall be done as expeditiously as possible.

#### 5.2.41 Refuse Chute System

Where a refuse chute system was originally provided in a multiple floor building, the system shall be maintained except that acceptable alternatives may be provided if facilities are readily accessible to occupants. Refuse chute systems, disposal rooms, containers and receptacles shall be washed down, disinfected and maintained as is necessary to be clean, odour free and in good working order and repair.



#### **5.2.42 Parking Garage & Parking Structures Requirements**

Parking garages and parking structures shall be:

- (a) maintained in a clean, structurally sound, free from defects and safe condition;
- (b) adequately ventilated at all times to provide (3.8L/s/m<sup>2</sup>) of floor area minimum if ventilated by mechanical means unless the system is controlled by a Carbon Monoxide detection system;
- (c) the ventilation systems referenced in sentence (b) shall be maintained in proper working order, free from defects;
- (d) where the officer has doubts to the effectiveness of the ventilation and/or carbon monoxide detection system, can at the owners expense order testing to confirm compliance with sentence (b);
- (e) adequately lighted at all times, so that the number and arrangement of light fixtures is such as to provide an average level of illumination of at least 54 lux at floor level over the entire floor area with a minimum level of 11 lux at any location on the floor;
- (f) equipped with wire screens or other suitable means of protection for lighting fixtures, so as to prevent accidental or malicious damage; and
- (g) shall be provided with an effective fire separation and barrier to the passage of gas and exhaust fumes from any part of the parking garage into any other part of the building used or intended to be used for human occupancy.

#### **5.2.43 Barrier-free Buildings**

All existing barrier-free requirements shall be maintained in existing buildings required to be barrier-free.

#### **5.2.44 Barrier Free Buildings - Types of Classes**

The following types of classes of buildings and structures shall be upgraded to provide barrier free access at the principal entrance to the following buildings:

- (a) medical and dental facilities with more than one (1) doctor;
- (b) places of public assembly occupancy including schools, colleges, universities and places of instruction/training;
- (c) banks and other financial institutions;
- (d) restaurants with more than 60 seats;
- (e) rest homes and lodging homes; and
- (f) commercial occupancies including retail stores and offices, but limited to those that are more than three storeys in height or more than six hundred square meters in floor area.

#### **5.2.45 Barrier Free Requirement Do Not Exceed the Standards**

Barrier free requirements shall not be required to exceed the standards contained in the Ontario Building Code.

#### **5.2.46 Accessibility to persons with Disabilities**

A requirement of Section 5.2.44 and 5.2.45 shall be deemed to be complied with if, in the opinion of the Officer, the building will provide accessibility to



persons with disabilities, taking into consideration physical limitations in the design of the building that may make some upgrading impractical.

**5.2.47 Rodents, Vermin, Termites, Injurious Insects & Other Pests**

Every dwelling property owner, and every occupant in that part of a property that he or she controls, shall maintain the property free from rodents, vermin, termites, injurious insects and other pests, and from conditions which might encourage infestation by such pests. Methods used for exterminating rodents or insects or both shall be in accordance with the provisions of the Pesticides Act, R.S.O. 1990, Chapter P.11, as amended, and all regulations enacted pursuant thereto.

**5.2.48 Means of Egress/Exit**

Means of egress(s):

- (a) Every dwelling shall have safe, continuous and unobstructed passage or means of egress from the interior of each dwelling unit contained therein to the exterior of the dwelling at or near street or grade level;
- (b) Except as provided in sentence (c), every dwelling, containing dwelling units located other than on the first floor or the floor directly above the first floor, shall provide a second means of egress from such dwelling units to the exterior of the dwelling at or near grade level;
- (c) A second means of egress shall not be required from any dwelling unit having a separate or self-contained means of egress to the exterior of the dwelling at or near grade level; and
- (d) A required means of egress shall not pass through an attached or built-in garage or an enclosed part of another dwelling unit.

**5.2.49 Equipment**

All equipment, components and supplies or replacement equipment, components and supplies must be Canadian Standards Association approved or otherwise listed in a manner consistent with the Ontario Building Code as amended or other authority having jurisdiction.

**5.2.50 Building Used as Illegal Marijuana Grow Operations**

Buildings identified by police services as illegal marijuana grow operations will require the following:

- (a) Mould Air Quality Report- at the owner's expense, a report prepared by a Certified Air Quality Assessment professional, trained and knowledgeable in this field, detailing mould spore samples and related air quality. The owner will undertake the appropriate remediation outlined in the report. The owner will also provide a follow-up report, at their own expense, which confirms that air quality levels consistent with a healthy environment have been attained at the premises, to the satisfaction of the Property Standards Officer;
- (b) Structural Report - where the Officer has doubt as to the structural condition or adequacy of the property, the Officer may require compliance with section of 5.2.5 this by-law; and
- (c) Electrical Report - where an Officer has reason to believe the building electrical system may pose an unsafe condition, may require at the owners expense the submission of an Electrical Safety Authority Clearance Certificate to the Officer.



### **5.3 STANDARDS FOR NON-RESIDENTIAL PROPERTIES**

#### **5.3.1 Maintain Safe & Sanitary Conditions**

Every owner or occupant of a property shall maintain the property or part thereof they occupy or control as follows:

- (a) in a clean, sanitary and safe condition, free from litter, garbage and debris, including such litter and garbage as may be left by customers or other members of the general public, and shall provide containers for the disposal of such litter or garbage; and
- (b) free from objects or conditions which create fire hazard or unsafe conditions.

#### **5.3.2 Ventilation**

All non-residential properties shall be adequately ventilated by natural or mechanical means on a continuous basis, in a safe and working order and with regard to the operations carried on therein, to ensure that persons within the property are not exposed to conditions deleterious to their health or safety as described in the current edition of the American National Standards Institute/American Society of Heating, Refrigerating and Air Conditioning Engineers. (ASHRAE) Standard 62.1.

#### **5.3.3 Lighting**

In all parts of a non-residential building, a minimum level of illumination of 50 lux shall be provided and maintained which will adequately protect all persons within the building from unsafe conditions.

#### **5.3.4 Heating Systems**

All non-residential buildings, or parts thereof, normally heated, shall be provided with a heating system maintained in a safe and working order, free from unsafe conditions or fire hazards and capable of supplying sufficient heat to maintain a minimum indoor temperature of 18° C during hours of occupancy.

#### **5.3.5 Boiler Space Heating**

Boiler space heating shall be provided with backflow prevention and annually tested in compliance with the most current CAN/CSA Standard “Manual for the Selection and Installation of Backflow Prevention Devices” listed in the Ontario Building Code. Test reports shall be provided to an Inspector upon request

#### **5.3.6 Plumbing Systems, Fixtures & Appliances**

Plumbing systems, fixtures and appliances in all non-residential buildings shall be maintained in good working order, free from cross-contamination potential, and free from leaks and defects.

#### **5.3.7 Grease Interceptors**

Where food is cooked processed or prepared for the public, all plumbing fixtures located in the wash-down area shall discharge through a grease interceptor which is maintained in accordance with the most current edition of CAN/CSA Standard “Maintenance of Grease Interceptors” listed in the Ontario Building Code.

#### **5.3.8 Interceptors (Grease & Oil)**

Interceptors shall be professionally designed, installed and maintained in accordance with the manufacturer’s design and maintenance guidelines or a recognized industry standard.



### **5.3.9 Fume/Gas Separations**

In a building used in part for residential purposes, and in part for non-residential purposes, wherein noxious fumes, or gases are, or could be, present, all separations between the non-residential portion and the residential portion shall be of gas-tight construction and maintained in a good state of repair so as to effectively prevent the passage of noxious fumes, or gases through the separation.

## **5.4 STANDARDS FOR RESIDENTIAL PROPERTIES**

### **5.4.1 Cabinet, Cupboard, Shelf & Counter Top Condition**

Every cabinet, cupboard, shelf and counter top in a dwelling unit shall be maintained in a structurally sound condition, free from cracks and deterioration.

### **5.4.2 Interior Cladding of Walls & Ceilings-Mould Air Quality Report**

Interior claddings of every wall and ceiling shall be maintained so as to be free of large holes, cracks, leaks, deteriorating material, visible mould and-mildew, and loose material.

### **5.4.3 Water Penetration Related to Mould**

Water penetration related to mould- Any condition in a building, including but not limited to water penetration, humidity or inadequate ventilation, which may relate to the creation and growth of mould, shall be repaired or removed. Mould Air Quality Report- If in the opinion of the Property Standards Officer, the mould accumulation is excessive so as to cause a health hazard, the owner will provide, at the owner's expense, a report prepared by a Certified Air Quality Assessment professional, trained and knowledgeable in this field, detailing mould spore samples and related air quality. The owner will undertake the appropriate remediation outlined in the report. The owner will also provide a follow-up report, at their own expense, which confirms that air quality levels consistent with a healthy environment have been attained at the premises, to the satisfaction of the Property Standards Officer.

### **5.4.4 Floors & Finished Flooring**

Floors and finished flooring (including carpeting) shall be maintained in a structurally sound condition and be free from visible mould and mildew, holes, cracks or other defects which may cause an unsafe condition or trip hazard.

### **5.4.5 Window & Door Panel Maintenance**

Cracked and broken glass in door panels, missing screens, and missing windows shall be replaced with approved glass or similar materials. All operable windows and all doors shall be capable of being opened from the inside without the use of specialized tools and maintained in good repair. All materials referred to in this section shall be to the satisfaction of the Officer to provide an acceptable level of fire protection.

### **5.4.6 Heating System**

Every dwelling and every dwelling unit shall be provided with a heating system maintained in a good state of repair and in safe operating condition capable of maintaining "adequate and suitable heat" specified in the City of Windsor Vital Services by-law. Room temperature shall be determined at any point in the room, for the purposes of this by-law "adequate and suitable" means that the minimum temperature of the air in the accommodation which is available to the tenant or lessee is 22 °C. All common areas or internal entrance ways in a multiple dwelling shall be provided with heating systems capable of



maintaining a minimum temperature of not less than 18 °C.

**5.4.7 Heating Systems, Stoves, heating Appliances, Fireplaces, Chimneys, Pumps & Filtration Equipment**

Heating systems, including stoves, heating appliances, fireplaces, chimneys, fans, pumps and filtration equipment shall be maintained in a good state of repair and in a safely operable condition.

**5.4.8 Portable Heating Equipment**

No dwelling unit shall be equipped with portable heating equipment as the primary source of heat.

**5.4.9 Approved Heating Equipment**

Only heating equipment approved for use by a recognized standard testing authority shall be provided in a room used or intended for use for sleeping purposes.

**5.4.10 Parking Garage – Noxious Fumes**

Every parking/storage garage serving a residential use shall be provided with a fire separation (if required) and an effective barrier to the passage of gas and exhaust fumes from any part of the parking/storage garage into any other part of a dwelling unit or multiple dwelling used or intended to be used for human occupancy inclusive of doors between a parking garage and remainder of the building.

**5.4.11 Bathroom Facilities & Personal Privacy**

Unless specifically exempted under other governmental regulations, every dwelling and dwelling unit shall be provided with at least a water closet (toilet), a wash basin, a bath tub or shower, and a kitchen sink, all of which shall be maintained in good working order, free from cross-contamination potential, and free from leaks and defects. The water closet, wash basin, bath tub and/or shower shall be located within, and be accessible from within, the dwelling or dwelling unit and shall be located and equipped to afford privacy, secured from the inside and can be opened from outside the room in an emergency.

**5.4.12 Location of Toilet/Urinal**

No toilet or urinal shall be located in a room used for or intended to be used for sleeping or preparing, consuming or storing food.

**5.4.13 Hot/Cold Running Water**

Hot water at a temperature of at least 43 °C , and cold running water shall be provided in a capacity that will produce a flow in the fixture that will flush the fixture and keep it in a sanitary condition.

**5.4.14 Plumbing, Including Drains, Water Supply Pipes, Water Closets and Other Plumbing Fixtures**

All plumbing, including drains, water supply pipes inside a building and outside a building, water closets, back water valves, and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

**5.4.15 Electrical Supply & Wiring**

Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.



The connection to the building and the system of circuits and outlets distributing the electrical supply within the building shall provide adequate capacity for the use and intended use of the building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto shall be installed and maintained:

- (a) In compliance with the respective requirements of the Electrical Safety Code and Building Code;
- (b) In good working order and good repair; and
- (c) In a safe condition.

#### **5.4.16 Voice Communication Section**

In multiple dwellings where a voice communications system between each dwelling unit and the front lobby and security locking and release facilities for the entrance, have been provided and are controlled from each dwelling unit, such facilities shall be maintained in good repair.

#### **5.4.17 Artificial Light**

Adequate artificial light shall be available at all times, in all habitable rooms, common areas, means of egress, exits and corridors.

#### **5.4.18 Windows & Window Lighting**

Every habitable room in a dwelling, except a kitchen, shall maintain an outside window or windows which shall be maintained in good repair, and which shall have a total light transmitting area of not less than five per cent (5%) of the floor area of the room for bedrooms, and not less than ten per cent (10%) of the floor area for all other habitable rooms.

#### **5.4.19 Window ventilation**

Every habitable room in a dwelling shall contain windows that are capable of being opened from the inside or vents providing a minimum unobstructed ventilation area to the outdoors of 0.14 square metres per occupant for sleeping areas, and a minimum of 0.28 square metres per occupant for all other habitable rooms. Every bathroom or water closet room shall contain windows capable of being opened from the inside, or vents, providing a minimum unobstructed ventilation area to the outdoors of 0.09 square metres; and every unfinished basement or cellar area shall contain said windows or vents providing a minimum unobstructed ventilation area to the outdoors equal to 0.2 per cent (0.2%) of the floor area.

#### **5.4.20 Ventilation (Mechanical)**

In lieu of the natural ventilation required by section 5.4.19, acceptable mechanical ventilation directly to the exterior shall be permissible. The system shall be capable of providing at least one (1) air change per hour for the room being served.

#### **5.4.21 Window Guards**

Every window in a leased dwelling unit that is located above the first storey of a multiple dwelling shall be equipped with an approved guard or a safety mechanism that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter sphere. Such safety devices shall offer protection to the height of at least 1.07 m above the floor but shall not prevent the windows from being fully opened by an adult without the use of tools during an emergency.



#### 5.4.22 Ventilation in Laundry Room, Garbage Room, Boiler Room

In dwellings, every laundry room, garbage room corridor, boiler room, storage garage and all parts of the building used by the tenants in common shall be adequately ventilated, and where a system of mechanical ventilation is used it shall be maintained in good working condition.

#### 5.4.23 Maximum Person Residing in a Dwelling

The maximum number of persons residing in a dwelling unit shall not exceed one person for each 9 square metres of habitable room floor area.

#### 5.4.24 Minimum Floor Area for Sleeping

A room used for sleeping purposes shall have a minimum floor area of 6 square metres and shall not be occupied by more than 1 person for each 4 square metres of floor area thereof.

#### 5.4.25 Ceiling Height for Habitable Rooms – Dwelling Unit

- (a) Minimum room height shall not be less than 1950 mm over the required floor area and in any location that would normally be used as a *means of egress*; or
- (b) Minimum room height shall not be less than 2010 mm over at least 50% for the required floor area, provided that the floor having a clear height of less than 1400 mm shall not be considered in computing the required floor area.
- (c) Minimum clear heights under beams and ducting shall be not less than 1850mm
- (d) Sentence (a) or (c) shall be contiguous with the entry or entries to those rooms or spaces.

#### 5.4.26 Basement Requirements – Used as a Dwelling

No basement or portion thereof shall be used as a dwelling unit or habitable rooms of a dwelling unit, unless it meets the following requirements:

- (a) Basement ceiling heights comply with the requirements of section 5.4.25;
- (b) Access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room;
- (c) In the calculations referred to in Section 5.4.18 provided that one-half of the total area of such windows is above the top of the window well. Where less than half the light transmitting area of a window is above the top of a window well, only that area of the window above the top of the window well may be counted in the calculations;
- (d) The minimum required unobstructed ventilation area to the outdoors shall not be limited to the requirements of Section 5.4.19, if, in the opinion of the Officer, the location of windows that are capable of being opened or vents, providing such ventilation, is such as to create a poorly and inadequately ventilated room;
- (e) Except where a door on the same level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a suite shall be provided with:
  - i) At least one window that can be opened from the inside without the use of tools; and



- ii) At least one window shall, in every bedroom, provide an unobstructed open portion having a minimum area of .35 m<sup>2</sup> with no dimension less than 380 mm.
- (f) Each habitable room shall be separated from service rooms by a suitable fire separation in compliance with Ontario Building Code Regulations.

#### 5.4.27 **Smoke Alarms**

Every dwelling unit shall be equipped with an approved smoke alarm(s) conforming to the current edition of the OBC regulations that shall be:

- (a) Installed on every floor level in proximity of bedrooms and in conformance with the manufacturers' instructions or recommendations for installation;
- (b) Clearly audible within sleeping areas even though the doors to the sleeping areas may be closed;
- (c) Either wired directly into the electrical system without a disconnect switch, or be battery powered. Sufficient additional replacement batteries shall be maintained nearby at all times as replacements for the smoke alarm, should it be battery powered so that at any given time such smoke alarm may have its battery or batteries replaced as warranted in order to keep it fully operational; and
- (d) Continuously operating, except during periods of unavoidable electrical power interruption or battery replacement, as the case may be.

#### 5.4.28 **Carbon Monoxide Detectors**

Every dwelling unit that has fuel burning appliances, solid fuel burning appliances, or is attached to a storage garage, shall be equipped with a carbon monoxide detector conforming with the most current edition of CAN/CSA and US UL Standard as listed in the current Ontario Building Code regulations and shall be:

- (a) Installed in conformance with Sentence (c) where a solid fuel-fired combustion appliance exists;
- (b) Installed on or near the ceiling in each room in which there is installed a solid fuel-burning appliance;
- (c) Permanently connected to an electrical circuit, and
  - i) shall have no disconnect switch between the over-current device and the carbon monoxide detector where practical;
  - ii) be wired so that its activation will activate all carbon monoxide detectors within the suite, where located within a suite of residential occupancy; and
  - iii) be equipped with an alarm that is audible within bedrooms when the intervening doors are closed, where located adjacent to a sleeping area.
- (d) Plug-in types of detectors plugged into a duplex receptacle near the floor level are acceptable in locations where there may be a hardship complying with (a), (b) and (c) outlined above.

#### 5.4.29 **Duct Type Smoke Detector**

Where there is more than one dwelling unit within a building that share one force air furnace, a duct type smoke detector shall be installed and maintained.



## **5.5 STANDARDS FOR VACANT PROPERTIES**

### **5.5.1 General**

In addition to the minimum standards for the maintenance and occupancy of property set out elsewhere in this by-law, the owner of a vacant building, shall:

- (a) Ensure that all utilities serving a building damaged by fire or storm, which are not required for safety or security are properly disconnected or otherwise secured, to prevent damage to the building or adjoining property;
- (b) Ensure all utilities serving a vacant building that is not damaged by fire or storm be connected to public utilities to ensure building HVAC and electrical systems are operational and in use to protect the building from deterioration;
- (c) Ensure all fire protection and life safety systems serving a vacant building that is not damaged by fire or storm shall be maintained and operational per applicable standard(s);
- (d) The boarding of building openings not damaged by fire, storm or other catastrophic event is prohibited; and
- (e) Ensure that the property is kept free of rodents, vermin and other harmful pests and any conditions that would allow such pests to harbour in or about the building.

### **5.5.2 Additional Requirements for Vacant Non-Residential Buildings**

The owner of every non-residential vacant building shall keep the property free of conditions that promote the infestation of birds.

### **5.5.3 Additional Requirements for Vacant Residential Buildings**

Despite any other provision of this by-law, where in the opinion of the Officer a vacant residential property can be repaired, the building shall be repaired:

- (a) As soon as is possible in a manner consistent with other parts of this by-law; and
- (b) Maintained in a manner so as not to become, in the opinion of the Officer, a public nuisance.

### **5.5.4 Clearing and Leveling of Vacant Residential Buildings**

Despite any other provision of this by-law an Officer may issue an order directing the owner to demolish a derelict or vacant residential building.

### **5.5.5 Clearing and Leveling of Vacant Non-Residential Buildings**

Despite any other provision of this by-law an Officer may issue an order directing the owner to demolish a derelict or vacant non-residential building.

## **5.6 STANDARDS FOR HERITAGE PROPERTIES**

### **5.6.1 General**

In addition to the minimum standards for the maintenance and occupancy of property in the City as set out in this chapter, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall:

- (a) Maintain, preserve and protect the heritage attributes so as to maintain the



heritage character, visual and structural heritage integrity of the building or structure;

- (b) Maintain the property in a manner that will ensure the protection and preservation of the heritage values and attributes; and
- (c) Obtain a heritage permit from Council or where applicable Council's designate prior to performing work or causing work to be performed under this section of the by-law.

#### **5.6.2 Repair of Heritage Attributes**

Despite any other provision of this chapter, where a heritage attribute of a Part IV heritage property or a Part V heritage property can be repaired, the heritage attribute shall not be replaced and shall be repaired:

- (a) In a manner that minimizes damage to the heritage values and attributes;
- (b) In a manner that maintains the design, colour, texture, grain or other distinctive features of the heritage attribute;
- (c) Using the same types of material as the original and in keeping with the design, colour, texture, grain and any other distinctive features of the original; and
- (d) Where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material, if approved by Council or where applicable their designate.

#### **5.6.3 Replacement of Heritage Attributes**

Despite any other provision in this by-law, where a heritage attribute of a Part IV or V Heritage Property cannot be repaired, the heritage attribute shall be replaced:

- (a) In such a manner as to replace the design, colour, texture, grain or other distinctive features and appearances of the heritage attribute, using the same types of materials as the original; and
- (b) Where the same of materials as the original are no longer available, alternative types of materials that replicate the design, colour, texture, grain or other distinctive features of the original materials may be used, if approved by Council or where applicable their designate.

#### **5.6.4 Alteration or Demolition of Heritage Properties**

Despite any other provision of this by-law or the Act, no building or structure located on a Part IV or Part V Heritage Property may be altered, demolished, removed or relocated except in accordance with the *Ontario Heritage Act*.

#### **5.6.5 Vacant Heritage Properties**

Notwithstanding provisions for vacant buildings under this by-law:

- (a) Where a Part IV or Part V Heritage Property remains vacant for a period of 90 days or more, the owner shall ensure that appropriate utilities serving the building are connected as required in order to provide, maintain and monitor proper heating and ventilation to prevent damage to the heritage attributes.
- (b) The owner of a vacant Part IV or Part V Heritage Property shall protect the building and property against the risk of fire, storm,



neglect, intentional damage or other damage by other causes by effectively preventing the entrance of the elements, unauthorized persons or the infestation of pests by boarding up and securing any openings to the building in the following manner:

- (i) all boards shall be installed from the exterior and shall be fitted in a watertight manner and so that all exterior trim and cladding remains uncovered and undamaged by the boarding;
- (ii) all boards shall be fastened securely in a manner that minimizes damage to the heritage attributes and the historic fabric, and is reversible;
- (iii) all boards shall be painted in a manner to reflect panes of glass, frames and mullions that were to be found on the opening that is being boarded over or the panes of glass shall be painted in matt black and the window frames and mullions shall be painted in a colour that of the original opening;
- (iv) all boards used for boarding and securing openings not located in a window or door opening shall be painted or otherwise treated so that the colour blends with the exterior of the building or structure.
- (v) minimizing visual impact; and
- (vi) no window, door or other opening on a Part IV heritage property or Part V heritage property shall be secured by brick or masonry units held in place by mortar unless a Heritage Alteration Permit is granted.

## **SECTION 6 CERTIFICATE OF COMPLIANCE**

- 6.1 Following the inspection of property, the Officer may, or upon the request of the owner, shall where no building permit was required, issue to the owner a Certificate of Compliance if, in the Officer's opinion, the property is in compliance with the standards set out in this by-law.
- 6.2 Where the owner has made a written request for a Certificate of Compliance, all fees associated with the Order pursuant to the City of Windsor User Fees Schedule shall be paid prior to the issuance of the Certificate.

## **SECTION 7 PERMITS, AND ADMINISTRATION FEES**

- 7.1 Where an Order to Repair is issued pursuant to this by-law, a fee will be assessed to the registered owners in accordance with the City of Windsor User Fee Schedule.
- 7.2 Every property owner who is issued an Order to Repair pursuant to this by-law shall obtain a building permit unless exempted in writing by the Chief Building Official.

## **SECTION 8 COMPLIANCE**

- 8.1 All owners or occupants of property shall comply with the standards set out in this by-law and any Order to Repair that is final and binding.
- 8.2 All owners of property within the municipality that does not conform with the standards contained in this by-law shall repair and maintain such property to conform with the standards or clear the site of all buildings, structures, debris or refuse and leave the property in a graded and leveled condition, except where a demolition permit has been issued and remains in effect.



- 8.3 All repairs and maintenance of property shall be carried out with suitable and sufficient materials in a manner acceptable to the Officer.
- 8.4 All new construction or repairs shall conform to the most current addition of the Ontario Building Code and any other applicable legislation.
- 8.5 No person shall occupy any property if there are conditions which pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person in or about the property.

**SECTION 9      ENFORCEMENT AND PENALTY**

- 9.1 An owner or occupant who fails to comply with an Order is guilty of an offence under Section 36(1) of the Building Code Act, and is liable to a penalty or penalties as set out in Section 36 of the Building Code *Act*.

**SECTION 10     VALIDITY AND SEVERABILITY**

- 10.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law, and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.
- 10.2 Where a provision of this by-law conflicts with the provision of another by-law in force within the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

**SECTION 11     REPEAL AND TRANSITION**

- 11.1 Except as provided by Section 11.2 hereof, By-law Number 9-2019, as amended by 140-2020, is hereby repealed.
- 11.2 Notwithstanding Section 11.1 hereof, the provisions of By-law Number 9-2019 as amended by 140-2020, shall continue to apply to any properties in respect of which an Order has been issued under the said by-law until such Order has been concluded.

**SECTION 12     EFFECTIVE DATE**

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

DREW DILKENS, MAYOR

CLERK

- First Reading        -
- Second Reading    -
- Third Reading       -



DRAFT



**Subject: Additional Information Memo Regarding Report S 133/2024 -  
Repeal of By-Law 9-2019 and 140-2020, Passing of New By-Law to  
Establish Standards for the Maintenance and Occupancy of All Property  
in the City of Windsor – City Wide**

**Reference:**

Date to Council: May 26, 2025  
Author: Roberto Vani  
Deputy Chief Building Official – Inspections  
rvani@citywindsor.ca  
519-255-6267 x6834  
Planning & Building Services  
Report Date: 5/8/2025  
Clerk's File #: SB2025

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

**Additional Information:**

The Environment, Transportation & Public Safety Standing Committee considered council report S 133/2024 on October 30, 2024.

This memo serves to update and provide additional information related to the timelines to bring this report to council.

**Discussion:**

This memo is to advise City Council that due to delays in returning the administrative report to Council, Administration will be unable to meet the deadline required to include an information insert in the upcoming tax mailing. We recognize the importance of timely communication with residents and regret any inconvenience this may cause. Administration is committed to explore all communication strategies and opportunities to educate the public on the relevant changes to the property standards by-law.

The delay has, however, provided Administration with the opportunity to expand consultation with additional service areas. This has allowed for more comprehensive and robust feedback, ultimately strengthening administrations recommendations for Council's consideration.



## Consultations:

Shannon O'Moore – Executive Initiatives Coordinator

Anna Ciacelli – Supervisor/Council Services and Deputy City Clerk

## Conclusions:

The revised timing aligns with the return of Administration's council report S 46/2025 related to the proposed nuisance indoor and outdoor lighting by-law. Presenting both reports on the same Council agenda will allow for a more coordinated discussion and decision-making process.

## Planning Act Matters:

N/A

## Approvals:

Name	Title
Rob Vani	Senior Manager/Deputy Chief Building Official - Inspections
John Revell	Chief Building Official
Matthew Johnson acting for Jelena Payne	Commissioner, Economic Development
Wira Vendrasco	City Solicitor
Ray Mensour	Chief Administrative Officer

## Notifications:

Name	Address	Email

## Appendices:

N/A



**Subject: Declaration of Surplus and Sale -formerly known as Whittaker Avenue – Ward 2****Reference:**

Date to Council: May 26, 2025  
Author: Stephanie Santos  
Coordinator of Real Estate Services  
(519) 255-6100 x6420  
ssantos@citywindsor.ca  
Legal Services, Real Estate & Risk Management  
Report Date: 4/16/2025  
Clerk's File #: APM2025

To: Mayor and Members of City Council

**Recommendation:**

- I. THAT the following City of Windsor (the “City”) vacant parcel of land, previously closed for municipal purposes, **BE DECLARED** surplus:
  - Municipal address: **0 Ambassador Drive** (formerly Whittaker Avenue) vacant land situate on the Western side of Ambassador Drive, abutting 2265 Ambassador Drive;
  - Legal Description: Whittaker Avenue on Registered Plan 1405 Sandwich West, Closed by R901392 except R952751 (Secondly) Between Third Street and Ambassador Drive; Windsor
  - Approximate Lot size: 33 feet (10.06 m) x irregular
  - Approximate Lot area: 14,620 sq ft (1,358.24 m<sup>2</sup>) (herein the “**Subject Parcel**”).
- II. THAT the Manager of Real Estate Services **BE AUTHORIZED** to offer the Subject Parcel for sale to the abutting property owner at a price to be determined by the Manager of Real Estate Services, commensurate with an independent appraisal, as appropriate.

**Executive Summary:**

N/A

**Background:**

Council, at its meeting of February 6, 1984, approved the closure and stopping up of various streets and alleys for municipal purposes, as set out in By-law 7782.



The Subject Parcel is located within the industrial park situated west of Huron Church Road and north of the E.C. Row Expressway, as shown on the aerial diagram attached as Appendix A. This area contains one of the closed street and alley systems referenced in By-law 7782. The closed street once extended from Malden Road to Huron Church line and was closed for municipal purposes with only the easterly most portion, from Ambassador Drive to Huron Church Road sold to abutting owners.

### **Discussion:**

Administration was contacted by the principal of the abutting owner who expressed an interest in acquiring the Subject Parcel. Over time, the Subject Parcel has become overgrown with brush and allows discreet areas for encampments. Safety and security have become ongoing issues for the current businesses in the area.

Since the abutting owner contacted Administration, Windsor Police Service has attended at its property abutting the Subject Parcel to assist in relocating the encampment. To help assist with the continued safety and security of the abutting lands, Administration is requesting the Subject Parcel be declared surplus and offered for sale to the abutting property owner. Upon circulation to other City departments, no direct concerns regarding disposition of the Subject Parcel were identified.

The Subject Parcel has no significant vegetation or environmental significance. There is no historical significance or ecological sensitivity related to the disposition of the Subject Parcel. In addition, there are no utility easements currently registered on the lands.

In alignment with the Street and Alley Closing Policy, and by CR 130/2006, Administration recommends the sale price of the Subject Parcel be set at market value for industrial lands plus HST (if applicable), deed preparation fees and the proportionate share of the survey costs as prepared by an Ontario Land Surveyor.

### **STREET AND ALLEY CLOSING POLICY**

#### **CR130/2006**

That the following policy for street and alley closings and conveyances BE ESTABLISHED:

e) the following criteria shall be applied to determine the conveyance of the closed rights-of-way:

i) purchase price of closed alley lands shall be set at market value except those alley and walkway lands adjacent to residential areas zoned RD1, RD2 or DRD11 in By-law 8600 and R.1, R.2 and PD.1 in By-law 3072 which shall be conveyed for \$1.00;

Should the Recommendations be approved, Real Estate staff will contact the abutting property owner to work towards selling the Subject Parcel. A report will be brought to Council or under Delegation of Authority, as appropriate, seeking authority to sell the Subject Parcel.



**Risk Analysis:**

There are potential liability issues should someone be injured on the land. Additionally, the monitoring and maintenance of the land drains scarce municipal resources. Selling the Subject Parcel will remove any associated liability issues and maintenance costs for the City.

**Climate Change Risks****Climate Change Mitigation:**

Declaring these properties surplus does not pose a climate change risk.

**Climate Change Adaptation:**

As Administration is declaring the Subject Parcel surplus and seeking authority to offer it for sale, there is no impact to climate change.

**Financial Matters:**

Administration is recommending that the Subject Parcel be sold in accordance with the Street and Alley Closing Policy, for market value plus HST (if applicable), deed preparation fees and the proportionate share of the survey costs as prepared by an Ontario Land Surveyor. The proposed sale would help remedy current safety and security issues for the abutting owner, who is the only entity that could purchase the Subject Property. The Subject Parcel will be incorporated into the abutting property owner's lands and will generate some level of additional property taxes. While administration can't determine the extent to which taxes will increase, the City will no longer be responsible for costs associated with the Subject Parcel including any maintenance or security.

**Consultations:**

Juan Paramo, Development Engineer  
Jason Scott, Manager, Transit Planning  
Kevin Webb, Manager, Environmental Quality  
Elara Mehrilou, Transportation Planner I  
Jamelah Hersh, Senior Legal Counsel  
Rosa Maria Scalia, Financial Planning Administrator  
Josie Gualtieri, Financial Planning Administrator

**Conclusion:**

Declaring the Subject Parcels surplus and authorizing the Manager of Real Estate Services to offer the Subject Parcel for sale to the abutting property owner, will allow for the orderly sale of land that is not required for any municipal purpose.

**Planning Act Matters:**

N/A



**Approvals:**

<b>Name</b>	<b>Title</b>
Stephanie Allen Santos	Coordinator of Real Estate Services
Denise Wright	Manager of Real Estate Services
Wira Vendrasco	City Solicitor
Andrew Daher	Commissioner, Corporate Services
James Chacko	Executive Director, Parks, Recreation and Facilities
Michael Chantler	Commissioner, Community Services
David Soave	Manager, Strategic Capital Budget Development & Control
Janice Guthrie	Commissioner, Finance/City Treasurer
Ray Mensour	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Aerial Image of Subject Parcel



## Appendix A

### Subject Parcel





**Subject: RFP Update - Jackson Park Feasibility Study - Ward 3**

**Reference:**

Date to Council: February 10, 2025

Author: Samantha Magalas

EIC, Community Services

smagalas@citywindsor.ca

519-253-2300x2730

Parks

Report Date: 1/23/2025

Clerk's File #: SR/14718

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

**Recommendation:**

- I. **THAT** City Council **RECEIVE** this report in response to the request to report back on the Jackson Park Bandshell Feasibility Study procurement process; and further,
- II. **THAT** City Council **DIRECT** Administration to cancel RFP 123-24.

**Executive Summary:**

N/A

**Background:**

On March 21, 2012, the Emancipation Celebrations Monument in Jackson Park report was approved by the Social Development, Health and Culture Standing Committee. The Council Resolution stated "**THAT** the offer by the Emancipation Celebration Corp. and the Black Canadian Ethnic Club of Windsor to place an Emancipation Celebration Monument in Jackson Park near the bandstand **BE ACCEPTED**" (Livelink 15759, SR2012). That report was subsequently approved by City Council on Apr 16, 2012. The report, minutes and sketch of the proposed monument are attached as Appendix A. Unfortunately, adequate funds were never raised and as a result, the monument was never built.

On September 6, 2022, Councillor Kieran McKenzie asked the following question:

*"Asks that Administration provide an update on the current status and condition of the Jackson Park Band shell and further comment on the viability of a Feasibility Study"*



*outlining the scope of work necessary to bring the Bandshell back into community access and usage within the Parks Department inventory of assets.”*

Administration presented a report to Council on November 27, 2023 that contained information about the site, a preliminary estimate of the cost to conduct a feasibility study and outlined some of the risks associated with undertaking the project. At that November 27th meeting of City Council, Administration was directed to move forward with the following through CR 475/2023:

*“That the report of the Executive Initiatives Coordinator dated August 21, 2023, entitled Response to CQ 18-2022 – Jackson Park Bandshell Update-Ward 3 BE RECEIVED for information; and further,*

*That administration BE REQUESTED to engage in a feasibility study (two Phases) including a Condition Study and a Vision and Rendering Phase along with public consultation with various community groups, including artist groups, the black community as well as the general public and other community stakeholders; and,*

*That the Community Consultation INCLUDE discussion with the public school board, to address property and land use challenges as it relates to the Bandshell; and,*

*That the study BE FUNDED from the Budget Stabilization Reserve Fund (BSR).”*

Administration began the process of submitting the revised scope of work document to a rostered Engineering Consultant to complete the work as directed by Council including public consultation. Upon the Consultant inquiring about supporting documents and clarifying the scope of work, it became apparent that the original estimate of \$100,000 to conduct this study was not going to be adequate to complete the project. Since the Bandshell structure is listed on the Windsor Municipal Heritage Register, a Heritage Impact Assessment (HIA) will be required to be submitted by the Consultant, which was not fully anticipated during the original report to Council. Without the HIA, a comprehensive understanding of the scope of work for the project will not be possible. A Heritage Consultant would be required to complete the HIA, including an evaluation the heritage structure and the site. This is in addition to the other supporting documents such as a detailed Environmental Analysis, Designated Substances Survey, Topographical Survey, Traffic and Transportation (due to required parking) and Crime Prevention through Environmental Design (CPTED) study. These, in combination with the Public and Stakeholders’ consultations during both parts of the subject report, contributed to the cost increase. As a result, at the January 15, 2024 meeting of City Council, an update to Council was presented via C189/2023 which requested funding to an upset limit of \$300,000 to complete the process.

Council directed through CR 43/2024 that:



*“That the report of the Executive Initiatives Coordinator, Community Services dated December 28, 2023 entitled “Jackson Park Bandshell Feasibility Study Update - Ward 3” BE REFERRED to the 2024 Operating & Capital Recommended Budget meeting for Council’s consideration.”*

On Monday January 29, 2024 via B8/2024 Council directed:

*“That the report of the Executive Initiatives Coordinator, Community Services dated December 28, 2023, entitled “Jackson Park Bandshell Feasibility Study Update - Ward 3” BE REFERRED back to administration; and,*

*That administration BE DIRECTED to undertake a formal procurement process related to a feasibility study whereby the scope of the study be limited to heritage and technical attributes of the facility at the current location and further that a city led community consultation be part of the scope of the study; and,*

*That an amount up to \$120,000 BE APPROVED from the Budget Stabilization Reserve (BSR); and,*

*That administration BE REQUESTED to report back to Council with the results of the procurement process.”*

This report is in response to Councils direction to report back on the procurement process.

### **Discussion:**

In response to the direction to run City led community consultation, Administration held a Public Information Centre (PIC) on April 25, 2024, at the Optimist Community Centre from 2:00 pm to 4:00 pm and again from 6:00 pm to 8:00 pm, with a total attendance of 43 people. The open house coincided with the start of an 8-week online survey, which was advertised on the City’s website (LetsTalk.citywindsor.ca) and in City media releases, along with the PIC.

The online survey was scheduled to close on June 23, 2024, with 579 responses. The online survey was extended until September 6, 2024, in response to feedback to allow additional time for consultation. An additional 400 responses were received, concluding with almost 1,000 feedback submissions.

In addition to the PIC and online survey, Administration advertised their availability to meet with stakeholders wishing to discuss specific ideas and opportunities regarding the future of the bandshell. As a result, both individual and group meetings took place and included one diverse group of stakeholders, including representatives from the Essex County Black Historical Research Society, Windsor Essex Theatre Alliance, Black Council of Windsor Essex, and several musicians, artists and producers who attended multiple meetings with Administration.



Administration reviewed all of the PIC feedback, online survey data, follow-up meetings and consultations. In summary, the top responses for what the public would like to see at the site include: the existing bandshell in Jackson Park activated as a performing arts space/venue and more open green space with a symbolic monument/memorial. The most important issues to address included drainage, lighting, pathways, parking, safety, seating, shade, accessibility, adding washrooms and overall space. There was interest to use this as a small-medium sized event space all year round. Some indicated they would be interested in renting the Jackson Park bandshell space for an event (including permit fees, insurance requirements, etc.), however majority prefer the venue be available for a nominal fee for small, private events including art programs, memorial gatherings, poetry readings and musical performances. Heritage significance was also identified in the public feedback due to notable past cultural events taking place on the grounds and musical artists performing at the bandshell.

On November 6, 2024, Administration released a Request for Proposal (RFP) in accordance with the City's Purchasing By-Law. The RFP closed on November 22, 2024, with only one response submitted. After reviewing the submission and adding standard departmental project management fees along with a contingency, the proposed funding to complete the feasibility study would not be adequate.

As some of the feedback received from the PIC included adding a symbolic monument/memorial to the site, Administration has included the previous Council direction to erect the Emancipation Celebrations Monument within Jackson Park for Council to consider at this time.

### **Risk Analysis:**

There is a significant financial risk associated with conducting the feasibility study. If City Council wishes to proceed with a feasibility study, additional funding would need to be identified. It is important to note that the technical and heritage aspects of the site that were included in the feasibility study would still not provide a complete feasibility study which could significantly impact the cost of moving forward with any site refurbishment.

If Council directs Administration to move forward with this study, during the course of the study, there may be findings that determine additional testing might be required (soil, environmental, etc.) at additional costs.

There is significant concern that renovating the bandshell at Jackson Park could lead to challenges in terms of seating capacity.

There is little risk in proceeding with building the Emancipation Celebrations Monument. This project was previously approved by the Social Development, Health and Culture Standing Committee and by the Community Public Art Advisory Committee.



## **Climate Change Risks**

### **Climate Change Mitigation:**

There are no climate change mitigation risks involved in approving this report.

### **Climate Change Adaptation:**

There are no climate change adaptation risks involved in approving this report.

### **Financial Matters:**

Should Council approve the Recommendation to cancel RFP 123-24, the \$120,000 approved funding will not be required for a feasibility study.

### **Consultations:**

Laura Ash – Projects Lead, Parks Development

Erika Benson – FPA, Parks

Wadah Al-Yassiri – Manager, Parks Development

Michelle Staadegaard – Manager, Culture & Events

Mike Dennis – Manager, Strategic Capital Budget Development and Control

### **Conclusion:**

Administration has determined that the total cost to conduct a feasibility study for the Jackson Park bandshell, inclusive of project administration and the RFP results, would be greater than the approved \$120,000. As a result, Administration is seeking approval to cancel the RFP 123-24.

If Council wishes to direct Administration to install an Emancipation Celebrations Monument in Jackson Park, the funding with an upset limit of \$50,000 could come from the Pay-As-You-Go Reserve (Fund 169).

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Samantha Magalas	EIC, Community Services
Emilie Dunnigan	Manager, Developmental Revenue and Financial Planning
Dawn Lamontagne	Purchasing Manager (A)



James Chacko	Executive Director, Parks, Recreation & Facilities
Michael Chantler	Senior Executive Director, Community Services (A)
Wira Vendrasco	City Solicitor
Ray Mensour	Commissioner, Corporate & Community Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A – Previous Council Report, Minutes & Monument Sketch



*Item No.*

**THE CORPORATION OF THE CITY OF WINDSOR**  
**Social Development, Health and Culture Standing Committee-**  
**Community Public Art Committee**

**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>LiveLink REPORT #: 15759</b>	<b>Report Date: February 14, 2012</b>
<b>Author's Name: Cathy Masterson</b>	<b>Date to Standing Committee: March 21, 2012</b>
<b>Author's Phone: 519 523-2300 ext. 2724</b>	<b>Classification #:</b>
<b>Author's E-mail: cmasterson@city.windsor.on.ca</b>	

**To: Social Development, Health and Culture Standing Committee**

**Subject: Emancipation Celebrations Monument in Jackson Park**

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**P&R 12-16**

**1. RECOMMENDATION:** City Wide: \_\_\_\_\_ Ward(s): 4

THAT the Social Development, Health and Culture Standing Committee **ACCEPT** the offer of an Emancipation Celebrations Monument to be placed in Jackson Park.

**EXECUTIVE SUMMARY:**

**2. BACKGROUND:**

Emancipation Celebrations first took place from the turn of the 20<sup>th</sup> Century right through to the 1970's. Originally the Celebrations began with a huge parade that began in Dieppe Park and made its way to Jackson Park ending at the bandstand. Upwards to 250,000 spectators came and lined the streets of Windsor with a large number of Americans in the audience making this the largest event of its kind in North America.

Not only were the local Emancipation Celebrations well attended with local residents and neighbours, they also attracted the attention and participation of Mrs. Eleanor Roosevelt, Dr. Martin Luther King Jr and Olympian Jessie Owens as keynote speakers and celebrities such as 'Smoking Joe' Louis and Diana Ross and the Supremes were guests.

The 1967 Race Riots in Detroit dramatically affected the attendance of the festival and it was eventually moved to MicMac Park. The Celebrations have been resurrected and now take place at the Riverfront Festival Plaza.

**3. DISCUSSION:**

The floats, marching bands and drill teams were officially judged by passing the Band Stand. This is the only remaining "touchstone or bench mark" of the Celebrations that filled the park.



A black granite monument will be placed near the grandstand. The wording will be etched into a bronze plaque. A foundation may need to be engineered which would be part of the cost of the project.

#### **4. RISK ANALYSIS:**

N/A

#### **5. FINANCIAL MATTERS:**

The Windsor Emancipation Celebration Corp. and the Black Canadian Ethnic Club of Windsor, Corp. both must be in sound financial relationship with the City of Windsor.

All costs associated with the purchase, delivery, installation and maintenance will be paid for by the Windsor Emancipation Celebration Corp. and the Black Canadian Ethnic Club of Windsor. No City monies involved in the project.

#### **6. CONSULTATIONS:**

Mike Clement, Manager Parks Development

#### **7. CONCLUSION:**

The Emancipation Celebrations were and continue to be an important festival in the City of Windsor and the surrounding area. It is fitting that there be a monument to illustrate the significance.

---

**Cathy Masterson**  
Manager of Cultural Affairs

---

**Jan Wilson**  
Executive Director, Recreation and Culture

---

**Ronna Warsh**  
Community Development and Health  
Commissioner and Corporate Leader  
Social Development, Health, Recreation  
and Culture

cfm

#### **APPENDICES:**

#### **DEPARTMENTS/OTHERS CONSULTED:**

**Name:**

**Phone #:** 519                      **ext.**

#### **NOTIFICATION :**

Name	Address	Email Address	Telephone	FAX
Mr. Kim Elliot		kimell37@yahoo.com		
Mr. Marc Taylor		Admin@EmancipationDay.ca		



**REPORT NO. 59** of the  
**sSOCIAL DEVELOPMENT,**  
**HEALTH & CULTURE STANDING COMMITTEE**

of its meeting held March 21, 2012

**Present:**

**Councillor Al Maghnieh, Chair**  
**Councillor Alan Halberstadt**  
**Councillor Percy Hatfield**  
**Councillor Ed Sleiman**

**Regrets:** **Councillor Ron Jones**

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Sleiman,

**THAT** the offer by the Emancipation Celebration Corp. and the Black Canadian Ethnic Club of Windsor to place an Emancipation Celebration Monument in Jackson Park near the bandstand **BE ACCEPTED**.

Carried.

**Livelihood 15759, SR2012**

Clerk's Note: The report of the Manager of Cultural Affairs dated February 14, 2012 entitled "The Emancipation Celebration Monument in Jackson Park" is **attached** as background information.



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**CHAIRPERSON**

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**DEPUTY CITY CLERK**

NOTIFICATION:		
Name	Address	Email
Mr. Kim Elliot		<a href="mailto:kimell37@yahoo.com">kimell37@yahoo.com</a>
Mr. Marc Taylor		<a href="mailto:admin@emancipationday.ca">admin@emancipationday.ca</a>

The Council Minutes for April 16, 2012 state the following:

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M190-2012 That Report No. 59 of the Social Development, Health & Culture Standing Committee** of its meeting held March 21, 2012 regarding **Emancipation Celebrations Monument in Jackson Park BE ADOPTED** as presented.

Carried.

Report Number **15759** SR2012



KK/  
Windsor, Ontario January 24, 2012

A meeting of the **Community Public Art Advisory Committee** is held this day commencing at 3:00 o'clock p.m. in Room 406, 400 City Hall Square East, there being present the following members:

Leisha Nazarewich, Chairperson  
Justin Langlois (arrives at 3:06 p.m.)  
Dr. Terry Lawrence-Tayler

**Delegations in attendance:**

Brian Frickey, Jodi Greige and Travis Frickey regarding Item 5.2  
Marc Taylor, President/CEO Windsor Emancipation Celebration Corp., Kim Elliott, and Lana Talbot regarding Item 5.3.

**Guest in attendance:**

David Hanna

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

Mike Clement, Manager, Parks Development  
Madelyn Della Valle, Museum Curator  
Cathy Masterson, Manager of Cultural Affairs  
Karen Kadour, (A) Committee Coordinator

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 3:00 o'clock p.m. and the Committee considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

**2. DECLARATIONS OF CONFLICT**

None declared.

**3. ADOPTION OF THE MINUTES**

Moved by Dr. T. Lawrence-Tayler, seconded by L. Nazarewich,  
That the minutes of the Community Public Art Advisory Committee at its meeting held December 6, 2011 **BE ADOPTED** as presented.



Carried.

Moved by Dr. T. Lawrence-Tayler, seconded by L. Nazarewich,  
That the minutes of the Community Public Art Advisory Committee - *Museum Subcommittee* at its meeting held January 11, 2012 **BE ADOPTED** as presented.  
Carried.

## 5. **BUSINESS ITEMS**

### 5.2 **Alumni of Mayfair Public School - Placement of Monumental Stone**

Brian Frickey is present to request the placement of a monumental stone at the entrance to the park (former site of Mayfair Public School). Travis Frickey and Jodi Greige are also present.

In response to a question asked by the Chairperson regarding a description of the monumental stone, B. Frickey indicates it is a 2,000 lb rock, approximately 4-5 feet high and 3 feet wide.

B. Frickey advises that the inscription of the monumental stone will read:  
*"Mayfair School, 1928-1971 In memory of alumni past & present".*

M. Clement has no issue with the placement of the monumental stone at the park's entrance.

J. Greige states a ceremony will be held when the stone is in place.

Moved by J. Langlois, seconded by Dr. T. Lawrence-Tayler,  
That the request by Mr. Brian Frickey, Alumni of Mayfair Public School to erect a monumental stone with the inscription "Mayfair School, 1928-1971 In memory of alumni past & present" to be placed at the entrance to Mayfair Park **BE APPROVED**.  
Carried.

### 5.3 **Emancipation Celebration Monument**

Marc Taylor, President/CEO Windsor Emancipation Celebration Corp., Kim Elliott and Lana Talbot are present to request the placement of the Emancipation Celebration Monument in Jackson Park proximal to the band shell/parade review stage.

A drawing of the proposed design is distributed and *attached* as Appendix "A".  
K. Elliott reports that the monument will be constructed of granite with two bronze plaques. He states that he will assume the costs to purchase, deliver, install and maintain the monument.



The salient points of discussion relating to the Emancipation Celebration are as follows:

- In 1833, the British Parliament passed an act banning slavery - *Slavery Abolition Act of 1833*.
- As of August 1, 1834, all slaves in the British Empire were emancipated.
- The *Emancipation Proclamation* was issued by Abraham Lincoln on January 1, 1863 during the American Civil War.
- Dr. Martin Luther King came to Canada for the sole purpose of attending the Emancipation Celebration. Rosa Parks and Jesse Owens also attended the Celebration.
- The Celebration is traditionally held on the August 1<sup>st</sup> weekend

M. Clement states he will visit the band shell site (outside of the gates). He notes that monuments constructed with granite and bronze have lasting longevity.

Moved by J. Langlois, seconded by Dr. T. Lawrence-Tayler,

That the request by the Black Canadian Ethnic Club of Windsor, Corp. and the Windsor Emancipation Celebration Corp. to place a Monument commemorating the Emancipation Celebrations near the band stand in Jackson Park **BE APPROVED**, and further that all costs associated with the purchase, delivery, installation and maintenance to be assumed by the applicant.

Carried.

#### **5.1 Monument Donation in Support of 2013 International Children's Games**

No report.

#### **5.4 Sculpture in the Garden at Brentwood**

No report.

#### **5.5 Sculpture Donation Requests**

##### **(a) Letter from. Saeed Ahmad Kaukab- Veteran's Monument**

Moved by J. Langlois, seconded by Dr. T. Lawrence-Tayler,

That the Manager of Cultural Affairs **BE DIRECTED** to send a letter to Saeed Ahmad Kaukab thanking him for his generous offer to donate a monument to honour our Veterans , however, currently there are many existing tributes to the veterans along the waterfront.

Carried.

M. Clement indicates there may be a moratorium on existing monuments along the waterfront. C. Masterson to investigate and to report back.



(b) **Letter from Stephen and Kelly Savage - Donation of "The Claim Post" Piece to the Odette Sculpture Garden**

C. Masterson states that Stephen and Kelly Savage wish to donate a work by a Canadian artist entitled "The Claim Post" to be placed in the Odette Sculpture Garden. It is noted in the letter that the installation will be completed by the artist.

Moved by J. Langlois, seconded by Dr. T. Lawrence-Tayler,  
That the generous donation by Stephen and Kelly Savage of a work by a Canadian artist entitled "The Claim Post" to be placed in the Odette Sculpture Garden **BE APPROVED** subject to the approval of the Executive Director Parks and Facilities and in consultation with the benefactors.

Carried.

**5.6 First Draft of the Application Form**

A cursory view of the Application Form is made and several amendments are suggested. C. Masterson will e-mail the revised document to the members.

**6. BUSINESS ARISING FROM THE MINUTES**

**Request to Create a Sculptural Piece in Ford City**

An e-mail from Erin Fortier dated January 15, 2012 is attached as Appendix "B". She indicates there is still interest in the Ford City Sculptural Proposal, however, funding has been re-routed to another project.

**7. DATE OF NEXT MEETING**

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

**8. ADJOURNMENT**

There being no further business, the meeting is adjourned at 4:16 o'clock p.m.



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CHAIRPERSON

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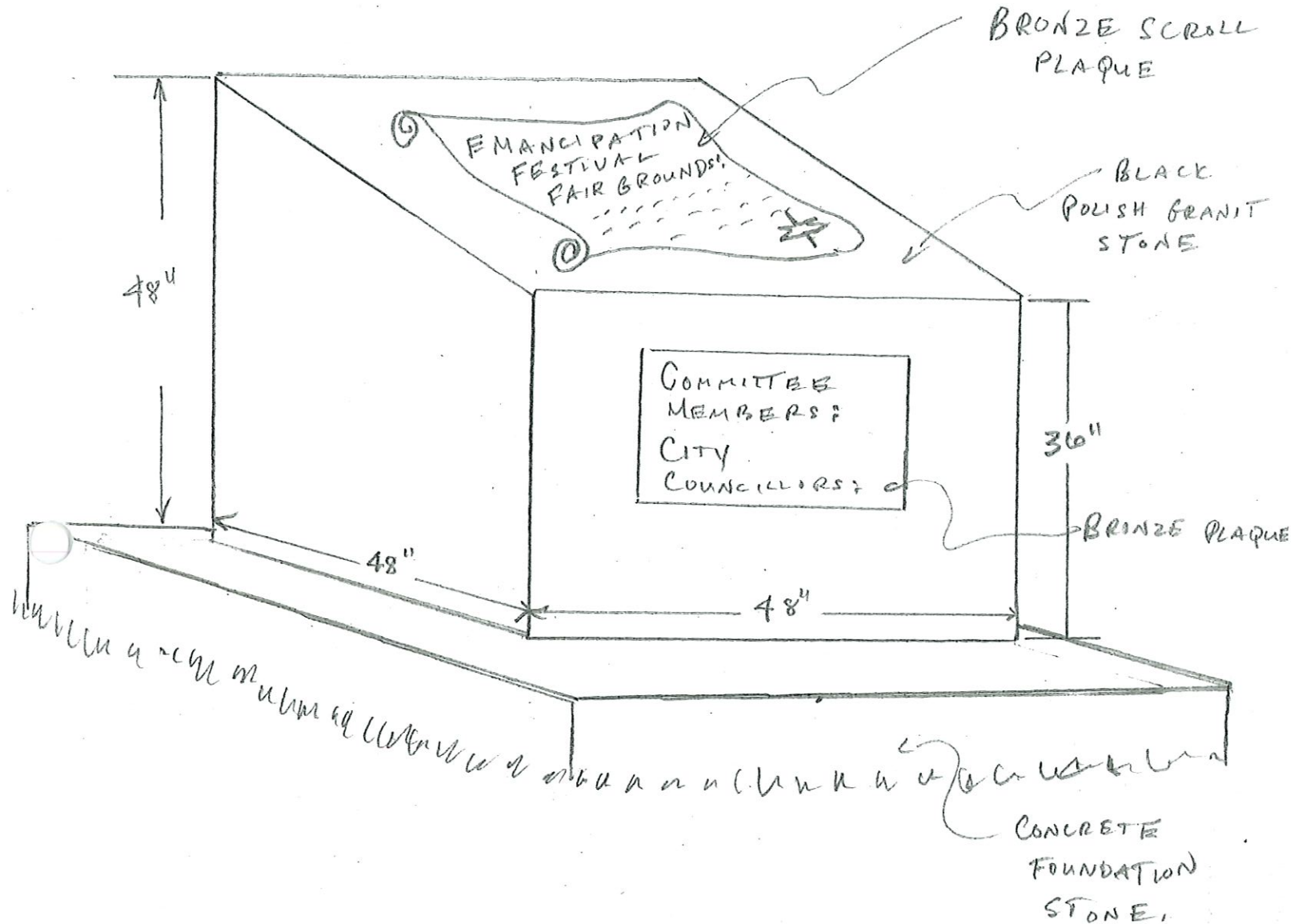
(A) COMMITTEE COORDINATOR



Appendix A

10 of 10

PROPOSED DESIGN OF THE EMANCIPATION  
CELEBRATION FESTIVAL MONUMENT,  
TO BE LOCATED IN JACKSON PROXIMAL  
TO THE BANDSHELL/PARADE REVIEW STAGE.



PRESENTED TO: The city of Windsor [Community Public Art  
Advisory Committee]

INITIAL DESIGN BY: MR. KIM D. ELLIOT

ON BEHALF OF: THE JOINT BLACK CANADIAN ETHNIC CLUB (B.C.E.C.)  
AND

THE WINDSOR EMANCIPATION CELEBRATION CORP (W.E.C.C.)

DATED: JANUARY 24, 2012

**APPENDIX "A"**



To: clerks@citywindsor.ca  
Subject: Written submission for City Council Agenda FEB 10, 2025  
Agenda Item No. 11.5 - Jackson Park Bandshell RFP Update – CR 22/2025  
Sent 06 FEB 2025

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Esteemed Custodians of Windsor history and heritage:

As custodians you have the responsibility and duty to preserve the legacy and heritage of the Jackson Park Bandshell and with it the legacy and heritage of the Emancipation Celebration.

Here are some suggestions how to do that:

1. Approve a new RFP for a Jackson Park Bandshell Feasibility Study.
2. Assign the Jackson Park Bandshell **DESIGNATED** status on the Windsor Municipal Heritage Register.
3. Begin the process to develop a master plan to dedicate the parkland around the Jackson Park Bandshell to a theme that commemorates Emancipation and human rights.
4. Create on that land: **The Freedom Beacon**.

**The Freedom Beacon** would ensure that every visitor to Windsor will learn from the example of nearly three centuries of struggle, sacrifice and determination by a valiant people who fled from brutality and found freedom here, settled here and prospered here.

**The Freedom Beacon** will remind us, now and for generations to come, that since 1834, our city has been a safe haven for anyone fleeing oppression anywhere in the world.

---



Mention the Jackson Park Bandshell and you'll likely arouse a lot of nostalgia.

Perhaps you know an aging rock 'n' roller who fondly recalls the "Battle of the Bands" concerts held there decades ago.

Among Windsor's Black-Canadian community however, the feelings transcend mere fondness.

There you'll find a large cohort of families who can trace their lineage back centuries.

They view the Bandshell as a monument to ancestral legacy and community history. It is literally a concrete link to Windsor's once glorious

Emancipation Celebration.

That connection becomes clear if you reflect on our history beginning from colonial times when this land was New France.

The African ancestry of some of our citizens goes back to the 1700s, when Black people came as the "property" of French colonizers, as indentured servants, or as Freemen.

In 1763 the European domination of much of North America was resolved when France ceded its claims to a large part of its territory to Great Britain.

More than a decade later, with the end of the American Revolution, Black Loyalists moved north and added to the population of the colony. More Freemen followed over the years.

When the British Parliament's "... **Act for the Abolition of Slavery throughout the British Colonies...**" became effective on August 1, 1834, self-emancipated people, Freedom Seekers, began streaming out of the United States to escape the brutality and injustice of chattel slavery.

Those courageous people mostly fled on foot and travelled at night. They risked betrayal. They evaded capture at any moment from pursuing bounty hunters on horses, often tracking them with packs of hunting dogs.



Following the North Star, they traversed the “Underground Railroad,” a perilous network of secret routes and safe houses (“stations”), organized and supported by Black and White abolitionists (“station masters”) on both sides of the border.

By the time the United States enacted the three Reconstruction Amendments to the U.S. Constitution, starting in 1865 with the 13<sup>th</sup> Amendment abolishing slavery, tens of thousands of Freedom Seekers had already found safe haven under the Crown in British Canada.

So, it is pretty clear that **The Abolition Act and the date August 1<sup>st</sup>** have long been integral elements of Black Canada’s culture and reverence for Emancipation.

Year after year, from the mid 19<sup>th</sup> century to the early 20<sup>th</sup>, throughout the country, the growing Black population celebrated Emancipation Day at their churches with prayers of thanksgiving and community basket lunches.

It was in Windsor in the early 1930s that descendents of both Freedom Seekers and Freeman started a new tradition and began to celebrate Emancipation Day in a more secular way. Within a few years, they expanded and organized the celebration into a world famous extravaganza.

That change meant Emancipation Day would no longer be observed only by the Black Community. In Windsor it became a citywide festival, drawing immense crowds of visitors from near and far.

One man was mainly responsible for this, a titanic entrepreneur, Windsor-born impresario, Walter Perry. For nearly forty years, Mr. Perry produced “The Greatest Freedom Show on Earth.”

During the heyday of the festival, on the first weekend in August, tens of thousands of visitors poured into Windsor, spending hundreds of thousands of dollars.

The festivities began with a parade of marching bands and floats that lasted a couple of hours and stretched the length of Ouellette Ave. from the Detroit River to Jackson Park.

Visitors arriving at the Park found a thrilling midway with carnival attractions.

Teasing their appetites was the tantalizing aroma of succulent spareribs and chicken grilling over charcoal on giant open pits.

On Saturday night on those glorious weekends in August, thousands of celebrants filled the Great Grandstand in front of the Bandshell to watch a stunning display of Black pride, the Miss Sepia Beauty Pageant.

Later, those who stayed on would enjoy a star-studded variety show, featuring world famous performers and recording artists.

The celebration continued on Sunday morning when thousands returned for worship at the sunrise prayer services led by outstanding pastors from Christian congregations in Canada and the U.S.

Finishing off the day, celebrity guest speakers delivered inspiring messages calling for Black pride and racial harmony. Among them over the years were [Mrs. Eleanor Roosevelt](#), [Dr. Martin Luther King, Jr.](#), [Dr. Mary McLeod Bethune](#), and [Rev. Adam Clayton Powell, Jr.](#), to name a few.

And let us never forget where that thrilling demonstration of pride and harmony coalesced year after year; it was at Jackson Park’s central entertainment venue – the Bandshell and the Great Grandstand.

Tragically, both were destroyed in a devastating fire in 1957.

The Bandshell, rebuilt in 1959, continued to be peacefully used as the main venue for the Emancipation Celebration until 1967.

That year, despite the fact that Windsor had no history of racial violence, city councillors feared that our Black citizens might emulate the civil disorders that ravaged Detroit. In their panic they denied the Emancipation Celebration organizers the use of Jackson Park.



1967 was also the year Walter Perry passed. His successor, Ted Powell, tried to sustain the energy and the spirit of the Emancipation Celebration for a few more years. But Mr. Powell's efforts, and those of others, could never really restore the festival's grandeur.

So the bright light of the great Emancipation Celebration gradually started to dim.

But it **never** went out.

Dedicated Windsorites have to this day continued to fuel the flickering lamp of the Emancipation Celebration.

Thanks to their efforts we can still enjoy commemorative activities and events every August.

And that brings us back to that historic heritage structure, the Jackson Park Bandshell.

Today we find it neglected by our city and languishing on a rubble-strewn patch of scraggly parkland.

It is a sad and silent sentinel standing guard over a place where for decades jubilation prevailed.

Despite our city's neglect it still emits a spark of joy that ignites happy memories.

For generation after generation in the Black Community, the Jackson Park Bandshell has remained a symbol of the legacy and heritage that instills pride.

It is a beacon that stirs visions of those glorious August weekends when Walter Perry led our entire city to commemorate one of the greatest mass liberation events in history.

Respectfully yours,  
Harold Goldin, Ward 5  
2561 Allyson Ave  
N8W 5N6

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Attachment 1 – City Beacon links

Attachment 2 – Media links

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## **A1 Beacons**

Five pavilions called beacons are public destinations and landmarks that explore themes to provoke contemplation of time, history and heritage. They are:

- [Celestial Beacon](#)
- [City Beacon](#)
- [Dawn Beacon](#)
- [Legacy Beacon](#)
- [Peace Beacon](#)

## **A2 Media Links**

- [The Greatest Freedom Show on Earth – Documentary Trailer](#) – Orphan Boy Films ©2015
- [The Greatest Freedom Show on Earth – Full Documentary](#) Orphan Boy Films ©2015
- [Savethebandshell.com](http://Savethebandshell.com)





**From:** Kristen Siapas <>  
**Sent:** March 25, 2025 2:14 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Jackson Park Bandshell - Letter of Support

Jackson Park Bandshell Issue  
Letter of Support - to be included in council package  
Meeting of Council  
-----

To his worship, Mayor Dilkens, and members of City Council:

I am writing today on behalf of the arts community, specifically those of us who have ambitions in creating, producing and performing live music and theatre in our city. I am writing to wholeheartedly support the potential refurbishment of the Jackson Park Bandshell, as well as community consultation about its use.

I have been a director, performer, producer and promoter in this city's arts community for over 20 years. Over that time I have been very blessed to see various live performance projects come to life in this city, enriching the lives of our residents and visitors.

One of the major issues raised by members of our performing arts community is the need for adequate-sized performance space. Our fledgling groups are often too small for the larger venues. Even the Capitol Pentastar, which seats about 625, can be far too large for some. In addition, there are few to no outdoor stages available for our performance groups and musical acts to offer the kind of event that would be ideal on a stage the size of the bandshell.

My experience has given me the opportunity to work as a board member, performer and stage manager with the Windsor Theatre Festival, a group that performed at Festival Plaza for many years, producing a series of dramas and musicals as well as theatre for young audiences. Along with a stellar team of hardworking community members, I built the stage, I ran the show, and I sold the tickets. We presented these pieces in an outdoor tent space, before the current stage was built.

In 2021, I helped to produce Contact, a live performance piece that brought audience members through our downtown core and our riverfront. We partnered with the Downtown BIA and the University of Windsor to bring the show to life for audience members who followed us along on a live walking performance.

Personally, I am very grateful to have received a generous Arts, Culture and Heritage Fund grant from the City of Windsor in 2023 and 2024, for a Jazz in the Park project that saw a series of 4 live music performances across local parks. Our attendance grew as interest spread across the local community, and we saw crowds of 250-500 people at outdoor sunset performances in Lanspeary Park, Atkinson Park, Wigle Park, Mary E. Bibb Park, and Willistead Park.

I have seen personally the impact that live performance can have on our community, especially the type of outdoor performance that is accessible, that meets people where they are, and allows audience members to enjoy the beauty of our city as well as the rich arts and culture that we have to offer. I can personally attest to the value in having an event space of this size available to local artists.



In recent memory, I can recall the City's Showmobile set up in the Vision Corridor adjacent to Art Windsor-Essex, for a beautiful outdoor event celebrating the Mayor's Arts Awards. Such an event would surely be as spectacular to behold at the historic bandshell, with the sun setting in the background and the community joining together in celebration. In fact, I imagine many of the events where that mobile stage is used could also be presented on the stage in Jackson Park, enlivening the space, honouring its former glory, and breathing new life into our park.

I have no hesitation in saying that this city easily has the talent to support, and the interest in producing live events throughout the year at this venue. I can envision not only jazz concerts in the park, like the ones we enjoyed last summer, but live theatre, performance art, and opportunities to enhance events like Bright Lights Windsor in that adjacent space. A permanent space can provide the stability that our industry needs to thrive.

I urge you to proceed with the necessary steps to restore the bandshell to a usable state, to allow our City to explore the potential that would bring so much opportunity to our residents, our arts industry, and our community on the whole. The best way to honour the legacy of this historic location is by activating now and in the future, and using it as a tool to support and connect our community.

Thank you for your consideration.

Kristen Siapas



**City Council**  
**Monday, May 12, 2025**  
**Item 11.1 - Written Submission**

**From:** BEVERLY WATSON < >  
**Sent:** May 5, 2025 3:29 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** JACKSON PARK BANDSTAND

I would like to express my interest in the City retaining the bandstand. I grew up in the area and enjoyed many events using this venue. I think there are many bands and entertainment groups who would be so pleased to be able to use this for smaller productions. Perhaps it could be used as a fund raiser for many smaller entertainers and less costly than an inside stage area.

We have lost so many buildings in our city that we now regret, it would be a shame to have this end up in the same pile! Please spend some funds and refurbish this bandstand. I am sure it will pay us back many times over in the future.

Beverly Watson  
Ward 7



**City Council**  
**Monday, May 12, 2025**  
**Item 11.1 - Written Submission**

**From:** Melanie Janisse < >

**Sent:** Thursday, May 8, 2025 9:55 AM

**To:** [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)

**Subject:** Re: Notice of Council Meeting - Item 11.1 – RFP Update - Jackson Park Feasibility Study - Ward 3

I feel that the Jackson Park bandshell is a space worth the effort of a revitalization. The bandshell revitalized, would make a wonderful addition to the community, and could be accessible to those groups who might have a smaller budget or draw than those that the larger facility at the river might attract. I can imagine performances of all kinds happening at the site, and it being a gathering place for many. I feel like a smaller, second stage will only lend to connected events, which will help to align the Ouelette corridor as it changes and grows. Having a healthy river front as well as a healthy green space of this magnitude in the general downtown area are amazing anchors. I envision symphony events, Shakespeare plays, Bookfest creating readings throughout the park, a battle of the bands rekindled, sports awards received, comedy, children's events, the list goes on. This is a space that the entire community could use.

I was quite surprised at the amount of people at the park when I went yesterday, and see Jackson Park as a place people are accessing. In my mind, the traffic to the park indicates it as a place worth investing in. The winter is spectacular in this park, with the amazing effort of the city to create a holiday excursion with the lights on display. It shows what is possible on this site. I can see how the revitalization of the bandshell would help to foster a healthy and occupied spring/summer/fall park space. The entire park would benefit from more infrastructure like this bandshell to be incorporated into the plans. It almost completes the good work done already in the park, and fosters a pride of place that comes from the preservation and recognition of historical spaces, as well as an opportunity to see the potential for current usage.

Here is an op-ed piece that I wrote and a painting that I made of the bandstand, which I recently published on my personal blog:

<https://melaniejanissebarlow.substack.com/p/what-we-lose> (see attached)

Please, consider adding the voices of different groups that want to activate different areas of the city. We all don't need the same things, but if we can bring more development and refurbishment to the city that sees civic spaces from a variety of angles, we then are developing a city that we can all imagine living in together. I cannot say more about the historical significance that this site has, especially for our black community, and in this regard, it should be considered a part of the McDougall corridor's revitalization as well, not to mention a site with significant heritage aspects that need to be preserved at all costs. From what I can tell, the bandshell fits perfectly into the zeitgeist of current themes of revitalization, and I dearly hope that the Council will consider its protection and longevity. I, for one, would be grateful to see my childhood park memorialized in this way.

Best regards,  
Melanie Janisse-Barlow



# WHAT WE LOSE, WHAT WE CAN GAIN FOR TRYING

Martin Luther King, space activation, green space, Stevie Wonder, seeing potential



MELANIE JANISSE BARLOW

APR 18, 2025



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Share





Here sits the Jackson Park bandstand, located in Windsor, Ontario. It has been decommissioned for over thirty years. A couple of years ago, black activists in this community along with many others, lobbied the city council in Windsor to recommission this public space, which has significant historical narrative, including a visit from Martin Luther King Jr. It was a central element of Windsor's Emancipation Day celebrations. Stevie Wonder played on its stage. Diana Ross. You know? A few years ago the council voted to NOT recommission it.

Lets talk about a vision for a city. This is a PLACE. It is steeped in history. Steeped in activism. But also, it is a place of potential. It is architecturally spectacular. It is in a park that is begging to become a place for people. It is begging to be not only honoured, but activated. How do we activate space? How do we convince others to activate space? Needless to say, activating a space like this heals. It empowers our community. We become proud citizens by activating space such as this.

It is an understatement to say that we are in the midst of a global downturn. It is an understatement to say this. In America civic spaces are being muzzled, and controlled. Defunded. I would say that alongside of that, people are still having difficulty shaking of the effects of a global pandemic. We are more and more accustomed to being deep hidens. Deep. I would suspect that there is also an agenda here to maximize the use of an even bigger bandstand near the river. It is a nice facility. There is no shade down there though. There is not the benefit of a green space to decant into after a play, a concert, a reading. There is just concrete. A LOT of concrete, sun beating down. Also: it has to be a biggish production to fully activate the space. I mean, we spent a shit ton of cash to encapsulate a decommissioned street car in glass nearby that space. Wha? Can't we find it in our city coffers to create a smaller more intimate venue to can only continue to enhance our city?

I think of successful park spaces. I think of the amphitheatre in High Park. I used to help out with a literary festival that used that open air stage in the centre of the park as their main venue. Shakespeare is regularly performed there, hundreds of people walking through the park in the dusk, and settling into the amphitheatre seats fashioned on a hill. Windsor hates a good 'Toronto does it better analogy', but c'mon.



Can't you *see it*? There has been big investment in Jackson Park over the past few years. The city approved a massive holiday light display, turning the park into one of the best walking spaces in the city during the winter months. They have invested in kiosks along the east side of the park, in the corridor heading straight to the amphitheatre. It feels like restoring this space is a missing puzzle piece to even more civic space. Even more success as a city finding itself. Many people think this city is trash. That the downtown is a write off. That we just don't get *it*. Recent transplants here, along with many, many locals are flummoxed by just how much potential there is to make this city a fantastically liveable city, but how it just can't get with a acculturated vision of it self. Self worth as a city. We have been shitkicked over the years, yes, this is true. It is real. It is hard to see how truly lovely this city really is through all of the sadness and loss this place has endured. But it is *there*. *It is inherent*.

IMO, this kind of resuscitation is exactly what kickstarts such a thing. Fit it on the budget. Fundraise for it. This lovely site deserves this. The community deserves this.

Can't you just see Jackson Park becoming as activated as Trinity Bellwoods Park? I know, I know, another Toronto reference. Shoot me. There are markets, festivals, events, and legions of people sitting and enjoying a green space, outside of the bustle of busy modern life. Little in-gatherings everywhere of people being with each other. Getting comfortable in a green space. BEING THERE, instead of a fast whip through without a sense of being able to settle in with a good book and a picnic basket. I see it happening a little in Jackson Park. I see it starting. Gatherings of families, shyly using the space. I feel like starting a wee revolution here. Shall we enact a Sunday at Trinny? Sunday on the mountain in Montreal? I think so. It all starts with a nice cotton picnic blanket, a picnic basket full of snacks to share and a handful of people who want to.

I wish for big things. I would love to see Bookfest on this beautiful old stage, tents of book publishers and sellers in tents lining the park. I know, I know, Word on the Street is so Toronto. I know. But can you see it? I can. Media City screenings? The Windsor Film Festival? The symphony? Local bands playing? Local theatre? C'mon Windsor. *See it*.





Original bandshell in Jackson Park, built in 1950.



**City Council**  
**Monday, May 12, 2025**  
**Item 11.1 - Written Submission**

From: Denis Lauzon <>  
Sent: May 8, 2025 11:01 AM  
To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
Subject: Jackson Park Bandshell

Dear Windsor City Council,

I am writing to declare my support for a motion being put forth to revitalize the bandshell at Jackson Park. It is high time that the city acknowledge the historic and cultural significance of this structure where countless budding Windsor musicians cut their eye teeth and honed their act in the annual Fireman's Battle of the Bands. Windsor has a proud heritage of outstanding musicians and it is my feeling that this is in large part due to Windsor's support of budding musicians back when the bandshell was operational...But also, it is a place where countless additional cultural events took place.

As such, it deserves to be restored and revitalized as a hub for ALL things cultural in Windsor. I sincerely hope that City Council will consider this request and give this issue the attention it deserves, and ultimately it is my hope that city council will approve such a project. It is a well known fact that Jackson Park is the HEART of the city, particularly in the wintertime with its incredible light display. Let's give the people of this city something to go there for in the SUMMERTIME!

SINCERELY  
Denis Lauzon





May 7, 2025

**Sent via Email to [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)**

Council Services Department  
350 City Hall Square West, Room 530  
Windsor, ON N9A 6S1

Dear Mr. Mayor and Councillors:

**Re: Feasibility Study regarding the Restoration of The Jackson Park Bandshell**

I offer the following in support of the initiative to procure a fulsome feasibility study of the City of Windsor's restoration of the Jackson Park bandshell.

Although my professional career took me in a very different direction, while a teenager I (along with countless others in Windsor and Essex County) dreamt of recognition and success in the world of music (and specifically in the galvanizing world of rock and roll). My pursuit of this dream led me to perform on the Jackson Park Bandshell stage on four occasions.

Suffice it to say those memories will always remain firmly and happily embedded in my mind and heart.

I believe that the restoration of a humble bandshell is not merely the rebuilding of a physical structure. Rather, it is the rekindling of our city's community, artistic and cultural spirit. It is about reclaiming a space where the Windsor community can come alive. A place where neighbors come together, united by their enjoyment of culture, history, music and hope.

And a place to enjoy the open air and the evening sky.

In short, I believe that an alive and vibrant cultural and performing arts community is essential to the well-being of our city; with the Jackson Park bandshell being a joyful and critical element thereof.

In an age in which so much divides us, the Jackson Park bandshell can be a symbol of what unites us.



Thank you very much for your consideration of my submission.

Respectfully,

**GREG MONFORTON AND PARTNERS**

A handwritten signature in blue ink, appearing to read "Greg Monforton", with a stylized flourish at the end.

**GREG MONFORTON**

GJM:kp



**City Council**  
**Monday, May 12, 2025**  
**Item 11.1 - Written Submission**

May 8, 2025

To the Mayor and esteemed members of City Council,

I am writing to express my ardent hope that you will recommission the Jackson Park Bandshell.

There are so many good arguments to be made for its restoration, I hardly know which one is best to begin with, so I'll say that I spoke with my 6-year-old daughter this morning about how this brilliant historical landmark has not been cared for, and when she asked me "Why?", I had no good reason to give her.

Why did we let this monument, this gathering space so humble and powerful it is practically sacred, be mistreated? The most plausible reason, I thought, was that other matters must have taken precedence, other costs more pressing, or perhaps, in short... we simply forgot about it. Nothing overtly malicious or intentional.

But to fail to act now, when so many prominent voices and organizations in our community are rallying, creating this groundswell movement, asking the powers that be to finally honour this important space, and calling for it be returned to us all, would be to change the "why" entirely, from one of accidental forgetting to purposeful neglect.

I'll leave it to others with authority in the matters of Black History, structural integrity, and acoustics to express the very solid arguments upon which the community support for this monument stands. What is within my domain to address as a professional singer-songwriter and musician is its importance as a musical venue.

For those who don't engage with the live music created in our community, you might be astonished to realize the diversity and abundance of active music artists in Windsor. Local festivals like Phog Fest and CJAM's Higher Ground regularly fill their lineups without requiring so much as one out-of-town band. There are hundreds of passionate musicians working in our community. Some of these players go on to take the world stage, but many remain here because they are of this region, and want to see it thrive.

Sadly, there is a lack of venues. It's challenging for business owners to operate a venue in this post-pandemic economy and culture, yet we all understand the importance of spaces for music. You need only look at our own symphony and Capitol Theatre, which receives direct financial support from the City to operate. If we can acknowledge that symphonic music is an important cultural resource for our people, we can also acknowledge other important cultural resources, like the Bandshell, that would serve all genres and all peoples of our richly diverse city.

We often mistake 'bigger' for 'better' in our culture, and I think we make a tremendous error in judgement when we place value primarily on what brings in the most money. The city has invested tremendous amounts in the Riverfront Plaza, yet the artists who can perform on such a massive stage are not from here, and the money they make leaves our community. It is so rare



that an actual Windsor artist ever gets to set foot on that stage these days. To argue that it is a venue for our community is laughable. It is a venue for corporate business alone. Period.

As a professional musician, people often wish for me to have a huge global career, and to become conventionally famous, and they wonder why it is that I stay in Windsor. For me, the reason is that there's more than one way to have a music career. We all have heard and internalized the mantra, "shop local". We all understand the importance of small businesses and regional economies.

Well, the same applies in the music industry. If we all listened only to Beyonce, Ed Sheeran, and Lady Gaga, the same thing happens as if we all only shop at Walmart, Amazon, and Costco. It's the destruction of our communities, the dumbing down of all things that make a region unique, and the amplification of disconnection and loneliness. We need to listen local. We need to exist local. And we can't do that at the Riverfront Plaza.

Restoring the Bandshell would cause shockwaves of positive energy and creative momentum across all branches of our creative community. There is not a single artistic discipline that can't participate in this space, and there is hardly a single citizen who would not be able to attend this inclusive, barrier-free space. The echoes of all the interactions that could take place here would enrich the health of our city for generations to come. It would create an abundance of reciprocal relationships: people feeling inspired to pay forward the great gifts they will receive here.

The moment to act is now. Please, let us act in a way that will make our future selves - and our children, and our grandchildren - proud.

A handwritten signature in black ink, reading "Crissi Cochrane". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

**Crissi Cochrane**

Singer-songwriter, co-founder of Soul City Music Co-op

[www.crissicochrane.com](http://www.crissicochrane.com)



## ABOUT CRISSI COCHRANE

Since breaking out worldwide with more than 13 million Spotify streams of her 2014 album *Little Sway*, Crissi has become an independent artist to watch, beloved for her silky vocals, expert songwriting, and fierce musicianship. Originally entering the music industry as a folk/pop singer-songwriter living in Nova Scotia's picturesque Annapolis Valley, Crissi's music underwent a bold change upon relocating to Windsor Ontario in 2010, infusing her style with the echoes of Motown, retro pop, jazz, and soul. Crissi has shared stages with artists including Jesse Cook, Sarah Harmer, and Walk Off The Earth, has showcased at festivals including Canadian Music Week and the Junos, and her music has been heard in the hit TV show *Nashville*. She has received funding from FACTOR, SOCAN, the Ontario Arts Council, the City of Windsor, Windsor Endowment for the Arts, the Canadian Independent Recording Artists Association, for herself and others, bringing more than \$100,000 to active musicians in the Windsor region. She is also the co-founder of the Windsor music label, Soul City Music Co-op.



May 8<sup>th</sup> 2025

Your Worship Mayor Drew Dilkens, Members of City Council and Administration,

**Support for the Preservation and Revitalization of the Jackson Park Bandshell**

I am writing to express my strong support for the preservation and revitalization of the Jackson Park Bandshell, an iconic and historically significant structure within our community.

For many years, the bandshell has stood as a cornerstone of Jackson Park, serving as the host of internationally recognized events such as the Emancipation Celebrations and the cherished "Battle of the Bands." Its cultural and historical importance cannot be overemphasized, and it continues to symbolize a legacy that deserves both recognition and protection.

Beyond its historical value, the Jackson Park Bandshell holds tremendous potential to serve once again as a dynamic and inclusive public venue. With thoughtful investment, it can be restored and reimagined as a centrally located, open-air gathering space that fosters arts, culture, and community engagement.

Given this, I respectfully urge the City Council to pass a motion to reissue the Request for Proposals (RFP) for a feasibility study of the bandshell, this time with minor revisions to allow for participation from local firms who were previously unable to submit proposals. This reissuance, conducted within the existing or increased budget, would attract quality proposals, ensure broader community involvement, and bring us closer to realizing a shared vision for this historic site.

Should a funding increase not be feasible at this time, I alternatively request that the Council issue a directive instructing City Administration to remain actively engaged with the community to explore and secure alternative funding sources for this important initiative. Community partnerships, grants, and private sponsorships may provide viable options for moving the project forward.

Your thoughtful consideration and favourable support on this matter would be deeply appreciated.

Sincerely,



Victoria Soluade



**RE: Save the Jackson Park Bandshell**

Your Worship Mayor Drew Dilkens, Members of City Council and Administration,

I am writing in support of the Jackson Park Bandshell. The Bandshell has been an integral feature of Jackson Park, possessing a remarkably rich history that spans several decades. It is a true cultural icon whose story is deeply woven into the fabric of our community and our collective history. The Jackson Park Bandshell, and the tremendous celebrations that took place there, are truly a legacy that Windsor can be proud of.

Deeply tied to the history of the Emancipation Celebrations which commemorated the end of enslavement in Canada, the Jackson Park Bandshell represents a compelling and deep history that we must honour and preserve. It also represents a vibrant future as an active, engaged and thriving cultural gathering space.

Nestled amidst the beautiful backdrop of Jackson Park, a reactivated Bandshell would complement the tremendous efforts that have already made to revitalize that area – including the beautiful new City of Windsor Greenhouses, and the magnificent Bright Lights Windsor Annual celebrations. With a simple, clean and safe structure in place, there is no limit to the creativity and community that could abound. We invite you to envision this with us, and to continue to support the efforts to revive this wonderful, centrally located, outdoor, community venue!

I would like to express my appreciation for your prior approval of the Feasibility Study. I would now respectfully request that Council pass a motion to reissue an updated RFP for the feasibility study of the Jackson Park Bandshell, to allow for local firms who did not get the opportunity to respond previously to do so within the budgetary parameters indicated.

Thank you in advance for your consideration and for your continued support. And thank you for all that you do to make our city the beautiful place that it is!!

Sincerely,

A handwritten signature in cursive script that reads "Charlotte LeFrank".

Charlotte LeFrank,  
Local Artist, Advocate and Proud Ward 4 Resident

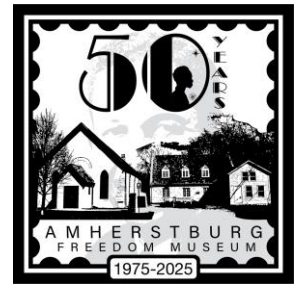


# *BLACK HISTORY UNIVERSAL INSPIRATION*

City Council  
Monday, May 12, 2025  
Item 11.1 - Written Submission

May 8, 2025

His Worship, Drew Dilkens,  
Mayor, and Members of Council  
c/o Council Services  
350 City Hall Square West, Room 530  
Windsor, Ontario N9A 6S1



## **Subject: Support for the Preservation of the Jackson Park Bandshell**

Dear His Worship, Drew Dilkens, Mayor, and Members of Council

On behalf of the Amherstburg Freedom Museum, I am writing to express our strong support for the preservation and restoration of the Jackson Park Bandshell, a significant cultural and historical landmark in Windsor-Essex.

The Jackson Park Bandshell holds deep historical importance, particularly for the Black community in Windsor and Essex County, due to its connection to the Emancipation Celebrations held at Jackson Park. From the mid-1930s to the late 1960s, these annual events drew thousands from across North America to celebrate freedom, unity, and Black heritage. The bandshell served as a platform for world-renowned performers, leaders, and activists, reinforcing Windsor's pivotal role in the international civil rights movement.

Beyond its significance to this region's Black history, the bandshell has been an integral part of Windsor's performing arts scene, hosting events such as the "Battle of the Bands" and a variety of cultural gatherings. Preserving this site is not just about honoring our past, it is about ensuring future generations have access to a space that fosters artistic expression, cultural engagement, and community connection.

We urge Windsor City Council to take decisive action to restore and revitalize the Jackson Park Bandshell. Specifically, we request an increase in allocated funds to support the cost of a comprehensive Request for Proposals (RFP) for a Feasibility Study. If increasing the budget is not feasible, we ask that City Council issue a

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CHARITABLE REGISTRATION NUMBER 119058923 RR 0001

277 King St. Amherstburg, ON N9V 2C7 ● (519) 736 – 5433 ● 1 – 800 – 713 – 6336  
Amherstburgfreedom.org ● [curator@amherstburgfreedom.org](mailto:curator@amherstburgfreedom.org)



# BLACK HISTORY UNIVERSAL INSPIRATION



directive requiring City Administration to remain engaged with the community and actively seek alternative funding sources to advance the project.

The Amherstburg Freedom Museum remains committed to advocating for the restoration of this historic venue and recognizes its vital role in preserving Windsor's rich cultural and artistic heritage. We strongly support efforts to revitalize the bandshell so that it may once again serve as a space for meaningful community gatherings, performances, and historical reflection.

Thank you for your time and consideration. We trust that you will recognize the immense value of preserving this important landmark and take meaningful steps to ensure its restoration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Monty Logan'.

Monty Logan  
Chairman,  
Amherstburg Freedom Museum  
[monty.logan@amherstburgfreedom.org](mailto:monty.logan@amherstburgfreedom.org)



Attn; Office of the City Clerk  
Suite 530, 350 City Hall Square West,  
Windsor, Ontario N9A 6S1

RE: May 12, 2025 Council Meeting - Item 11.1 - The Jackson Park Bandshell Feasibility Study - Ward 3

Mayor Drew Dilkens, Members of City Council, and Administration,

I am writing in support of the Jackson Park Bandshell.

The bandshell has been revered as an integral part of Jackson Park for many years, having hosted the internationally recognized and very well-attended ***Emancipation Celebrations***, and the fondly remembered Fireman's Field Day, "***Battle of the Bands***" which was held every year over the Labour Day weekend.

Some early Rock n' Roll memories - As teenage musicians in the late 1960's/early 1970's, we spent our summer days and nights practicing for the big highly anticipated annual Labour Day '***Battle***' on that stage - with dreams of playing to the thousands of loyal fans that jammed the space - with hopes of winning the big prize! It was an amazing time, and I will never forget it. That experience made me want to pursue a career in music, and I did. The opportunity to perform on that exact stage played an important role in producing so many talented artists in our City and beyond, some who have gone on to perform to this day. We made friends on that stage back then, and they are still our friends today. It was a cultural hub, it was ***OUR CULTURAL HUB***.

I would encourage you to watch our short CBC GEM featured documentary on the Jackson Park Bandshell at this link: [\*\*www.youtube.com/watch?v=NK3srfne-\\_I\*\*](https://www.youtube.com/watch?v=NK3srfne-_I)

I have had multiple long-time friends contact me from clear across the country having watched the documentary, wanting to know why it still sits in ruin?, and when it will be restored and used once again?

The Bandshell represents a compelling and deep history that we must honour and preserve. It still has the potential to be a viable venue as a vibrant, thriving, active and engaging community space throughout the year - a centrally located, outdoor Cultural Hub. Imagine annual ***Bright Lights Windsor*** performance events on that stage, I can.

I hope that members of City Council can see that too and, as such, pass a motion to reissue the RFP for a feasibility study of the Jackson Park Bandshell, with minor adjustments, to allow for local firms who did not get the opportunity to respond to the



previous RFP to do so within the budgetary parameters indicated. Your favourable vote on this issue would be greatly appreciated.

Sincerely,

Scott Hughes,

A handwritten signature in black ink, appearing to read "Scott Hughes", with a long horizontal flourish extending to the right.



**From:** Patricia Neely-McCurdy <>  
**Sent:** May 8, 2025 8:16 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** The Jackson Park Bandshell Restoration

Patricia Neely-McCurdy

RE: Jackson Park Bandshell

Your Worship Mayor Drew Dilkens, Members of City Council and Administration,  
I am writing in support of the Jackson Park Bandshell. The bandshell has been revered as an integral part of Jackson Park for many years, having hosted the internationally recognized Emancipation Celebrations and the fondly remembered Battle of the Bands.

The Jackson Park Bandshell represents a compelling and deep history that we must honour and preserve, and it still has the potential to be a viable venue as a vibrant, thriving, active and engaging community space. The bandshell could be a wonderful, centrally located, outdoor, community venue! I hope that members of City Council can see that too and, as such, pass a motion to reissue the RFP for a feasibility study of the Jackson Park Bandshell, with minor adjustments, to allow for local firms who did not get the opportunity to respond to the previous RFP to do so within the budgetary parameters indicated. Your favourable vote on this issue would be greatly appreciated.  
Sincerely,

Patricia Neely-McCurdy



**WRITTEN SUBMISSION**

**FROM: Harold Goldin, Area Resident, Ward 5**

**TO: Windsor City Council**

**Meeting: 12 MAY 2025**

**Agenda Item: 11.1 Council Report: C 22/2025 RFP Update - Jackson Park Feasibility Study**

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**It is essential that the tool fit the job.**

**That requires a realistic RFP upset limit.**

**Enable a fair assessment of the Jackson Park Bandshell's true condition and its revitalization potential.**

**Respect its heritage value and the importance of its legacy to the Windsor Black Community.**

**Enrich the public's Jackson Park experience with a unique, historic performing arts venue.**

---



Mr. Mayor, Members of Council,

Mentioning the Jackson Park Bandshell arouses a lot of nostalgia.

Perhaps you know an aging rock 'n' roller who fondly recalls the "Battle of the Bands" concerts held there decades ago. For them, and their fans, the Bandshell is part of the heritage of the performing arts community.

In Windsor's Black-Canadian community however, the feelings transcend mere fondness.

### **Black Community Roots – The Heritage Claim**

Among our Black Canadian citizens, you will find a significant cohort of families who can trace their lineage to the 18<sup>th</sup> or 19<sup>th</sup> centuries. Among

their ancestors were Freeman, indentured servants and, yes, some who were the so-called "property" of New France colonizers.

In 1763 France ceded most of its vast North America territorial claim to Great Britain.

More than a decade later, with the end of the American Revolution, Black Loyalists moved north with the British evacuation. This added further to the Black population of the Canada colonies.

In 1833, the British Parliament legislated the "*...Act for the Abolition of Slavery throughout the British Colonies...*" When it became *effective on August 1, 1834*, the promise of freedom in British Canada led to a steady stream of self-emancipated Freedom Seekers fleeing the United States. Following the North Star along the Underground Railroad, they escaped from the brutality and injustice of chattel slavery.

Also, because it was a time when civil rights and equality did not exist under law in the so-called "free states," amid growing white hostility, many Freeman faced a real risk of abduction and extralegal enslavement. That drove many of them to seek safety across the northern border under British rule.

After the American Civil War, the United States enacted three Reconstruction Amendments to the U.S. Constitution, starting in 1865 with the 13<sup>th</sup> Amendment abolishing slavery. By that time it is estimated that around forty thousand Black Americans had already found safe haven under the Crown in British Canada. While there were those who chose to return to the United States to seek out lost family or aid the newly freed people, there were also those who chose to stay in Canada.

Thus the *powerful symbolism of Britain's Abolition Act and the date August 1<sup>st</sup>* became integral elements of the heritage and culture claimed by Black Canadians for almost two hundred years.

This unique heritage and culture are protected by the **Ontario Heritage Act (OHA)**.

Within the terms of **the Act**, the Jackson Park Bandshell fits the following criteria:

- 1. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community*



2. *Yields, or has the potential to yield, information that contributes to an understanding of a community or culture*

## A Legacy of Celebrating a Culture of Freedom

Year after year, from the mid 19<sup>th</sup> century to the early 20<sup>th</sup>, in cities, towns and villages across Canada, Black communities joyfully celebrated Emancipation Day at their churches and social halls with thanksgiving prayer services and various recreational events.

A major innovation occurred in Windsor in the early 1930s when descendents of both Freedom Seekers and Freeman started celebrating Emancipation Day in a broadly secular way.

Within a few years, they expanded and organized the celebration into a world famous three-day extravaganza, drawing immense crowds of visitors of all races from near and far.

The celebration of Emancipation Day soon spread beyond the Black Community. It evolved into a whole of Windsor multicultural festival. Along the way, the celebration garnered enthusiastic support from a host of elected officials, civic leaders, social organizations and businesses of the era. (*See the PROGRESS Program collection in Appendix One to learn how public support and commercial sponsorship grew over the years.*)



One Windsor-born man initiated all of this. He was a titanic entrepreneur, a networking powerhouse and an incomparable impresario.

His name was Walter Perry.

For nearly forty years, Mr. Perry and the Black Community produced **“The Greatest Freedom Show on Earth.”** (*See Appendix Two for online links to documentaries and publications.*)

During the heyday of the festival, on the first weekend in August, tens of thousands of visitors poured into the city, spending hundreds of thousands of dollars.



The festivities began with a grand parade of Canadian and American marching bands, drill teams, baton twirlers and floats that lasted two to three hours and stretched the length of Ouellette Ave. from the Detroit River to the gates of Jackson Park on Tecumseh Road.

Visitors arriving at the Park entered a thrilling midway with a multitude of carnival attractions and tantalizing culinary offerings.



On Saturday night on those glorious weekends in August, thousands of celebrants gathered to enjoy a stunning display of Black pride, the Miss Sepia Pageant.

Later, there was a star-studded variety show, featuring world famous performers and recording artists.

The celebration continued on Sunday with worship at the sunrise prayer services led by outstanding pastors from Christian congregations in Canada and the U.S.

Finishing off the day, celebrity guest speakers delivered inspirational messages calling for Black pride and racial harmony.





And one should never forget where that thrilling activity coalesced year after year; it was at Jackson Park's central entertainment venue – the Bandshell and the Great Grandstand.



## Decline and Demolition by Neglect

Tragically, and in the minds of many within the Black Community, suspiciously, both were destroyed in a devastating fire in 1957.



The city rebuilt the Bandshell in 1959 (*See Appendix Three.*) It continued to be peacefully used as the main venue for the Emancipation Celebration until 1967.



That year, city councillors feared that the civil disorder in Detroit might spill over into Windsor. Advised by the Windsor Police Commission, they denied the Emancipation Celebration organizers a parade permit and the use of Jackson Park.

1967 was also the year Walter Perry passed.



His successor, Ted Powell, tried to sustain the energy and the spirit of the Emancipation Celebration for a few more years. But the efforts of Mr. Powell and others in the Black Community could not restore the festival's grandeur.

So the bright light of Windsor's great Emancipation Celebration gradually started to dim.

But it **never** went out!

[Dedicated Windsorites](#) have to this day continued to fuel the flickering lamp of the Emancipation Celebration.

Thanks to their efforts the people of Windsor can still enjoy commemorative activities and events on the first weekend of every August.



Leslie McCurdy, left, and Lana Talbot with the Black Council of Windsor-Essex, which is hosting Windsor's annual Emancipation Jubilee, are shown on July 26, 2024. PHOTO BY TREVOR WILHELM / Windsor Star



Jackson Park's historic but dilapidated bandshell, right, is shown facing the Windsor Stadium property on Tuesday, Feb. 6, 2024. PHOTO BY DAN JANSSES / Windsor Star

Sadly, the Jackson Park Bandshell isn't part of these annual celebrations.

It seems that our municipal government has relegated it to **demolition by neglect**; fenced in and languishing on a patch of barren parkland.

**Mr. Mayor, Members of Council,  
please act to end this embarrassment to our city.**



## Appendix One: PROGRESS Collection – Archives - University of Windsor

- [Windsor Emancipation Celebration Programs | Southwestern Ontario Digital Archive | University of Windsor](#)

## Appendix Two: Mr. Emancipation and the Greatest Freedom Show on Earth

- [Windsor Mosaic – The African Canadian Community](#)
- [Interview with Preston Chase, Director, Mr. Emancipation: The Walter Perry Story](#)  
Ontario Heritage Trust, ©2020
- [Mr. Emancipation: The Walter Perry Story](#) – The Walter Perry Freedom Foundation  
©2020
- [The Greatest Freedom Show on Earth – Trailer](#) – Orphan Boy Films ©2015
- [The Greatest Freedom Show on Earth – Full Documentary](#) Orphan Boy Films ©2015
- [Mr. Emancipation: A Love Letter for My Community](#) – Windsor Life Magazine ©2019

## Appendix Three: City Council and The Jackson Park Bandshell – 1959 and 2023

- [Jackson Park Bandshell – International Metropolis – December 2023](#)





**City Council**  
**Monday, May 12, 2025**  
**Item 11.1 - Written Submission**

May 8, 2025

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

**Re: Item 11.1, Council Report: C 22/2025, Subject: RFP Update - Jackson Park Feasibility Study - Ward 3 (please include this letter as a communication item in the Council package for the Council Meeting on May 12, 2025)**

Dear Mayor Dilkens and members of City Council,

On behalf of the Windsor Region Society of Architects, I am writing to express our concern regarding the RFP issued for the Jackson Park Bandshell Consultant Proposal # 123-24. which closed on Friday, November 22, 2024 at Eleven-Thirty and Fifty-Nine (11:30:59) a.m. (E.S.T).

Specifically, our concern lies in subsection 6 of the Instructions to Proponents. Herein the RFP calls for qualifications that we believe are excessive and will inflate costs associated with the development and delivery of the feasibility study. Subsection 6 "Requirements and Deliverables of the Contract" call for the successful proponent to have "*a qualified cultural heritage conservation professional who is a member of the Canadian Association of Heritage Professionals (CAHP) with a demonstrated track record in conducting heritage assessments, particularly for facilities listed on municipal or national heritage registers*".

As a regional society regulated by the Ontario Association of Architects (OAA), under provincial statute law and the Architects Act, the profession is self-regulating. In turn the Architects Act defines the practice of architecture and sets out which types of buildings in Ontario are required to be designed by an OAA licence holder — this includes most public-use and large buildings. The Act also establishes legal liability for illegal practice (or the enabling of it). The principal object of the Association is to regulate the practice of architecture and to govern its members, holders of certificates of practice and holders of temporary licences in accordance with this Act, the regulations and the by-laws in order that the public interest may be served and protected. R.S.O. 1990, c. A.26, s. 2 (2).

To that point, it is our position that a number of professional firms possess the ability to respond to the RFP in question, by meeting the additional stipulations listed under the "Heritage Expertise" requirements. To demonstrate this claim we offer the following list of projects that have been completed in our community without a CAHP professional on staff. John Campbell Public School (1255 Tecumseh Road E.), Honourable W. C. Kennedy Collegiate (245 Tecumseh Road E.), Walkerville Collegiate (2100 Richmond St.), and Hugh Beaton Public School (2229 Chilver Rd.).

Architectural conservation plays a crucial role in preserving the historical and cultural significance of buildings and sites in a city. Architecture is most often a direct reflection of its time and the culture that made it, making preservation important to ensure this reflection can continue to enrich the community for generations to come.

In closing the WRSA is of the opinion that the services of a professional architect, licensed under the OAA, would more than suffice for the scope of work outlined in the RFP that was issued and, in addition, could provide an opportunity to be more fiscally responsible.

Sincerely,

A handwritten signature in black ink that reads 'Suzanne Stiers' in a cursive script.

Suzanne Stiers, Architect, M.Arch., OAA  
Chair, Windsor Region Society of Architects





May 8, 2024

His Worship, Drew Dikens, Mayor, and Members of Council  
c/o Council Services  
350 City Hall Square West  
P.O. Box 1607  
Windsor, Ontario N9A 6S1  
[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)

To Whom It May Concern:

On behalf of the Essex County Black Historical Research Society, I am pleased to express our support for a renewed, revised RFP for a feasibility study to explore the potential refurbishment of the Jackson Park Bandshell.

As the City's own comprehensive and meaningful community consultation process about the future of the Bandshell demonstrated in 2024, there is considerable interest in exploring the Jackson Park Bandshell's potential both as a community performing arts and gathering space and as a site for ongoing public engagement with Windsor's history.

A Bandshell that is structurally sound, safe, and available as performance space for community use would be a beneficial addition to the current assets in Jackson Park, where thousands of Windsorites already gather outdoors year-round for a variety of purposes. Simultaneously, it could serve to highlight an underrecognized but internationally significant aspect of our region's history.

The Bandshell is beloved by many in our community, not only because of the significance of the site in our City's arts and cultural heritage (e.g. "Battle of the Bands") but because of the role it played in the last several years of Windsor's renowned Emancipation celebrations, "The Greatest Freedom Show on Earth." Moreover, the Bandshell points to the much longer history of those annual celebrations in Jackson Park, even prior to the destruction of the original grandstand and Bandshell which the current structure replaced.

The Emancipation celebrations organized annually by Walter Perry ("Mr. Emancipation") and the British American Association of Colored Brothers (BAACB) for more than three decades were designed not merely to commemorate the Slavery Abolition Act of 1833 and the legacy of the Underground Railroad but to present people of African descent "in the light in which they deserve to be shown" and to "promot[e] amicable relations" between the Black community and other ethnocultural groups. It was an early, successful prototype for cultural festivals for which Windsor is celebrated to this day.

For decades, the Jackson Park Bandshell (both the original structure which was destroyed by fire and the current structure which has left to deteriorate) operated as the beating heart of the festival. Both the Bandshell and grandstand burned down in 1957. In 1959 the City approved the new Bandshell for Jackson Park, the east-facing structure that currently faces Windsor Stadium.

Some of the great speakers and performers who would have been on the original Bandshell, not the current one, included Adam Clayton Powell, Martin Luther King, Jr., Eleanor Roosevelt and Mary McLeod Bethune. Other



luminaries such as Mary Macleod Bethune, Eleanor Roosevelt, Joe Louis, Jesse Owens, Dorothy Dandridge, and numerous gospel choirs were also at Emancipation prior to the era of the new east-facing Bandshell.

However, those who utilized the stage of the current Bandshell included performers such as the Temptations, the Supremes (under their previous name, the Marvelettes,) and Stevie Wonder, along with Civil Rights luminaries such as Fred Shuttlesworth, Wyatt T. Walker, Myrlie Evers, Daisy Bates, and Benjamin Hooks.

Just as importantly, talent shows, gospel concerts, performing arts of all kinds, speeches, and of course the Miss Sepia contest (trailblazing Black beauty pageant that presented women of African descent as elegant, dignified, stylish and accomplished in defiance of all the usual stereotypes) all took place on the stage of the current Bandshell. It was at the heart of the Emancipation celebration that continued to bring thousands of people to Windsor to join in our Black community celebration even after the devastating fire of 1957. Emancipation was a vast economic engine that benefited everyone, and it was an annual celebration of immense cultural significance for which Windsor was renowned far and wide.

#### **About the ECBHRS:**

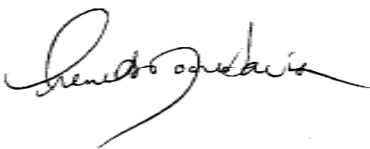
Founded in 2002, the Essex County Black Historical Research Society brings together individuals interested in the research, preservation, promotion, and advancement of the Black (African Canadian) history of Windsor-Essex County, Ontario.

Our organization, the Essex County Black Historical Research Society, has a keen interest not only in stimulating research regarding the history of people of African descent but ensuring that this history is disseminated to the public. We believe that Black history is an integral part of the story of Windsor and Essex County. To this end, on an ongoing basis, our organization has worked with our local school boards, the City of Windsor, Museum Windsor, Windsor Public Library, Tourism Windsor Essex Pelee Island, the University of Windsor, the Amherstburg Freedom Museum, the University of Michigan, the Harriet Tubman Institute (York University), Parks Canada, and many other organizations to increase public engagement with Black history across the region. Some of the methods whereby we share Black history widely with the community include presentations, public events, curriculum resources, display materials, social media, exhibits at local museums, galleries, and libraries, media interviews, and short documentaries. We believe that Black history is not merely about information-sharing but that it can have transformative impacts throughout communities and societies.

As the leading voice representing content experts on Black history in our region, the officers and members of the Essex County Black Historical Research Society urge the Mayor and Council to proceed with the feasibility study related to the potential use of the Jackson Park Bandshell.

If you have further questions for our organization, I may be reached most easily at [irenemooredavis@gmail.com](mailto:irenemooredavis@gmail.com) or [ecbhrs@gmail.com](mailto:ecbhrs@gmail.com) or at (519) 890-4316.

Sincerely,

A handwritten signature in black ink, appearing to read 'Irene Moore Davis', with a stylized, flowing script.

Irene Moore Davis  
President, Essex County Black Historical Research Society



SANDWICH FIRST BAPTIST CHURCH

3652 PETER STREET

WINDSOR, ONTARIO

MAY 08, 2025

TO WHOM IT MAY CONCERN

I AM WRITING ABOUT THE JACKSON PARK BANDSHELL, MANY TIMES I HAVE BEEN TO COUNCIL ABOUT THIS VERY THING AND SOMETIMES IT MAKES ME FEEL THAT NO ONE IS LISTENING.

WE AS A COMMUNITY NEED TO BE HEARD AND RESPECTED. AS THE STREETCAR HAS BEEN DISPLAYED AS PART OF OUR HERITAGE, KNOWING THAT LINDON CLARK BROOKS THE FIRST ELECTRICAL ENGINEER AND INVENTOR AND THE FIRST MOTORMAN ON THE WINDSOR ELECTRIC RAILWAY LINE HAS BEEN HONOURED, SO SHOULD WE BE ABLE TO RESTORE A BANDSHELL THAT HAS HONOURED SO MANY PROFESSIONAL PEOPLE THAT OTHERWISE WOULD NOT HAVE BEEN IN OUR CITY,

PLEASE SHOW US RESPECT, WE HAVE COME A LONG WAY, AND WE KNOW THAT YESTERDAY ISNT TODAY, BUT TO BRING THE BANDSHELL BACK IN IT'S ORIGINAL STATE, WOULD BE VERY COSTLY, THE SAME AS THE STREETCAR, THE NEW ICE RINK, WE KNOW THERE IS WORK TO BE DONE, BUT THE RESTORATION OF THIS PROJECT, TO BE SOUND AND WORTHY IS ALL THAT WE ARE ASKING.

TO LIVE IN A MANSION, WONDERFUL. TO LIVE IN A SAFE HOME IS MARVELOUS. THIS IS HOW I SEE THE BANDSHELL, WE ARE NOT LOOKING FOR THE MANSION, JUST A SAFE HOME TO PLAY MUSIC, DO PERFORMANCES AND JUST HAVE A PLACE WHERE WE CAN COME TOGETHER AND ENJOY THE OPEN SPACE AND THE SWEET SOUNDS OF MUSIC.

LANA E. TALBOT

HERITAGE CO-ORDINATOR

SANDWICH FIRST BAPTIST CHURCH



May 9, 2025

I support the restoration of the Jackson Park Bandshell believe its preservation and revitalization will benefit the community, in addition to helping to keep a part of nationally significant piece of history alive (the history of Emancipation Day celebrations in Windsor). It is my hope that that Council will increase the allocated funds to cover the actual cost of a proper Request for Proposals (RFP) for a Feasibility Study.

Tonya Sutherland-Stewart  
Director of Archival Development  
Jackson Park Project



**From:** Devin Turner < >  
**Sent:** May 9, 2025 11:45 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Costante, Fabio <[fcostante@citywindsor.ca](mailto:fcostante@citywindsor.ca)>; mayoro <[mayoro@citywindsor.ca](mailto:mayoro@citywindsor.ca)>  
**Subject:** RE: Jackson Park Bandshell

Your Worship Mayor Drew Dilkens, Members of City Council and Administration,

I am writing in support of the Jackson Park Bandshell. The bandshell has been revered as an integral part of Jackson Park for many years, having hosted the internationally recognized Emancipation Celebrations and the fondly remembered "Battle of the Bands".

The Jackson Park Bandshell represents a compelling and deep history that we must honour and preserve, and it still has the potential to be a viable venue as a vibrant, thriving, active and engaging community space. The bandshell could be a wonderful, centrally located, outdoor, community venue! I hope that members of City Council can see that too and, as such, pass a motion to reissue the RFP for a feasibility study of the Jackson Park Bandshell, with minor adjustments, to allow for local firms who did not get the opportunity to respond to the previous RFP to do so within the budgetary parameters indicated. Your favourable vote on this issue would be greatly appreciated.  
Sincerely,

Devin Nathan-Turner



**From:** Shelly Davis < >  
**Sent:** May 9, 2025 9:31 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** RE: Jackson Park Bandshell

8 MAY 2025

Shelly Davis

RE: Jackson Park Bandshell

Your Worship Mayor Drew Dilkens, Members of City Council and Administration,

I am writing in support of the Jackson Park Bandshell. The bandshell has been revered as an integral part of Jackson Park for many years, having hosted the internationally recognized Emancipation Celebrations and the fondly remembered "Battle of the Bands".

The Jackson Park Bandshell represents a compelling and deep history that we must honour and preserve, and it still has the potential to be a viable venue as a vibrant, thriving, active and engaging community space. The bandshell could be a wonderful, centrally located, outdoor, community venue! I hope that members of City Council can see that too and, as such, pass a motion to reissue the RFP for a feasibility study of the Jackson Park Bandshell, with minor adjustments, to allow for local firms who did not get the opportunity to respond to the previous RFP to do so within the budgetary parameters indicated. Your favourable vote on this issue would be greatly appreciated.

Sincerely,

*Shelly Davis*



**Subject: Additional Information - RFP Update - Jackson Park Feasibility Study - Ward 3**

**Reference:**

Date to Council: May 12, 2025  
Author: James Chacko  
Executive Director, Parks, Recreation & Facilities  
jchacko@citywindsor.ca  
(519) 253-2300 x 2723

Parks  
Report Date: 4/25/2025  
Clerk's File #: SR/14718

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

**Additional Information:**

THAT the report, Additional Information 11/2025 - RFP Update - Jackson Park Feasibility Study, **BE RECEIVED** for information.

At the February 10, 2025, Council meeting, the following resolution deferred Report Number C 22/2025 to a future Council meeting (CR78/2025):

*"THAT the report of the Executive Initiative Coordinator, Community Services dated January 23, 2025, entitled "RFP Update - Jackson Park Feasibility Study - Ward 3" **BE DEFERRED** to a future Council meeting to allow for the residents that are a part of the "save the bandshell" initiative an opportunity to consult with administration with regards to what is being recommended."*

This Additional Information memo is in response to the direction noted above.

Community Services (Administration) continued discussions with members of the "save the bandshell" initiative to provide clarification regarding the Jackson Park Bandshell Feasibility Study and the associated Request for Proposal (RFP). On January 31, 2025, Report C 22/2025 was made public as part of the Council Agenda. At that time, Administration contacted members of the Jackson Park Bandshell Committee ("Committee") to advise that the report was available and to offer a meeting in advance of the Council meeting. A meeting was held on February 7, 2025, during which Administration provided an overview of the background and direction previously received from Council, the status of the procurement process, and the contents of the Council report.



Following the deferral of the report at the February 10, 2025, Council meeting, Administration remained in contact with the Committee and worked with the consultant to extend the irrevocability period of the submitted RFP proposal, which was initially set to expire in March 2025. This extension, now valid through May 21, 2025, allowed time for further discussions and additional clarification.

A second meeting was held on April 24, 2025, with representatives of the Committee. This follow-up meeting provided an opportunity for Administration to respond to further questions about the scope of the RFP, the purpose of the feasibility study as defined by Council, the approved funding, and potential future funding sources or partnerships.

### **Consultations:**

Laura Ash - Projects Lead, Parks Development

### **Conclusion:**

At the direction of Council, Administration engaged directly with members of the Jackson Park Bandshell Committee following the deferral of Report C 22/2025. These discussions provided an opportunity to share additional information regarding the procurement process and to clarify the scope and intent of the recommendation. The report continues to recommend that Council cancel RFP 123-24, as the available funding is not sufficient to support the scope of work. This memo is submitted for Council's information in advance of further consideration of Report C 22/2025.

### **Approvals:**

<b>Name</b>	<b>Title</b>
James Chacko	Executive Director, Parks, Recreation & Facilities
Michael Chantler	Senior Executive Director, Community Services (A)
Ray Mensour	Commissioner, Community & Corporate Services / Deputy CAO
Ray Mensour	Chief Administrative Officer

### **Appendices:**





**Committee Matters: SCM 138/2025**

**Subject: Response to Instructional Memo TWB 13/2025 Transit Windsor Governance Structure, Roles and Responsibilities - City Wide**

Decision Number: **TWB 14**

THAT the report of the Executive Director of Transit Windsor dated April 10, 2025, entitled "Response to Instructional Memo TWB 13/2025 Transit Windsor Governance Structure, Roles and Responsibilities - City Wide" **BE RECEIVED**; and,

THAT the report **BE BROUGHT FORWARD** to City Council at its next meeting for information; and,

THAT administration **BE DIRECTED** to report back on governance models for Transit Windsor for Council consideration, including an analysis of governance frameworks in comparable municipalities across Ontario; and,

THAT the Transit Board **RECOMMENDS** that transit service continue to operate as a separate Corporate entity with its own Board exercising oversight.  
Carried.

Report Number: S 52/2025  
Clerk's File: MT2025

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors and Administration are **NOT** the same.
2. Please refer to Item 9.4 from the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors held on April 30, 2025.



**Subject: Response to Instructional Memo TWB 13/2025 Transit Windsor Governance Structure, Roles and Responsibilities - City Wide**

**Reference:**

Date to Council: April 30, 2025  
Author: Stephan Habrun  
Executive Director Transit Windsor (A)  
519-944-4141 ext. 2226  
shabrun@citywindsor.ca  
Transit Windsor  
Report Date: April 10, 2025  
Clerk's File #: MT2025

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

**Recommendation:**

THAT the report from the Executive Director of Transit Windsor regarding Transit Windsor Terms of Reference & Governance **BE RECEIVED**; and,

THAT the report **BE BROUGHT FORWARD** to City Council at its next meeting for information.

**Executive Summary:**

N/A

**Background:**

At its meeting held on March 26, 2025, the Environment, Transportation & Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors, adopted Motion TWB 13, directing Administration to prepare a report outlining the Terms of Reference for the Transit Windsor Board, including its powers and responsibilities, for consideration at the April 30, 2025, meeting. In response to this direction, this report provides an overview of Transit Windsor's current governance structure, roles and responsibilities.

The governance and legal structure of Transit Windsor has evolved over many decades, dating back to the incorporation of its predecessor, the Sandwich, Windsor and Amherstburg Railway Company (SW&A) which was established through a provincial statute in 1930. Given the long history and numerous legislative changes over time, the current legal and governance structure of Transit Windsor can understandably be difficult to follow.



The SW&A was originally created as a private corporation through “*An Act respecting The Sandwich, Windsor and Amherstburg Railway*”, C.17, S.O. 1930 (“SW&A Act, 1930”). Over time, this legislation has been amended significantly. Most of the original provisions have since been repealed, with one exception:

- The definition of “Company” as referring to the SW&A Railway Company. (renamed Transit Windsor in 1977).

In 1970, the Province passed *The Sandwich, Windsor and Amherstburg Railway Amendment Act, 1970* which transferred all assets and liabilities of SW&A to the City of Windsor and granted the City exclusive authority over its operation. It also defined the term:

- " corporation" to mean “The Corporation of the City of Windsor.”

In addition to the definitions above, the SW&A Act, 1970 contains the following relevant provisions for the purposes of this report. Sections, 4, 5 and 9, are reproduced below.

- “4. The corporation has the exclusive authority and jurisdiction to,
- (a) operate the system of public transportation operated by the company;
  - (b) delegate the authority to operate and manage the said system to a commission established by by-law of the corporation;
  - (c) authorize the company to continue to operate and manage the said system; or
  - (d) enter into or authorize the company to enter into an agreement with any person or persons to operate and manage the said system on behalf of the corporation on such terms and conditions as the council may approve.

5. – (1) Subsections 2, 3, 4, 5, and 6 of section 3 of *The Sandwich, Windsor, Amherstburg Railway Act, 1930*, as re-enacted by section 3 of *The Sandwich, Windsor and Amherstburg Railway Act, 1939*, are repealed and the following substituted therefor:

- (2) The council shall appoint not fewer than three and not more than five persons who shall be the members and directors of the company and who shall hold office during the pleasure of the council and until their respective successors are appointed.



- (3) The council shall fill any vacancies which may occur in such membership of the company.
- (4) The members so appointed from time to time shall possess the qualifications requisites for election to the council and any member of council shall be eligible for such appointment.
- (5) The council shall designate one of such members as chairman.
- (6) A majority of the members of the company shall constitute a quorum.
- (7) The remuneration, if any, of the members of the company shall be fixed by the council.
- (8) The company shall furnish such information respecting the affairs of the company as council may at any time require.

9. Where the corporation has authorized the company to operate and manage the system under clause (c) of section 4, the company shall obtain the approval of the council before exercising any of its powers or authority.”

Council did not establish Transit Windsor as a municipal department as contemplated by s.4(a), nor did council pass a by-law establishing a transit commission per s. 4(b). Although some preliminary steps were taken to towards implementation of s.4(d), no agreement was ever finalized. Ultimately Council decided to authorize the company (TW) to continue to operate and manage the system pursuant to s.4(c) SW&A Act, 1970.

S.9 indicates that Transit Windsor requires the approval of council before exercising any of its powers or authority. Council considered the powers and authority and the governance structure of TW in report 17193 (CR 136/2014) dated June 30, 2014 and approved by CR136/2014. This was formalized in the Operating Agreement dated September 17, 2018, as a result of Council Report S131/2018 and CR504/2018 (See Appendices attached).

## **Discussion:**

The following summary outlines the responsibilities, financial authority, and governance structure for Transit Windsor as noted in the Operating Agreement:

Responsibilities:

Key areas of responsibility contained within that agreement are highlighted below.

The City will:



- Give financial direction to Transit Windsor and communicate that direction.
- Approve the annual operating and capital budget for Transit Windsor.
- Recruit staff.
- Provide, at no cost to Transit Windsor, personnel to deliver such:
  - Legal services.
  - Financial services.
  - Internal audit services.
  - Building services and construction and project management.
  - Purchasing services.
  - Human Resources services.
  - Employee Relations services.
  - Communications services.
  - Information Technology services; and
  - Insurance and Risk Management services.

Transit Windsor will:

- Review and recommend Transit Windsor's annual operating and capital budgets to the City.
- Review and recommend service changes and fare increases to the City.
- Approve the collective bargaining agreement with Amalgamated Transit Union (ATU), Local 616.
- Ensure compliance with City policies and procedures except in so far as such policies do not conflict with Transit Windsor public transportation operating policies.
- Recommend staffing levels and staff reorganizations to the City.

Although reports 17193 and S131/2018 at times refer to Transit Windsor as a City department, this is a misnomer and mischaracterization of the legal status of this corporate entity. By entering into the Operating Agreement, City Council specifically opted to implement s.4(c) SW&A Act, 1970. Although Transit Windsor has access to many municipal services and in some respects acts as a municipal department, it is not in fact, a municipal department, but a separate legal corporate entity. Transit Windsor and the Corporation of the City of Windsor are separate and distinct employers. Transit Windsor employees are not employees of the City, and City employees are not employees of Transit Windsor. Although these are separate corporations and employers, s.4. 2) i. of the Operating Agreement mandates the City to recruit staff for Transit Windsor.

Financial Authority:

The designation as a corporate entity as determined by Council is further reflected in the financial relationship between the City and Transit Windsor, as outlined in the Operating Agreement

In summary:



City of Windsor Council's responsibilities are outlined in Sections 1, 3(2), 4(2), and 5 and include:

- Appointing the Transit Windsor Board.
- Providing financial oversight and approving the annual operating and capital budgets.
- Recruiting and assigning staff, and providing corporate services (e.g., Legal, IT, Finance).
- Providing insurance coverage for the Transit Windsor Board.

Transit Windsor Board responsibilities are outlined in Sections 2, 4(1), and 6–9) and include:

- The Board makes all operational and management decisions, except for three major areas which remain under Council's direct authority:
  - Operating and capital budgets.
  - Service changes and fare increases.
  - Staffing levels and reorganization.
- The Transit Windsor Board approves the collective agreement with Transit Windsor's unionized employees (Section 4(1)).

Transit Windsor Board Governance Structure:

City Council appointed five members to serve as the Board of Directors of Transit Windsor. These members are also members of the Environment, Transportation & Public Safety Standing Committee (ETPSSC). As such, when the ETPSSC sits as the Transit Windsor Board, it makes decisions and recommendations related to the operations of Transit Windsor. Transit Windsor reports are prepared and submitted in accordance with the established guidelines for Standing Committees

### **Risk Analysis:**

Transit Windsor's legal and governance structure has evolved over time and remains complex. The current structure includes interdependencies that create conflicts and complicate decision making authority. For example, while the Transit Windsor Board has been delegated the authority to approve collective agreements with the union, this authority has direct financial implications. This results in a conflict, as City Council is designated financial oversight and approval of the annual operating and capital budgets. It is critical to establish a clear and consistent understanding of the respective roles and responsibilities of City Council, the Transit Windsor Board, and Administration to ensure effective oversight, minimize ambiguity, and support informed decision making.

Any changes to the governance structure, approval authorities, or financial responsibilities would require a comprehensive legal and financial review to assess potential risks, efficiencies, and benefits.



## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

Bringing this report forward to the Transit Windsor Board and subsequently to City Council for information has no financial impact.

### **Consultations:**

Anna Ciacelli, Supervisor, Council Services/Deputy City Clerk  
Kong Hem, Coordinator, Administration/Executive Assistant  
Mary Ellen Bernard, Program Manager  
Tina Moore, Executive Initiatives Coordinator

### **Conclusion:**

Transit Windsor is a company operating under authority granted to the City of Windsor by provincial legislation. Council has chosen to maintain this structure through the implementation of Section 4(c) of the SW&A Act, 1970 and formalized this governance model through the Operating Agreement in 2018.

Transit Windsor is a dynamic service in every sense of the word. Given the evolving nature of Transit Windsor's operations and the complexity of its current governance framework, clarity around roles and responsibilities among City Council, the Transit Windsor Board, and City Administration remains important. Any changes to the governance structure, financial authorities, or approval processes would require a thorough legal and financial assessment to evaluate potential risks, efficiencies, and benefits.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Stephan Habrun	Executive Director, Transit Windsor (A)



<b>Name</b>	<b>Title</b>
Wira Vendrasco	City Solicitor
Jelena Payne	Deputy/CAO, Commissioner, Economic Development
Ray Mensour acting for Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A – Operating Agreement Between The Corporation of the City of Windsor and Transit Windsor
- 2 Appendix B – Council Report 17193
- 3 Appendix C – Council Resolution 136/2014



**THIS OPERATING AGREEMENT** made in triplicate this 17th day of September, 2018

**BETWEEN:**

**THE CORPORATION OF THE CITY OF WINDSOR**

Hereinafter called the "City"  
of the First Part

**AND:**

**TRANSIT WINDSOR**

Hereinafter called "Transit Windsor"  
of the Second Part

**WHEREAS** the City is a municipal corporation;

**AND WHEREAS** Transit Windsor was incorporated by *The Sandwich, Windsor, and Amherstburg Railway Act, 1930*, and continued as a body corporate under the name of Transit Windsor by *The Sandwich, Windsor, and Amherstburg Railway Act, 1977*, to operate and manage a system of public transportation in Windsor, Ontario in accordance with the provisions of *The Sandwich, Windsor and Amherstburg Railway Amendment Act, 1970*.

**AND WHEREAS** the Parties are authorized to enter into this Agreement by CR 504/2018 passed on the 17<sup>th</sup> day of September 2018;

**NOW THEREFORE IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES AGREE AS FOLLOWS:**

**Governance/Policy Making**

1. It shall be the responsibility of the City to:
  - i. Appoint a Board of Directors for Transit Windsor;
2. It shall be the responsibility of Transit Windsor to:
  - Comply with applicable legislation;
  - Review and recommend Transit Windsor's annual operating and capital budgets to the City;
  - Review and recommend service changes and fare increases to the City ;
  - Approve the annual request for subsidy allocation from the Ministry of Transportation prior to submission to City;



- Approve policies relating to Transit Windsor public transportation operations;
- Approve the collective bargaining agreement with Amalgamated Transit Union (ATU), Local 616 ("Collective Agreement");
- Approve recommendations from the Pension Review Committee regarding the Employees' Contributory Pension Plan;
- Ensure compliance with City policies and procedures as set out in Article 9 herein, except in so far as such policies do not conflict with Transit Windsor public transportation operating policies;
- Recommend staffing levels and staff reorganizations to the City.

### **Financial Responsibilities**

3. The following shall be the roles and responsibilities of the parties with respect to budgetary and financial matters:

- 1) It shall be the responsibility of Transit Windsor to:
  - i. Recommend an annual operating and capital budget for Transit Windsor public transportation operations to the City.
- 2) It shall be the responsibility of the City to:
  - i. Give financial direction to Transit Windsor and communicate that direction;
  - ii. Approve the annual operating and capital budget for Transit Windsor

### **Facilities, Equipment and Personnel**

4. The following shall be the roles and responsibilities of the parties with respect to personnel:

- 1) It shall be the responsibility of Transit Windsor to:
  - i. Approve the Collective Agreement with its unionized staff; and
  - ii. In accordance with Article 9 herein, follow and be bound by all Human Resources policies and procedures approved by Council Resolution or by-law of the City, provided that the same are not in conflict with the Collective Agreement between the Transit Windsor and ATU Local 616, in which case the Collective Agreement shall apply; and provided that



the same are not in conflict with policies and procedures that Transit Windsor is required to comply with due to the federal nature of its operation in accordance with the Canada Labour Code and the Canadian Human Rights Act, in which case the federal requirements shall apply.

2) It shall be the responsibility of the City to:

- i. recruit staff; and
- ii. Provide, at no cost to Transit Windsor, personnel to deliver such:
  - Legal services;
  - Financial services;
  - Internal audit services;
  - Building services and construction and project management;
  - Purchasing services;
  - Human Resources services;
  - Employee Relations services;
  - Communications services;
  - Information Technology services; and
  - Insurance and Risk Management services;
 as the City, in its sole discretion, determines to be necessary or appropriate for Transit Windsor to operate the public transportation system in the Windsor.

### **Insurance Coverage**

- 5.
  - 1) The City shall include the Transit Windsor Board and its Directors as insureds under its comprehensive insurance policies.
  - 3) The Transit Windsor Board of Directors shall co-operate fully with the City's insurance adjusters and Counsel appointed by the insurers in the preparation for and the conduct of any defense of a proceeding.

### **Compliance with Purchasing By-law**

- 6. Transit Windsor shall follow the procedures established in the City's Purchasing By-law 93-2012, as amended or replaced, in all purchases or sale of goods or services to which the By-law applies.

### **Compliance with Retention By-law**



7. Transit Windsor shall follow the procedures regarding the keeping of records as are established from time to time in the City's Record Retention By-law 21-2013, as amended or replaced from time to time.

### **Records**

8. Transit Windsor shall implement and maintain such records, provide such information and keep such records in such form, as may be required from time to time by the City.

### **Compliance with City Policies and Procedures**

- 9.(1) Notwithstanding the specificity of any other article contained in this Agreement, Transit Windsor shall follow and be bound by such policies of general application as may be implemented by by-law or resolution of the City, from time to time, or as may be provided to Transit Windsor from time to time, except in so far as the policies do not conflict with the provisions of the Canada Labour Code and the Canadian Human Rights Act.
- 9.(2) Whenever the City approves a new policy or updates a policy Transit Windsor will review and ensure that such new or amended policy is not in conflict with the Collective Agreement, the Canada Labour Code and the Canadian Human Rights Act, and, having undertaken such review, Transit Windsor shall follow and ensure compliance with the said policies.

### **Freedom of Information/Protection of Privacy**

10. Transit Windsor shall delegate to the City Clerk the powers and duties of the Head for the purposes of the *Municipal Freedom of Information & Protection of Privacy Act*, R.S.O. 1990, c.M.56, as amended.

### **Administration of Agreement**

11. This Agreement shall be administered by the City Engineer on behalf of Transit Windsor and by the Chief Administrative Officer on behalf of the City.

### **Term**

12. (1) This Agreement shall come into effect on 17<sup>th</sup> day of September, 2018.

### **No Assignment**



13. Transit Windsor will not assign this Agreement, or any part thereof, without the prior written approval of the City, which approval may be withheld by the City in its sole discretion or may be given subject to such terms and conditions as the City may impose.

### Entire Agreement

14. This Agreement embodies the entire Agreement and supersedes any other understanding or agreement, collateral, oral or otherwise, existing between the parties at the date of execution.

### Interpretation

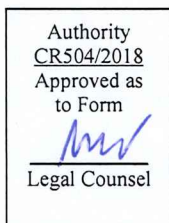
15. This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.

### Effect

16. This Agreement shall be binding upon the parties, their successors and permitted assigns.

**IN WITNESS WHEREOF** the parties hereto sign by their duly authorized signing authorities.

### THE CORPORATION OF THE CITY OF WINDSOR



  
Onorio Colucci,  
Chief Administrative Officer



  
Valerie Critchley,  
City Clerk & Licence Commissioner

We have authority to bind the corporation

### TRANSIT WINDSOR

  
Bill Marra,  
Chair

I have authority to bind the corporation



**THE CORPORATION OF THE CITY OF WINDSOR**  
**Office of Chief Administrative Officer - CAO Administrative Report**



**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>LiveLink REPORT #: 17193</b>	<b>Report Date: May 20, 2014</b>
<b>Author's Name: Helga Reidel, Chief Administrative Officer</b>	<b>Date to Council: June 9, 2014</b>
<b>Author's Phone: 519 255-6439</b>	<b>Classification #:</b>
<b>Author's E-mail: <a href="mailto:hreidel@city.windsor.on.ca">hreidel@city.windsor.on.ca</a></b>	

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

**Subject: Transportation/Transit Windsor Service Delivery Enhancement Governance  
Model/ Response to B37-2013**

**1. RECOMMENDATION:** City Wide: X Ward(s): \_\_\_\_\_

THAT City Council **RECEIVE** the report of administration in regard to the future governance and staffing of the transportation service areas within the City's structure and **DIRECT** that this report be presented to the Boards of Directors of the Windsor Detroit Tunnel Corporation (WDTC) and Your Quick Gateway (YQG), to seek approval for the appointment of their CEO through this shared and consolidated approach; and subject to their concurrence;

THAT City Council **DIRECT** that this report be presented to Transit Windsor Board of Directors for information, acknowledging the majority City Council presence on this Board; and,

THAT City Council **AUTHORIZE** Administration to proceed to further develop a consolidated reporting, governance and operational structure and service delivery model, as identified in Option 1, encompassing the services currently provided by Transit Windsor, and including the legal entities of Your Quick Gateway (Windsor) Inc. ("YQG" Windsor Airport) and the Windsor Detroit Tunnel Corporation ("WDTC") as documented in this report and any new emerging issues; and

THAT City Council **APPROVE** the recruitment of a new position within the Corporate Leadership Team with the dual titles of Corporate Leader- Transportation Services, and CEO of YQG and CEO of WDTC (consistent with dual titles of other CLT members), and **DIRECT** administration to implement the recommended FTE complement of city staff relating to this consolidation, consistent with the recommendations contained in this report, as part of budget 2015; and,



THAT City Council **AUTHORIZE** Administration to work with the relevant departments and entities to implement, where possible and practical, the necessary re-organization of resources and staff to achieve savings from sharing services and resources as outlined in this report; and,

THAT \$300,000 in one-time funding, previously approved for Transit Windsor, **BE ALLOCATED** to Transit Windsor from the 2013 pre-assigned Enhanced Capital budget so Transit Windsor can, by approximately September 2014, implement the service improvements for the Transway 1C, Crosstown 2 and Lauzon 10 routes; and,

THAT City Council **APPROVE** the use of the Budget Stabilization Reserve (BSR) to fund the one-time costs as required for this implementation estimated to be \$322,274.21; and,

THAT City Council **DIRECT** the inclusion of the annual cost of \$1,140,000 for the Transit Windsor service improvements in the Transit Windsor departmental budget to be partially offset by the savings noted herein as part of the City of Windsor's 2015 budget.

## **EXECUTIVE SUMMARY:**

City Council, through council resolutions M139-2013 and B37-2013, has directed Administration to review the City's transportation related entities; Your Quick Gateway (YQG), Windsor Detroit Tunnel Corporation (WDTC) and Transit Windsor for operational efficiencies, synergies, cost savings and opportunities in an effort to fund or partially fund the proposed Transit Windsor service enhancements, scheduled to be fully implemented in September 2015.

Together with input from Transit Windsor, YQG and WDTC, City Administration has carefully reviewed and analyzed various options for Council's consideration, each of which is presented here and in the accompanying Private & Confidential memo. Each option has been considered, weighing the pros and cons, as well as the financial and employee/labour relations costs and benefits.

While each has its own merits, Administration is recommending Option 1 as shown in Appendix B for a phased in implementation beginning immediately and lasting into 2016.

By 2016, the annual savings of this option to the City of Windsor directly is \$503,394.43 which partially offsets the annual cost of the Transit Windsor service enhancements of \$1,140,000. Onetime costs are estimated at \$322,274.21. There are additional savings in YQG and WDTC which bring the total savings to an estimated \$720,070.09.

## **2. BACKGROUND:**

### **I. History of the Present Initiative**

As per Council Resolution M139-2013, City Council received and approved the Minutes of the Strategic Planning Meeting of the Transit Windsor Board of Directors held on July 26<sup>th</sup>, 2013 which included the following:

#### **Service Improvements**

*That the Transit Windsor Board of Directors **INSTRUCT** Administration to meet with City Administration to discuss the issues identified at the Strategic Planning Meeting **AND BRING***



***BACK** any proposed amendments to the plan as a result of these discussions.*

Further, on December 2, 2013, City Council deliberated the City of Windsor's 2014 Operating and Capital Budget. As part of the discussion pertaining to Transit Windsor, the following direction was provided by way of Council Resolution B37-2013:

***B37-2013** That with regards to the issue of "Transit Windsor Service Delivery Enhancements", that a special meeting of Council **BE HELD** on February 3, 2014<sup>1</sup> on this matter, and that Administration **BE DIRECTED** to prepare a report on this, in the context of all transportation areas (transit, tunnel and airport), and that funding sources also be considered at that time.*

Subsequently, at its meeting on December 10<sup>th</sup>, 2013, the Transit Windsor Board of Directors adopted the following resolution on consent:

***T.W. 90/2013: Consent Agenda***

*That the Transit Windsor Board of Directors **RECEIVE FOR INFORMATION** the following reports:*

- 1) 2014 approved operating and capital budget
  - a) *That the Transit Windsor Board of Directors **RECEIVE FOR INFORMATION** the report advising that the 2014 Operating and Capital budget was approved by City Council on December 2, 2013, as submitted; and*
  - b) *That Windsor City Council has requested that the Transit Master Plan, together with the details of the improvements requested for 2014 on the Transway 1C, Crosstown 2, Lauzon 10 and summer schedule, **BE PRESENTED** to City Council at the meeting to be held on February 3, 2014; and*
  - c) *That Transit Windsor's governance **BE REVIEWED**.*  
*Carried.*

This report provides information in response to Resolution B37-2013 and seeks further City Council direction in this regard.

## **II. Relevant Entities**

### **1. Transit Windsor**

#### **Current Governance**

Transit Windsor was created by "An Act respecting The Sandwich, Windsor and Amherstburg Railway", c. 17, S.O. 1930. Pursuant to "The Sandwich, Windsor and Amherstburg Railway ("SW&A") Amendment Act, 1970, c.68, S.O. 1970, all assets and liabilities of the SW&A were vested in and became the sole property of The Corporation of the City of Windsor ("City"). "The Sandwich, Windsor and Amherstburg Railway Act, 1977 c. 57, S.O. 1977 changed the name of the SW&A to Transit Windsor ("TW").

Section 4 of the 1970 Act provides for 4 possibilities:

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<sup>1</sup> Due to the research and analysis required to complete this report, as well as timing and scheduling priorities, this report is being brought to Council at a later date.



- (a) *The City can operate the public transportation system;*
- (b) *The City by by-law can delegate the authority to operate and manage the system to commission;*
- (c) *The City can authorize the SW&A, now TW to continue to operate and manage the system;*
- (d) *The City can enter into or authorize TW to enter into an agreement with an operator.*

The Act was assented to on June 26, 1970. With respect to the potential operational structures contemplated by the Act, Transit Windsor is not a City department as per section 4(a), nor has City Council passed a bylaw establishing a transit commission as per section 4(b). Instead, section 4(c) is the section currently in use: **The City can authorize SW&A, now TW to continue to operate and manage the system.**

With respect to section 4(d) of the Act, on July 13, 1970, Council passed By-law 3916 appointing Board members and authorizing the entering into of an Agreement in accordance with the Act. Attached to the By-law is a draft Agreement to be entered into with a transit system operator. It appears that this would have been a private-sector for profit operator. There is NO operator named, it being left blank. By-law 4532 is an amendment to By-law 3916, appointing new Board members. It is assumed that Council of the day was looking at all of its options on how to operate and manage public transit. Pursuant to subsection 8(2), such operator would need to obtain the approval of the Council before exercising any powers or authority relating to the operation of the public transportation system. No agreement was ever entered into with any operator. Thus, Transit Windsor operates and manages the system pursuant to subsection 4(c).

This then leads to section 9 of the Act:

*“Where the corporation has authorized the company to operate and manage the system under clause c of section 4, the company shall obtain the approval of the council before exercising any of its powers or authority.”*

**Therefore, while option 4(c) is the operating model in effect at this time, under section 9 of the Act, Transit Windsor CANNOT exercise any of its powers and authority without the explicit approval of Council.**

This legislation is the reason why all resolutions of the TW Board are “adopted” (effectively approved) by City Council, versus simply being received for information, as is the case with many other committees and boards.

This governance structure has worked to varying degrees in the past; in recent months and years it was observed that this has led to a longer time frame required to seek and achieve approvals for various initiatives as they are first presented to the TW Board, then go to the City standing committee and/or to City Council.

#### Transit Windsor – Past Connections with City of Windsor

Although TW has adopted many of City policies, in recent months, due in part to the separation of TW from the City’s administration, there have been some challenges identified with implementing the city’s purchasing protocols. These challenges are not unique to TW and have been addressed with staff training and education, internal control procedures and support from City administration.



At the same time, City Council has taken on a greater review and oversight role in conjunction with the City's overall environmental and beautification goals as well as its financial aims.

Budget pressure from the City to its departments and to all agencies, boards and commissions (ABC's) has involved requests to present budget reduction scenarios. For 2014, while no reductions were requested of TW, it was, along with other agencies, requested to adhere to the same municipal tax funded budget as 2013. This has proven to be challenging. In addition, the capital request for TW has competed with other City priorities and thus, recommendations have been limited. City Council should take note that TW, like the transit systems of other cities, is not likely to be self-sustaining in the near term based on current budgetary and operational constraints in effect. It also receives legacy pension obligations that required a payment of \$500,000 in 2014 with more potential payments possible.

The latest version of the Transit Windsor Strategic Plan (Executive Summary copy attached as Appendix A) includes service delivery enhancements with operational cost increases and was developed to be implemented in phases based on demand and available funding. The costs could be offset in full or part by fare increases but the Board of Directors and Council has been hesitant in the past to utilize fare increases to fund all operational cost increases and has directed that efficiencies be identified to fund service enhancements.

Therefore it is understood that the Resolution B37-2013 noted above is direction to seek synergies resulting in savings, and to find other funding sources apart from fare increases.

In 2003, an effort was made to achieve greater integration with the City administration in an effort to generate synergies and efficiencies. This was only successful to a certain degree. Some changes that were rolled out quickly, such as a shared health and safety function with the Windsor Public Library and other shared initiatives, had to eventually be reversed. The sharing of health and safety services was just re-introduced in 2011 and continues to be provided today to Windsor Public Library by TW. Some of the shared services that were tried in 2003 and reversed were in the fleet and administrative areas. It was learned from this exercise that any change requires very careful planning, a level of "buy in" from employee groups and management, and a change management strategy that includes a solid process to implement the change. Any proposed change or sharing of services also requires observing and/or addressing relevant collective agreements and any divisions in labour jurisdiction.

Since some potentially meritorious changes and re-alignments were eventually reversed due to resistance from employees and the inability to achieve the desired synergies, it is possible that a more cost effective delivery model could still be achieved with greater study, review and planned implementation.

#### Transit Windsor – Review of Governance Structure

It is understood that B37-2013 is an indication, that due to the challenges outlined in the preceding paragraphs, City Council has considered revisiting the governance structure of TW.

While the TW facility on North Service Road is owned by the City, TW's buses are all owned by and registered in the name of TW. Insurance on the assets, obtained by the City and paid for by TW (City funded), is held in the name of Transit Windsor and Windsor Chartabus Inc.

Section 3 of the *SW & A (Amendment) Railway Act, 1970* states that:



*All of the assets, properties and undertakings of the company of every nature and kind and wheresoever situated are vested in and become the sole property of the corporation subject to the corporation assuming and being charged with the liability for payment of all accounts, debentures and other indebtedness of the company and to the due performance of all obligations of the company in respect of contracts, leases or other agreements entered into or undertaken by the company as if the corporation had incurred such indebtedness or been a party to every such contract, lease or agreement in the place and stead of the company.*

Section 5 subsection (2) states that:

*The council shall appoint not fewer than three and not more than five persons who shall be the members and directors of the company and who shall hold office during the pleasure of the council and until their respective successors are appointed.*

Subsections (3) through (7) further cover related aspects such as filling vacancies and remuneration with subsection (8) stating that:

*The company shall furnish such information respecting the affairs of the company as the council may any time require.*

Thus, it is apparent that City Council is *de facto* accountable for TW operations and that a review of the governance structure could result in strategic and operational efficiencies.

## **2. Windsor Chartabus (WCB) Inc.**

Windsor Chartabus Inc. was incorporated in 1979 as a non-share corporation wholly owned by TW to run charter bus service and the tunnel bus operations. It does not have any employees or assets, but separate minutes and corporate filings are maintained. It appears that WCB was originally set up to prevent TW from being subject to federal legislation; however, TW was deemed to be a federal employer in 1992 because of its extra-provincial operations in running the tunnel bus. A comparable operator for this purpose would be Ottawa Transit Services (formerly OC Transpo) as they also cross provincial boundaries (Ontario Quebec) albeit not international borders.

Subsequent to the federal designation, using WCB to separate the TW operations was maintained because of US legislation regarding the requirement for drug and alcohol testing and the differences in Canadian and American law relating to driver testing and maintaining drivers files. Those operators who drive in both the US and Canada are required to comply with both sets of legislation. WCB/TW is governed in this instance by the Federal Motor Carrier Safety Administration (FMCSA) who have similar powers to the Ministry of Transportation Ontario (MTO) but with different requirements. TW is audited by both the Canadian (MTO) and US (FMCSA) authorities for compliance with the applicable legislation related to safety and driver requirements.

## **3. Handi Transit**

Handi-Transit is a not-for-profit organization that provides curb-to-curb service for persons with disabilities. In 2012, Handi-Transit entered into a signed agreement with the City of Windsor to provide this specialized service. The City designated TW as the City's representative responsible for the administration and monitoring on-going compliance with the provisions of the



agreement. The City provides funding to Handi-Transit (and TW) through an annual budget submission and review process.

The government of Ontario has passed the *Accessibility for Ontarians with Disability Act* (“AODA”) which requires Ontario to be fully accessible to persons with disabilities by 2025 through the introduction of a series of standards over time. As a federal employer, TW is specifically exempt from the AODA, however the City of Windsor and Handi Transit are not. As the implementation of AODA is gradual, certain milestones are required. For the purposes of this discussion, it is important to note that in 2017 the service areas, hours of service and fares charged for a person with a disability must be the same, or in the case of fares, no more than that charged by the conventional system. As long as Handi-Transit and TW remain separate entities, the earliest point at which full fare parity will be required is 2017. “Fare parity” refers to the requirement that Handi-Transit use all the same fare media and pricing structure as TW, including monthly passes, smart cards, discounts and transfers. If TW and Handi-Transit were integrated, it is possible that fare parity would be required as soon as this occurs. Based on the review conducted at the time the agreement was developed in 2012, it was anticipated that fare parity could result in a significant increased budgetary requirements.

There is no intent with this report, to further integrate Handi-Transit.

#### **4. Your Quick Gateway (Windsor) Inc. (YQG) - Windsor Airport**

Your Quick Gateway (Windsor) Inc. was incorporated as a federal corporation under the *Canada Business Corporations Act* (OBCA) on June 20, 2007. It is a private corporation incorporated pursuant to the provisions of section 203 of the *Municipal Act, 2001* and the associated regulation with the City as the sole shareholder. The name “Your Quick Gateway” was trademarked on September 17, 2008.

YQG was incorporated initially as a stop-gap between the termination of an operating agreement with a prior contractor and the installation of a new operator intended to be found during an RFP process. The RFP process did not return a suitable operator, and YQG continued to operate the airport. Over time, this became the City’s preferred service model for that asset. Significant in the incorporation of YQG were employment and labour and pension concerns related to the existing union staff.

For oversight, YQG has an 11 member Board of Directors selected by City Council. Three of the Board Members are from City Council. In addition to being the Board Chair, Mayor Francis has also been the acting CEO since January 1, 2013 resulting in budgetary savings in the range of \$300,000 including benefits over a two year period. YQG places its audited financial statements and earnings vs. budget statements before City Council (the sole shareholder) on an annual basis.

YQG manages Windsor International Airport operations pursuant to a management agreement with the City which defines the relationship and obligations between them. Under that management agreement, the City is responsible for the funding of all approved capital improvements.

YQG’s major sources of revenues are airplane landing fees, terminal fees, passenger facility fees and lease income. Major expenses include payroll and maintenance. Through the management agreement, the City of Windsor contributes \$324,000 annually to airport operating revenues.



In 2013 YQG terminated its own defined-benefit pension plan and all full-time employees are now with OMERs (which is also a defined-benefit pension plan). To effect the termination of the defined-benefit pension plan, YQG borrowed \$998,000 from the City of Windsor and is repaying it through the reallocation of the management fee. Current expectations are the management fee will end when the loan is fully repaid at the end of 2015.

Based on projections for February 2014, YQG will have four non-union staff, 11 unionized operations staff, one unionized clerical staff, and five unionized part-time cafe staff (1.9 FTEs), for a total of 21 staff, or 17.9 FTEs. All unionized staff are represented by PSAC (Public Service Alliance of Canada), which falls under federal jurisdiction, similar to TW.

In 2013, YQG made a profit of approximately \$1,252,078.

## **5. Windsor Detroit Tunnel Corporation (WDTC)**

The Windsor-Detroit Tunnel Corporation ('WDTC') became active on January 1, 2010, with the completion of the asset transfer of the Canadian portion of the Windsor-Detroit Tunnel from the Corporation of the City of Windsor. The WDTC is incorporated under the Ontario Business Corporations Act (OBCA) pursuant to the provisions of the *Municipal Act, 2001* and operates as an independent entity from the City of Windsor, the sole shareholder of the WDTC.

The WDTC is governed by a Board of Directors elected in accordance with the OBCA and presents the yearly audited financial statements to the City of Windsor (via City Council), through the annual meeting of shareholders. The current complement of WDTC Board of Directors is five and consists of four elected individuals (Mayor and three City Councillors) and one private citizen. Board meetings are held in accordance with the OBCA and the corporate by-laws. WDTC owns all of the assets of the Canadian portion of the Windsor-Detroit Tunnel, is a self-sustaining entity, and recently declared a dividend to the shareholder (the City) in the amount of \$1,000,000. It is anticipated that this could be an annual dividend.

The WDTC operates under a Transitional Services Agreement ('TSA') with the City of Windsor for the provision of services the City provides to it. The TSA was intended to be a transitional agreement with a three-year term commencing January 1, 2010. The TSA has continued on the basis of a holdover clause to the present. As such, the WDTC does not have any full-time employees at present, relying on secondments and human resource arrangements with the City of Windsor, governed by the terms and provisions of the aforementioned TSA. Currently, the General Manager and Tunnel Financial Officer positions have been filled via secondments from the City. The regular full time permanent positions of these employees have been held for them and filled with temporary replacement staff during their absence. There are no other full time secondments.

The WDTC is subject to the *International Bridges and Tunnels Act* ('IBTA'), which governs all international bridges and tunnels declaring them to be 'works for the general advantage of Canada.' There are numerous compliance filings required under this act and the associated regulations, as well as approval processes for alterations and changes in care and control.

Operating separate from the City of Windsor allows the WDTC to operate this non-traditional asset and be responsible for the cost of the Canadian tunnel's capital improvements and the cost of its operation. It can secure any borrowings required to pay such costs (if necessary) with an encumbrance of the Canadian tunnel thereby relieving City of Windsor taxpayers of the risk



associated with those costs. To a certain extent, some financial and liability risks associated with owning the asset are segregated from the general operations of the City. This issue is discussed further in the accompanying private and confidential memo.

Thus, the City continues to enjoy the benefits of ownership of the Canadian tunnel, including the potential for dividend payments upon declaration by the WDTC Board, while not bearing the full risk of direct ownership. The WDTC on the other hand, benefits from the TSA by utilizing City resources as required in accordance with the mutually beneficial terms of the TSA.

It appears that operational efficiencies through sharing services between the City and the WDTC have been accomplished to an extent in this governance structure.

## **6. City of Windsor Transportation Divisions**

In addition to the internal support services such as finance and administration, human resources, legal services, technology services which are common to all organizations, the City has several areas that may also have operational overlap or synergies with the above noted transportation entities. Although outside the scope of City Council's direction, Administration felt it was important to examine these areas also in the context of a transportation division.

The transportation divisions of the city are part of the City's Public Works department and may be considered to include Traffic Operations, Transportation Planning and the Fleet Division.

Traffic Operations is a specialized area which includes:

- maintenance and operation of parking garages
- parking meters
- traffic signalization and camera
- signs and markings
- traffic enforcement

Transportation Planning deals with:

- planning of Environmental Assessment reports
- traffic calming
- accessible parking
- input on controlling detours
- traffic counts, and
- all items associated with the planning of transportation, road, pedestrian and cycling networks, as well as the overseeing of the crossing guard program

The Fleet Division is responsible for the repair and maintenance of all corporate fleet, excluding Windsor Police Services fleet, Windsor Fire and Rescue fleet, and all TW vehicles.

The operation runs 24 hours during the week and maintains all of the City fleet as noted. There is some specialty work that is done outside of the City garage, but generally all maintenance and repair work for the City fleet is done by City staff.



### 3. DISCUSSION:

Resolution B37-2013 specifically directed administration to review TW's funding in the context of the other transportation entities. Given that these are all separate and distinct entities such a review must include a review of the existing governance structure and operations. This then led to identifying the following key areas for potential re-organization and revised service delivery models to achieve strategic and operational synergies.

#### I. Key Areas

##### 1) *Management Oversight and Governance*

The position of the Chief Executive Officer (CEO) at the YQG is currently being filled temporarily and without extra compensation by Mayor Francis. The position of General Manager of WDTC is currently filled by an employee on what has turned out to be a long term secondment from the City. The secondment has been extended on a quarterly basis in recent years. TW has a full time General Manager, who has indicated her intent to retire in the near future (2015).

It is considered possible that if Council were to approve a management restructure and a shared management service for the three entities related to transportation as described, the full time equivalent (FTE) for senior management staff across the three main entities could be reduced by 2 FTE.

A governance structure for the transportation entities is proposed in the organization chart attached as Appendix B – Option 1. This structure assumes that:

- The legal entities of YQG and WDTC remain as legal entities with their own Boards of Directors overseeing operations with a newly created Corporate Leadership Team (CLT) member position acting as CEO for both entities and taking direction from the boards.
- TW will become a City department, also reporting to the newly created CLT position.
- The incorporated TW entity would remain to maintain WCB to support the tunnel bus operations. City Council would continue to appoint the requisite number of Councillors to serve as the TW Board of Directors as needed.
- Transit Windsor, YQG and WDTC would continue to report annually to City Council or as otherwise required and would channel reports through the Transportation Standing Committee as required.

#### Transit Windsor Considerations

This model would allow TW to operate like a City department, thus ensuring that:

- **Practices are standardized with other City departments**, including use of the Transportation Standing Committee to provide governance;
- **Planning & budgeting needs are fully considered** within the context of routine corporate planning;
- **TW is able to more readily access the resources of the City**, including finance and human resources supports, legal services, labour relations expertise and purchasing processes; and,
- **Decisions made by the Transportation Standing Committee are fully informed** by the City's corporate and community strategic priorities and objectives and Council approved City policies.



To operate as a City department, it is recommended that the position of General Manager of TW (retitled Executive Director) would have a solid line reporting relationship to City administration (to a member of the corporate leadership team - CLT). The reporting structure with Transit Windsor representation at all CLT meetings and city strategic sessions, allows the CLT to ensure that TW operates as a City department, fulfilling the goals and objectives set out above.

From a labour and employment perspective, TW comes under federal jurisdiction and managing it as a City department could have some challenges, as identified in the accompanying private and confidential memo. To address these issues, we look to the example of the City of Ottawa's Transit Services (OC Transpo) and consider the key points of their operation.

### **City of Ottawa's Transit Services (OC Transpo)**

#### **Key points of operation:**

- OC Transpo was legally merged into the City of Ottawa. Its operations fall under a Federal undertaking - OC operations are governed by federal laws (*Canada Labour Code*, *PIPEDA*, etc.) and not provincial laws except where prescribed (example *Ontario Motor Vehicle Act*, etc)
- It operates a federally regulated railway chartered as "Capital Railway" but all assets and operations are still identified as the City of Ottawa
- Its future rail operation will fall under special exemption of the Minister to self-regulate under the new railway rules
- All employees are City of Ottawa employees but are carved out under federal labour scope by the separation of the operations physically and by supervisory control. Labour Canada identifies the entity as "City of Ottawa- Transit Services".
- All assets are owned by the City of Ottawa but identified as OC assets (used for public transport or Capital Railway)
- City Council delegated decision making of day to day operations to a Commission (except for Budget, fares, reserves, debt and Business Plans), but OC managers are required to manage under the delegation of authority and by-laws of the City.
- The City of Ottawa provides human resources, labour relations, legal, finance, procurement and IT infrastructure services as well as communications and other administrative services directed by the City Manager. Most services have dedicated OC assigned staff on-site (HR, Budget and Finance)

OC provides planning, operations, customer service, policing (under separate agreement with the Ottawa Police Services Board), maintenance and infrastructure sustainment of the transitway, railway operations and maintenance, and information technology for operating applications.

The department is identified as a "special status" department in that it retains autonomy of a Commission separate from Council's authority but the latter continues to control how OC Transport affects the population through administrative control of the City Manager. Such an arrangement achieves effective sharing of internal support services and effective strategic planning and governance via better co-ordination with other City of Ottawa departments such as Planning, Fleet and Traffic. Attached as Appendix F is information regarding the Transit Commission for the City of Ottawa.

It may be argued that the current structure seems to be the best – all aspects of labour and regulation are separate from the City, but assets and budgets are controlled by the City. This ensures the



separation needed between a federally-regulated endeavour and a provincially-regulated municipal one.

On the other hand, there is a desire to maximize the integration of City transportation and planning as the source of benefits. In other jurisdictions there is a transportation planning and policy function which oversees the operations of an independent organization which performs various functions (transit, tunnels etc.). Because of the tunnel bus operations, any restructuring needs to accommodate both domestic operations and the international operations.

If the use of the TW corporate entity were abandoned, the City would need to examine the need to transfer ownership of WCB to the City, which is an onerous task, or to replace it with a new corporation incorporated under section 203 of the *Municipal Act, 2001*. The tunnel bus operation may not need to be operated under a separate corporation however its licensing or the approvals needed for it to be able to operate in Michigan must be further researched. Closing out the TW corporate entity is not recommended in this report, however, the activities would be minimized in the changed structure.

## 2) *Internal Support Services – IT, HR, Finance, Legal, Communications and Customer Service and Other Administrative Support*

TW is already supported by the City's finance department in the same fashion as all other City departments through the use of the financial planning administrator. YQG receives minimal financial services support. WDTC has one full time seconded financial staff person and reimburses the City for additional financial resources as needed. Key tasks are allocated and performed, but the depth of personnel that the full support of the City's finance department could provide is not currently present. There are opportunities for enhanced internal control at all entities, particularly in the areas of segregation of duties and enhanced analysis capabilities.

The information technology department provides full or nearly full support to TW, YQG and WDTC.

TW receives risk management and associated legal services from the City; however YQG and WDTC have little or no legal services support, although they do utilize external counsel when necessary.

Marketing and communications synergies are not currently employed among the organizations. It is anticipated that synergies and co-marketing can be a revenue enhancing opportunity for all 3 organizations.

Human resources are not currently shared among the entities and this provides an opportunity for synergies, with the exception of the WDTC, which presently relies upon the TSA for staffing. It should be noted that the health and safety advisor at TW also provides services to Windsor Public Library.

It would appear that overall there are addition opportunities for cost effective synergies in the internal service areas

## 3) *Fleet*



The City's Fleet Division is comprised of 1 manager, 2 supervisors and 1 fleet coordinator/specifications writer in the non-union staff complement. Additionally, there are 23 employees ranging from mechanics, body repair, welders, vehicle maintainers and equipment cost analysts who manage the cost and the fuel systems.

TW also has a Fleet Division which maintains all of their buses on a 24-hour shift, which is composed of 1 manager, 2 supervisors and 38 mechanics and body technicians, clerks, tire man and service staff to maintain and repair the fleet.

The fleet operations at TW and the City are similar in some aspects, but very different in others. There is currently a Fleet Services Review project underway as part of the Corporate Initiatives/Shared Services Project to review the fleet operations and governance at the City, TW and Enwin to see if any opportunities for synergies exist. It is premature at this point to determine what synergies may exist between the fleet operations of TW and the City, as the larger shared services project is still underway.

Due to the challenges experienced in the past by the city, and the experiences reported by the City of Ottawa, at this time, there is no recommendation regarding any form of merger of City and Transit fleet operations.

#### *4) Engineering and Transportation Planning*

TW has staff that conduct route planning, development application comments and other transit planning. Transportation planning in the City's Public Works Engineering area works closely with TW's planning area. There may be some synergies in these two areas to assist each other as their workloads are both at capacity.

#### *5) Security*

YQG requires twenty-four hour security of its premises and has an in-house staff person to oversee this function as well as a contractor who delivers this service. WDTC has a contracted operator whose responsibility includes the provision of security services. TW obtains security services through the City. The City has a mix of in-house oversight, use of modified workers and external contractors (recently appointed) to carry out this work. It would appear that analysis may provide savings in this area.

It is expected that other areas of possible synergies may emerge as well. For example, facilities consolidation may be evident upon review of each entity's office, and operation environments. Further, administrative support staff consolidation may be possible through use of clerk staff in the City Clerk's office for board meeting minutes or to be shared among the entities.

#### *6) Other*

Other areas for possible synergies may emerge over time as the participating entities come together and implement the recommended changes.



## II. Analysis of Options

### Option 1 – Creation of a New Transportation Corporate Leadership Unit which includes TW, YQG and WDTC

Under this option, all City of Windsor related transportation entities (YQG, WDTC and Transit Windsor) would be aligned under a new Corporate Leadership Team (CLT) member, reporting directly to the Chief Administrative Officer with reports flowing to City Council primarily through the Environment, Transportation and Public Safety Standing Committee. This new unit would include TW, WDTC and YQG. The City's transportation and traffic departments would continue to report to the City Engineer under this option but may be considered for consolidation in this unit at a later date. The proposed top level organizational structure is depicted in Appendix B – Option 1.

The new Corporate Leader – Transportation Services would be responsible for implementing the direction of the WDTC and YQG Boards of Directors and would assume the position of CEO of both entities. This unique new role would fuse corporate development and entrepreneurship with community stewardship and economic development. The incumbent would work closely with the Boards of each entity to make decisions that are in the best interests of the City, its citizens and transportation service users.

The new Corporate Leader – Transportation Services would serve as the Chief Executive Officer (CEO) of both YQG and WDTC, with an Operations Manager and Financial Director/CFO to support both entities, along with the appropriate administrative and support staff, which will likely be shared throughout the three entities. TW would be led by an Executive Director reporting to the new CLT member.

The new Corporate Leader – Transportation Services would need to be equally funded by TW, YQG and WDTC. This would result in financial cost savings at YQG and WDTC, as the two current CEO positions of each entity could be eliminated.

It is important to note that any effort to streamline operations comes with the reality of less than full time dedication to each organization. It is clear that a CEO shared with two legal entities will not allow for the same time dedication as would be enabled by a full time CEO or GM such as was formerly enjoyed by both YQG and WDTC, respectively. This could result in higher external costs or less urgency in implementing new initiatives to each organization, offsetting to a degree the cost savings of the CEO merger. As these costs are difficult to quantify, they have not been included in the financial analysis. On the part of the city, this is on its own an added cost as this is not budgeted at this time. However, there would be other savings that would fund this position. It is noted that each entity has a CFO and directors who would need to take on additional duties and would support the new CEO/CLT. The cost savings in each entity are further detailed in the accompanying private and confidential memo and summarized in the Financial Matters section of this report.

This option has the greatest impact on TW. Under this option, TW would operate as a City department, and the TW legal entity would remain with the requisite number of City Councillors as the Board of Directors in order to manage only the basic aspects of the business, including making the required resolutions to maintain the entity through the Environment, Transportation and Public Safety Standing Committee. WCB would remain in the TW legal entity and would continue its current operations. Handi-Transit would continue to maintain its contractor type



relationship with TW and the City. The TW Board of Directors would fulfill only the basic regulatory requirements to maintain the legal entity and in order to choose the streamlined decision being sought would not oversee the new City department. A new TW operating structure has been proposed to be implemented in conjunction with the approved option and is presented in greater detail later in the report.

The duties of the Ottawa Transport Commission would effectively fall to the Councillors on the City of Windsor's Environment and Transportation Committee.

*Pros*

- Potential cost savings and operational synergies would be more easily achieved with the creation of a new governance and management structure as described.
- Strategic cooperation and coordination towards transportation program objectives would be enhanced with a consolidated reporting structure.
- There would be a clear and unambiguous reporting relationship for Transit Windsor to City Council

*Cons*

- Legal, regulatory or collective agreement obstacles might exist. Overcoming these obstacles might prove more expensive than the anticipated cost savings.
- Conflicting objectives and legacy costs from each entity might negate the initially-anticipated cost savings.
- The compatibility of the operations and objectives of each entity might be overstated – a merged reporting structure could therefore struggle to achieve service excellence in any of the three areas (public transit, tunnel operations or airport operations).

Option 1 fulfills the requirements of council resolution B37-2013. Administration is recommending Option 1 as the preferred service delivery model for the City's transportation entities (YQG, WDTC, TW).

*Option 2 – Creation of a New Transportation Corporate Leadership Service Area which includes Transit Windsor, YQG, WDTC AND the City's Transportation Planning and Traffic departments*

This option is essentially the same as Option 1, with the current transportation planning and traffic departments also reporting to the new Corporate Leader – Transportation Services. The potential organizational structure is depicted in the accompanying private and confidential memo. The reporting structures and cost savings would be similar to those detailed for Option 1. The pros and cons are also similar to Option 1, with the exception that Public Works has experienced a number of retirements recently, so the opportunity exists to restructure some the departments and allow for succession planning. This can be done in any event and is separately reported. This option also provides for the same increased separation between those employees who work under federal jurisdiction.



### *Pros*

- Same as Option 1
- All transportation under same control

### *Cons*

- Same as Option 1
- Too difficult for new position handling large changes plus reporting to two boards
- Transportation still requires close coordination with City Engineer

Administration does not recommend this option as the new Transportation Services portfolio is a large one, with reporting responsibilities to two boards of directors. Depending on the experience of the incumbent of the new CLT position, this could prove to be cumbersome, given the changes that are proposed for Transit Windsor, YQG and WDTC. While operationally it makes sense to have all transportation related services in the same unit/division, a more realistic approach may be to consider the amalgamation of the City transportation planning and traffic departments into the new service unit in the future.

It should be noted that the Transportation unit/division would still require close coordination with the City Engineer as all work will be in the right of way or as part of Capital projects and any approval of work, Environmental Assessment Studies and detours resides with the City Engineer or Executive Director of Operations. This is further rationale that the unit should remain within City Engineer's area at this time.

### *Option 3 – TW reports directly to the City Engineer/Corporate Leader Environmental Protection and Transportation and YQG and WDTC report to one CEO with shared service agreements*

The structure of this operation is depicted in Appendix D – Option 3. This option provides for the conversion of the CEO positions at YQG and WDTC into one position, resulting in the elimination of one CEO position. TW would report to the City Engineer, and the transportation planning and traffic departments would remain status quo. The potential organizational structure is depicted in the accompanying private and confidential memo.

The new CEO would be funded equally by WDTC and YQG, and would report to each entity's Board of Directors. The CEO would have an existing liaison role with the CAO and/or a member of the existing CLT but would not report directly given the separation of these legal entities. Without the additional synergies of Transit Windsor responsibility, direct reporting would not appear to be necessary. The administration, finance, operational and other staff would be shared between YQG and WDTC. While joint marketing efforts could be explored, that would be left to the separate entities to coordinate.

The effect of this option on TW would be similar to Option 1.

### *Pros*

- The current operational arrangements are familiar to the City, YQG and WTDC.
- Maintaining the status quo to a certain degree avoids overt conflict amongst transportation entities (either via reporting relationships or organizational objectives).



### *Cons*

- Not as many opportunities for cost savings or operational synergies.
- Opportunities for internal control enhancements will not be realized.
- The strategic objectives of the City's transportation program may become more difficult to achieve without closer cooperation between the City and these entities
- These entities may have increasing difficulty holding the line on spending, particularly on internal services, as they have limited personnel and cuts would mean the wholesale elimination of internal services
- Substantial increase in the workload and portfolio for the City Engineer

While this option has its merits, it does not centralize all of the City's transportation endeavours, but instead creates two separate transportation units; one reporting only as a liaison role to the CAO (WDTC and YQG through the CEO) and another reporting to the City Engineer (transportation planning/traffic and TW). This option does not fulfill the Council direction as set out in B37-2013, however is presented here as an option for Council's consideration. Administration does not recommend this option as it does not accomplish the objective of the Council direction and does not manage synergies and coordination. Should council wish to pursue this option, it is recommended that it do so with a direction through council resolution to these two Boards of Directors and that they work together to create the shared services, while City communication further develops the Transit Windsor integration.

### *Option 4 – Status Quo - Transit Windsor, YQG and WDTC continue operations each reporting directly to their respective Boards of Directors and Transportation Planning/Traffic continue to report to the City Engineer*

This option is straight-forward in that each of the named entities would continue their operations at the status-quo. Some of the proposed Transit Windsor restructuring could still take place under this option, with cost savings and synergies as indicated in the accompanying private and confidential memo. Under this option there would be limited opportunity for synergies or cost savings among YQG or WDTC as they would continue their operations as independent entities.

Administration does not recommend this option as it does not fulfill the Council direction as set out in B37-2013 and does not result in the substantial savings requested by city council.

## **III. Transit Windsor Proposed Changes**

### 1. Organizational Restructuring at various levels

The opportunity to evaluate the current organizational/management structure at TW has been discussed by the current General Manager of Transit Windsor and City CAO, as the need for succession planning and opportunity for service efficiencies and improvements has been recognized. The proposed new TW organizational structure is presented in more detail in the accompanying private and confidential report and would be developed upon City Council direction.

**It should be noted that the proposed Transit Windsor restructuring is dependent upon one of the Options as presented being approved and implemented, and is not a stand-alone**



**initiative.** The savings being achieved allows the City/TW to undertake the initiatives described in the section that follows.

## 2. Proposed Service Delivery Improvement Plan

The service improvements for Phase 1 are based on current transit issues. A detailed plan is found in Appendix A.

The Transway 1C and Crosstown 2 routes (TW's two main lines) have been experiencing extreme overloads and late buses. Some of this is based on increased ridership as well current transit issues including increased time required for strollers, wheelchairs and bicycles that now utilize the service in greater volumes. By increasing frequencies on these two main lines to 10 minutes during the peak hours, it will mean the workload for the route is distributed between buses and creates a more attractive service with a more reliable schedule, thereby attracting even more riders. With the anticipated move of the University of Windsor Campuses into the downtown core, the need for improved service on our main lines that provide service to the university will be imperative to deal with the anticipated volume of riders.

The Lauzon 10 improvements are also included in Phase 1. The improvements include service into the WFCU, direct service into Twin Oaks Industrial Park and service enhancements with more regular service all day.

The final improvement addresses issues with TW's summer schedule which sees a reduction of transit service of about 20% during July and August. This is a challenge for year round riders who have to change their travel for summer months because of this reduced service. By providing a year round schedule, the service becomes more consistent and reliable and will attract more riders.

Phase 2 improvements provide new service to areas that are currently unserved, including Devonshire Heights and a new route that would provide service from Tecumseh Mall to the Southwest Detention Center and Devonshire Mall. This will provide a southern connection at Devonshire Mall for passengers travelling across the south end of the city to destinations like St. Clair College.

Phase 3 is the longer term vision of having main line and feeder routes providing an improved grid system that is faster and more accessible to major activity centers, particularly for the customers in South and East Windsor where transit usage is relatively low. Faster, more direct service will be provided on the main arterial roads and the feeder routes will connect the neighbourhoods to the main lines reducing customers travel time. Frequencies will be standardized based on the category of the routes with 15 minutes service or better during peak periods on main lines.

The implementation of the service improvements were developed in phases to allow for the service enhancements to be introduced based on demand and financial planning. One phase can be introduced without compromising the service or requiring the next phase to be implemented. Phase 1 addresses our most critical issues and has an estimated cost of \$1,140,000; \$320,000 for the summer schedule and \$820,000 improvements to the Transway 1C, Crosstown 2 and Lauzon 10.

In order to allow the governance review to be completed to identify savings, TW proposes that the improvements to the summer schedule be deferred to 2015 and that the service enhancements to the Transway 1C, Crosstown 2 and Lauzon 10 be implemented in September 2014 This



acknowledges that the opening of the University of Windsor downtown campuses will occur at the earliest in 2015 and provides Transit Windsor time to have the service plan in place as students are making their transportation choices.

Under the Mayors' Enhanced Capital Spending plan proposed in 2013, TW was allocated \$300,000 in one time funding as the estimated cost to implement the service improvements for the Transway 1C, Crosstown 2 and Lauzon 10 and these funds have not yet been spent, and remain available.

Should Council wish to implement the service enhancements this onetime funding can be utilized to implement these service enhancements for the fall of 2014 (approximately September to December) recognizing that a base budget allocation of \$1,140,000 would be required in 2015 to fund the improvements and this funding would be partially funded through operational efficiencies and savings found during the governance review.

It should also be noted that fare increases can be considered to partially offset enhancements. It is further recommended that a policy with respect to annual fare increases (rounded) be considered that will be used to keep pace with inflation and provide for future enhancements.

#### **IV. Action Plan: A Phased in Approach**

The options presented above represent major change to the current operating and governance models of the participating entities. Due diligence would need to be completed prior to any option being implemented, and thus it is expected that the proposed changes in service delivery will take between nine months and two years to implement. This means that depending upon the timing of implementation of the service enhancements, there may be a funding shortfall requiring one time funding during the phase in period. A detailed action plan is provided in the accompanying private and confidential memo.

#### **4. RISK ANALYSIS:**

With a project of this size, there are inherent risks that need to be considered. Depending on the option chosen and recommended by Council, the risk exists that the needs of one entity could take priority over the needs of the others. This could lead to operational errors, reporting mistakes and lost revenue or funding opportunities. To ensure that this doesn't happen, it is vital that the responsible parties be fully aware of their responsibilities and commitments under the new service delivery model. The expectations of each organization will need to be clearly identified in any service agreements that are arranged, as well as the proportionate funding identified.

As each entity will continue to report to its respective Board of Directors, the risk exists that the strategic direction and objectives of each organization become nebulous between the Boards, City Council and the Administration of each entity. The potential risk of blurred reporting lines is quite high, however can be mitigated through open communication, strategic planning sessions and succession planning. This will be especially important as each organization experiences staff turnover, attrition, etc.



As further review and ultimate implementation of this model involves possible changes to job duties and working conditions of staff, there is always the risk that employee grievances and other employment-related objections could be lodged by both TW employees and City employees. Some of the cost savings presented are based upon the assumption that existing staff have excess capacity to assume new and/or changing duties and responsibilities. While these opportunities for workload realignment have been identified and supported by the Management of the participating entities, the staff members affected by the changes could feel differently. However, all efforts will be made to mitigate this risk through ongoing consultation and discussions with all employee and union groups.

As is the case with the implementation of any new service delivery model, there are inherent risks in terms of citizen and employee concerns, issues encountered with new facilities and issues related to the transition as the entities moves from one model to another. All of these factors will need to be mitigated with an effective communication plan and detailed plans for each expansion/relocation which will include detailed implementation plans for each project.

Since part of Transit Windsor's operations fall under Federal jurisdiction, there will be times at which the entity will be subject to different legislative requirements than the City. This challenge can be mitigated by maintaining awareness of the possibility of differing regimes and by adhering to the higher standard in the case of uncertainty.

As noted, any effort to streamline operations comes with the reality of less than full time dedication to each organization. It is clear that a CEO that is shared with two legal entities and will not allow for the same time dedication as would be enabled by a full time CEO or GM such as was formerly enjoyed by both YQG and WDTC respectively. Transit Windsor would have a full time executive director but would be required to obtain certain services from the City of Windsor internal service areas. The level of service and timing of service may change. WDTC and YQG seeks to minimize cost and maximize revenue, and operates in a competitive environment. Compromised levels of service can translate into reduced revenue and/or lost opportunities for increased revenue. This potential risk should also be factored into the consolidation decision. City administration has successfully undertaken this type of streamlining in various city departments over the past number of years. Enwin has recently undertaken a similar streamlining. It must however be noted that such change puts added pressure and time constraints on staff and management.

A detailed Risk Matrix identifying the risks described above, their potential impacts, mitigating strategies and assigned responsibility is attached as Appendix G.

## **5. FINANCIAL MATTERS:**

The potential cost savings related to restructuring positions are provided in greater detail in the accompanying private and confidential memo.

The following chart indicates the estimated saving of each option presented:



### Potential Cost Savings by Option (by 2016 & beyond)

#### Governance & Senior Management

		Option 1 & 2	Option 3	Option 4
Cost	Position	Estimated Salary	Estimated Salary	Status Quo
Add	CLT position - Transportation Service Area (option 1 & 2 only)	\$ 186,489.46	0.00	0.00
Add	CEO position - YQG & WDTC (Option 3 only)	\$ -	150,000.00	0.00
Add	Fringe Benefits Costs (26%)***	48,487.26	39,000.00	0.00
	<b>Total Additions</b>	<b>\$ 234,976.72</b>	<b>\$ 189,000.00</b>	<b>\$ 0.00</b>
Deduct	Director of Operations - Transit Windsor	-127,524.83	-127,524.83	0.00
Deduct	Director of Corporate Services - Transit Windsor	-136,452.29	-136,452.29	0.00
Deduct	General Manager - Windsor Detroit Tunnel Corporation (WDTC)	-133,291.11	-133,291.11	0.00
Deduct	CEO - Your Quick Gateway (YQG)	-119,000.00	-119,000.00	0.00
Deduct	Other Savings & Fringe Benefits	-189,669.74	-134,229.74	0.00
	<b>Total Deductions</b>	<b>-\$ 705,937.96</b>	<b>-\$ 650,497.96</b>	<b>0.00</b>
<b>Total Annualized Savings Over All 3 Entities for Senior Management Governance</b>		<b>-\$ 470,961.24</b>	<b>-\$ 461,497.96</b>	<b>\$ 0.00</b>

#### Transit Windsor Savings

		Option 1 & 2	Option 3	Option 4
Cost	Position	Estimated Salary	Estimated Salary	Status Quo
	<b>Total Transit Windsor Savings (2015 +2016 &amp; beyond)</b>	<b>-\$249,108.85</b>	<b>-\$249,108.85</b>	<b>\$0.00</b>
<b>Total Savings Per Option (by 2016 &amp; beyond)</b>		<b>-\$720,070.09</b>	<b>-\$710,606.81</b>	<b>\$0.00</b>

\* Note: GM of Transit Windsor to convert to ED of Transit Windsor at nominal cost differential.

\*\*\* Each organization apportions fringe benefit costs differently, however the City's rate of 26% is used as a reasonable estimate.

All City of Windsor, WDTC and YQG salary amounts are effective January 1, 2015. Transit Windsor salary increases are effective October 1, 2014.

The first phase of service enhancements in September 2014 will be funded from the \$300,000 already approved in the 2014 capital budget. An additional \$1,140,000 will be required to fund the final phase of the service enhancements in 2015 and beyond.

While the cost savings from the proposed restructuring are substantial, they are not enough to fully fund the Transit Windsor Phase I service enhancements estimated to cost approximately \$1,140,000 annually. Additional annual funding in 2015 and 2016 and beyond that would be required to fully fund the service enhancements. This funding could come from Transit fare increases, service reductions or cuts in other City departments or other offsetting revenues. It should be noted that the majority of municipally operated transit services operate at a deficit in an effort to promote the use of public transit as a service.

The chart below depicts the additional funding required in each year of the next 2 years to fully fund the proposed Transit Windsor service enhancements. The funding required is shown including savings from the City and Transit Windsor only, as well as including the savings from YQG and WDTC separately.



**Option 1 - Calendar Year Fiscal Impact on Operating Budget**

Description	City of Windsor (including Transit Windsor)	YQG	WDTC	Total Funding (Savings) Required
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<b>2014 (based on implementation date of July 1, 2014)</b>				
Maximum costs of new CLT member and staff changes	\$ 39,162.79	\$ 11,442.79	\$ 39,162.79	\$ 89,768.36
Transit Windsor Service Enhancements	0	0	0	-
<b>2014 Potential Budget Variance OR One Time Funding</b>	<b>\$ 39,162.79</b>	<b>\$ 11,442.79</b>	<b>\$ 39,162.79</b>	<b>\$ 89,768.36</b>

<b>2015</b>				
Net Cumulative Savings in Staff Costs	-\$346,761.26	-\$127,054.43	-\$89,621.23	-\$563,436.91
Original Proposed Transit Windsor Service Enhancements	\$1,140,000.00	0	0	\$1,140,000.00
2015 required Increase/(decrease) in operating budget (if no bridge funding)	<b>\$793,238.74</b>	<b>-\$127,054.43</b>	<b>-\$89,621.23</b>	<b>\$576,563.09</b>
Additional One-Time Bridge Funding Recommended** (to make up for savings not realized until 2016)	-\$156,633.17			-\$156,633.17
<b>2015 required Increase/(decrease) in operating budget</b>	<b>\$636,605.57</b>	<b>-\$127,054.43</b>	<b>-\$89,621.23</b>	<b>\$419,929.91</b>

<b>2016 &amp; Beyond</b>				
Net Cumulative Savings in Staff Costs	-\$433,394.43	-\$127,054.43	-\$89,621.23	-\$650,070.09 (1)
Additional estimated long term savings	-\$70,000.00	0	0	-\$70,000.00 (2)
Original Proposed Transit Windsor Service Enhancements	\$1,140,000.00	0	0	\$1,140,000.00
<b>2016 required Increase/(decrease) in operating budget</b>	<b>\$636,605.57</b>	<b>-\$127,054.43</b>	<b>-\$89,621.23</b>	<b>\$419,929.91</b>

<b>Total Savings - OPTION 1 - Realized by 2016 [(1) + (2)]</b>				<b>\$720,070.09</b>
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<b>Annual Cumulative Budget Impact Summary - Beyond 2016</b>	<b>\$636,605.57</b>	<b>-\$127,054.43</b>	<b>-\$89,621.23</b>	<b>\$419,929.91</b>
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\* It is assumed that the costs of the Transit Windsor Service Enhancements will be fully funded through the budget in 2015

\*\* Full savings will not be realized until 2016, so one-time bridge financing in the amount equal to the 2016 savings is required in 2015.

In 2014, one time funding of \$39,162.79 is required to fund the City and Transit's share of the cost of the new CLT member and other charges. The Transit Windsor service enhancements are scheduled to be implemented in September 2014, at an annualized cost of \$1,140,000.

Cumulative savings from the proposed restructuring in 2015 for the City/Transit Windsor are \$346,761.26. Additional City/Transit Windsor savings of \$156,633.17 will be realized in 2016. It is the recommendation of Finance that the net annual cost of the service enhancements be added to the 2015 budget in the amount of \$636,605.57. Additional bridge financing (one-time) of \$156,633.17 would be required in 2015 until the additional savings in 2016 are realized.

As shown above, once full savings efficiencies are realized in 2016, the net impact of the TW service enhancements across all 3 entities is \$419,929.91 versus \$1.14 million.



Estimated one-time funding is required from the Budget Stabilization Reserve in the amount of \$322,374.21 in 2014 to ensure a seamless transition to the new governance model. These amounts are outlined in Appendix C of the in-camera report.

It is noted that the additional funding referenced in the City's operating budget, all other things being equal, along with Transit Windsor's reported 2014 forecast of a deficit will make continued zero tax increases challenging. This report and further consolidation serves to assist in mitigating these ongoing costs.

Should City Council opt not to adopt these changes and opt to enhance transit programs, it is expected that this will need to be funded by increased property taxes.

## **6. CONSULTATIONS:**

General Manager, Transit Windsor  
City Solicitor  
CFO, YQG  
General Manager, WDTC  
City Treasurer  
Executive Director of Human Resources  
City Clerk  
Deputy City Treasurer – Financial Accounting  
Deputy City Treasurer – Financial Planning

## **7. CONCLUSION:**

This report is presented in response to City Council's direction to seek synergies with YQG, WDTC and Transit Windsor. Several models have been presented. It is important to note that any effort to streamline operations comes with it, the reality of less than full time dedication to an organization. It is clear that a CEO that is shared with two legal entities and a large city department (Transit Windsor) will not allow for the same time dedication as would be enabled by a full time CEO or GM such as was formerly enjoyed by both YQG and WDTC respectively. Transit Windsor would have a full time executive director but would be required to obtain certain services from the City of Windsor internal service areas and would have a reduced operational complement. The level of service and timing of service may change. City administration has successfully undertaken this type of streamlining in various city departments over the past number of years. Enwin has recently undertaken a similar streamlining. It must however be noted that such change puts added pressure and time constraints on staff and management.

Notwithstanding these risks, given the direction of City Council to find savings to assist in funding the service enhancements of Transit Windsor, the synergies and governance and organizational changes contained in this report, are recommended.

Should Council choose to approve the development and implementation of the new governance model as identified in Option 1, administration will conduct further review and analysis and report back to Council should any substantive issues be discovered that may affect the viability of the model or the associated projections. As well, reporting to the boards of YQG and WDTC will



occur to seek their concurrence or any potential enhancements to the plan. Further, should the proposed service delivery model be approved the 2015 budget will contain the appropriate changes in format, recommended FTE changes to the city staff and any other budget considerations that are necessary.

Subject to City Council's concurrence of the recommendations contained herein, in order to implement a plan, given the length of a recruitment process, the recruitment of the CLT/CEO is recommended at this time.

The implementation of a new governance model for YQG, WDTC and Transit Windsor (and possibly the City's transportation planning and traffic divisions), as well as the proposed Transit Windsor restructuring, does not come without risk. The proposed synergies and cost savings present opportunities for each entity to streamline operations and save money. Should the desire not currently exist to assume these risks, then City Council has the option to increase funding further to Transit Windsor in an effort to assist them to maintain or improve existing services.

Option 1, creating synergies, is the recommended option.

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**Onorio Colucci**  
**CFO & City Treasurer**

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**Mario Sonego**  
**City Engineer**

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**Shelby Askin Hager**  
**City Solicitor**

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**Vincenza Mihalo**  
**Executive Director of Human Resources**

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**Helga Reidel**  
**Chief Administrative Officer**



**APPENDICES:****Appendix A – Transit Windsor Master Plan – “The Road Ahead”****Appendix B – Proposed Governance Structure (Option 1)****Appendix C – Proposed Governance Structure (Option 2)****Appendix D – Proposed Governance Structure (Option 3)****Appendix E – Status Quo (Option 4)****Appendix F – City of Ottawa Transit Commission Information****Appendix G – Risk Matrix****DEPARTMENTS/OTHERS CONSULTED:****Name: Mark Galvin, (A) General Manager WDTC****Phone #: 519 255-6100 ext. 1733****Name: Jim McCormack, Director of Finance, YQG****Phone #: 519 969-2430 ext. 443****Name: Valerie Critchley, City Clerk****Phone #: 519 255-6100 ext. 6434****Name: Mark Galvin, (A) General Manager WDTC****Phone #: 519 255-6100 ext. 1733****Name: Tony Ardochini, Deputy Treasurer – Financial Planning****Phone #: 519 255-6100 ext. 6223****Name: Joe Mancina, Deputy Treasurer – Financial Accounting****Phone #: 519 255-6100 ext. 6505**

<b>NOTIFICATION :</b>				
<b>Name</b>	<b>Address</b>	<b>Email Address</b>	<b>Telephone</b>	<b>FAX</b>
Mark Galvin, Acting General Manager, WDTC		mgalvin@city.windsor.on.ca		
Jim McCormack, Director of Finance, YQG	Your Quick Gateway (Windsor) Inc. 3200 County Road 42 Unit #200 Windsor, ON Canada N8V 0A1		519-969-2430	519-969-6053
Penny Williams, General Manager – Transit Windsor	Transit Windsor 3700 North Service Road East Windsor, Ontario Canada N8W 5X2	pwilliams@city.windsor.on.ca	519-944-4111	519-944-5121



## Appendix A – Transit Windsor Master Plan

### **MISSION STATEMENT:**

“PROVIDING SAFE, RELIABLE AND AFFORDABLE PUBLIC TRANSIT FOR THE COMMUNITY THROUGH CONTINUOUS IMPROVEMENT IN CUSTOMER CARE, ENVIRONMENTAL STEWARDSHIP AND EMPLOYEE EXCELLENCE.”

**TO:** Mayor and Members of Council

**FROM:** General Manager, Transit Windsor

**DATE:** April 22, 2014

### **SUBJECT: SERVICE ENHANCEMENTS – PHASE I**

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The attached Executive Summary provides the details of the unfunded capital and operating costs related to implementing the Transit Master Plan. The purpose of the memo is to reconcile the funding requirements detailed in the Executive Summary with the revised funding requests shown in the financial section of the report.

The capital costs include expansion costs of \$27.0 million, plus the Bus Rapid Transit (BRT) infrastructure of \$4.5 million, for a total of \$32.4 million. Should Council wish to support the Phase 1 service enhancements, it is possible to implement these changes without any up front capital costs.

An additional eight buses are required to provide the enhanced service on the Transway 1C, Crosstown 2 and Lauzon 10, resulting in an increase in the fleet complement from 104 buses to 112. When the new buses were delivered in 2013, Administration set aside the old buses, pending the results of our request to improve service. We contemplated that acquiring new buses would not only be a challenge to the capital budget, but the delivery of new buses takes almost one year. We have sufficient older buses on hand that could be put back into service to allow us to provide the enhanced service without acquiring new buses at this time. This would allow the opportunity for the replacement cycle to be worked into the replacement schedule and life cycle costing review being undertaken by the Asset Planning Division of City Finance. While new buses are preferable, the option to use the older buses allows for a phased in approach for the replacement of buses.

With respect to the operating costs shown on *Schedule A – 5% Annual Fare Increase*, this scenario contemplates that Phase I would result in an incremental cost of \$990,000. This was based on the assumption that the University of Windsor downtown campus would be open in the fall of 2013 and fully operational on January 1, 2014. The occupancy of the downtown campus has been revised and, at the budget meeting held on December 2, 2013, we verbally revised the revenue projections by \$150,000 and, as a result, the incremental operating costs were revised from \$990,000 to \$1,140,000.

*Penny Williams*

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Penny Williams  
General Manager

### **Transit Windsor Master Plan “The Road Ahead”**



## EXECUTIVE SUMMARY

The service improvement plan that is described in detail in this report is a result of a request from the Transit Windsor Board of Directors, in July 2008, to update the 2006 Transit Master Plan (TMP), *"The Way Forward"*. In 2013 the plan was again updated providing for a phased-in approach and renamed *"The Road Ahead"*.

The critical social, economic and environmental issues would be addressed by the resolution of transportation issues, a more responsive and competitive transit system which is anticipated to attract new riders to the service and an immediate influx of employment opportunities. The improvements will provide environmental benefits in the community by reducing greenhouse gas emissions. In addition, the changing demographics over the next 10 years will significantly alter the dependency on public transportation by seniors.

The service improvement plan was developed from the TMP by a Service Improvement Team that was comprised of Transit Windsor's management and the executive of Amalgamated Transit Union Local 616 as representatives of Transit Windsor's employees. The team worked to redesign the transit system to meet the needs of current and future riders. The redesign incorporates the tenets of City Council's Community Strategic Plan. Improvements include reduced passenger seat time, increased hours of service on all days, improved service to underserved areas, and a consistent year round schedule.

The number of routes is being increased from 12 to 23 and covers areas of the city that currently do not have transit service. The increased service will provide an additional 232,676 hours of service, which will greatly improve the mobility opportunities for the residents of the City of Windsor. The service improvements will realize an increase of employment of approximately 147 employees over a 10 year period.

This investment can be made in a responsible manner, while delivering lasting economic, environmental and social benefits. The investment will deliver an immediate boost to our economy.

Following is a synopsis of the unfunded capital and operating costs related to the service improvements:

Capital	Funding (\$m)
Expansion buses (38)	\$17.1
Bus stops and amenities	\$2.0
Fareboxes	\$1.6
Facilities (garage)	\$ 5.0
Smart bus technology (AVL)	\$ 2.2
Total expansion requirement	\$27.9
BRT Infrastructure	\$4.5
Total	\$32.4

Note: Bus Rapid Transit (BRT) capital can be deferred 10+ years

The cost of buses is based on the current cost of a 40' diesel bus, however, a mix of buses (30,40 and 60') as well as alternate fuel technology may be considered  
Replacement buses are not included

Various scenarios of the Financial Plan are attached which details the related net operating costs. Based on the assumption that the proposed fare increase is approved for 2014 and improvements up to and including Phase III are implemented over a five year period commencing January 1,



2014 (BRT can be implemented later) and assuming a 2% CPI increase with a 5% annual fare increase in 2015 and beyond as detailed in Exhibit A the following will apply:

#### **Schedule A-5%-Annual Fare Increase**

Operating	2013 (est.)	Phase I (a)	Phase I (b)	Phase II	Phase III (a)	Phase III (b)
Total Operating Costs	\$27,600,699	\$29,685,699	\$30,279,413	\$32,510,001	\$38,460,201	\$44,529,405
Operating Revenue	\$11,927,942	\$13,022,942	\$13,816,472	\$15,105,829	\$19,792,823	\$23,529,211
Net Cost	\$15,672,757	\$16,662,757	\$16,462,941	\$17,404,172	\$18,667,378	\$21,000,194
Gas Tax	\$3,382,946	\$3,382,946	\$3,587,946	\$3,752,946	\$4,757,946	\$5,427,946
Net Municipal Cost	\$12,289,811	\$13,119,811	\$12,874,995	\$13,651,226	\$13,909,432	\$15,572,248
Increase(decrease)		\$990,000	(\$404,816)	\$776,232	\$258,206	\$1,662,816
Fare increase		10%	5%	5%	5%	5%
Ridership	6,500,000	6,790,000	6,872,000	7,172,000	9,002,000	10,222,000

The increase (decrease) above represents the change from in the municipal contribution from the previous year. **Over all phases, including BRT the cumulative change in the municipal contribution totals \$3,430,219 (\$990,000- 244,816+776,232+258,206+1,662,816+147,782) more than 2013 net municipal cost.**

Based on the assumption presented in Exhibit B the following expands on the above assumptions however the fare increase applied is adjusted to maintain the current municipal funding over time. The improvements up to and included Phase III are implemented over a five year period (BRT can be implemented later) and assuming a 2% CPI increase with a variable annual fare increase as detailed in Exhibit B the following will apply:

#### **Schedule B-Variable Fare Increase**

Operating	2013 (est.)	Phase I (a)	Phase I (b)	Phase II	Phase III (a)	Phase III (b)
Total Operating Costs	\$27,600,699	\$29,685,699	\$30,279,413	\$32,510,001	\$38,460,201	\$44,529,405
Operating Revenue	\$11,927,942	\$13,623,870	\$14,455,067	\$16,540,988	\$21,684,244	\$26,510,680
Net Cost	\$15,672,757	\$16,061,829	\$15,582,346	\$15,969,013	\$16,775,958	\$18,018,725
Gas Tax	\$3,382,946	\$3,382,946	\$3,587,946	\$3,752,946	\$4,757,946	\$5,427,946
Net Municipal Cost	\$12,289,811	\$12,518,883	\$12,236,400	\$12,216,067	\$12,018,012	\$12,590,779
Increase(decrease)		\$389,072	(\$442,483)	\$(20,333)	\$(198,056)	\$572,768
Fare increase		15%	5%	10%	5%	8%
Ridership	6,500,000	6,790,000	6,872,000	7,172,000	9,002,000	10,222,000

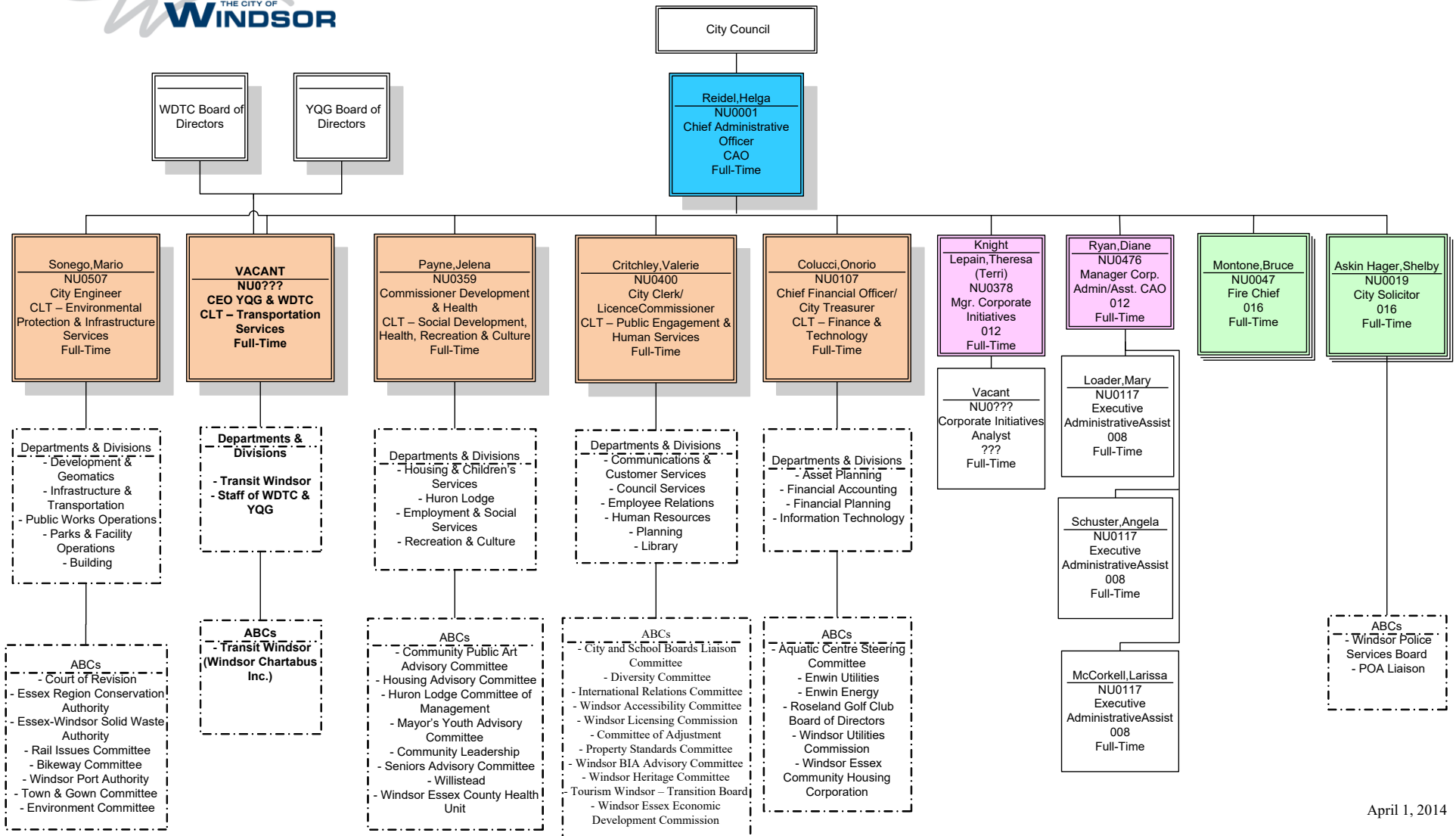
The increase (decrease) above represents the change from in the municipal contribution from the previous year. **Over all phases, including BRT the cumulative change in the municipal contribution is \$126.170 less (\$389,072-442,483-20,333-198,056+572,768-427,138) than 2013 net municipal cost.**

The service improvement plan implementation will address many of the needs of the community and provide a revitalized and responsive transit system to meet the current and future needs of the citizens of the City of Windsor.

The body of the report, combined with the Transit Master Plan “*The Road Ahead*”, provides details on specific improvements and methodology and rationale for the development of the route changes as well as detailed budget information



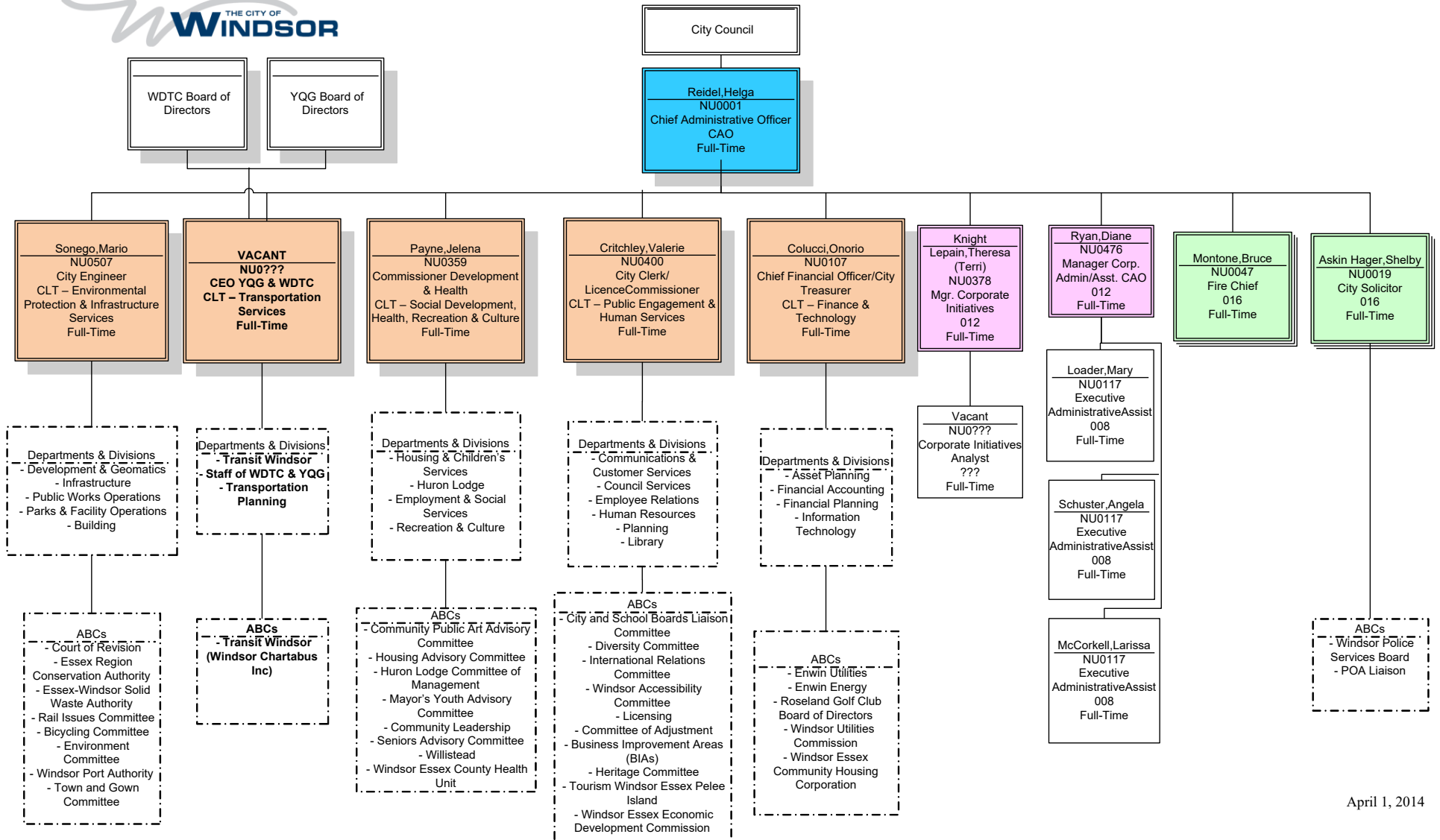
## Appendix B – PROPOSED GOVERNANCE STRUCTURE (OPTION 1)



April 1, 2014



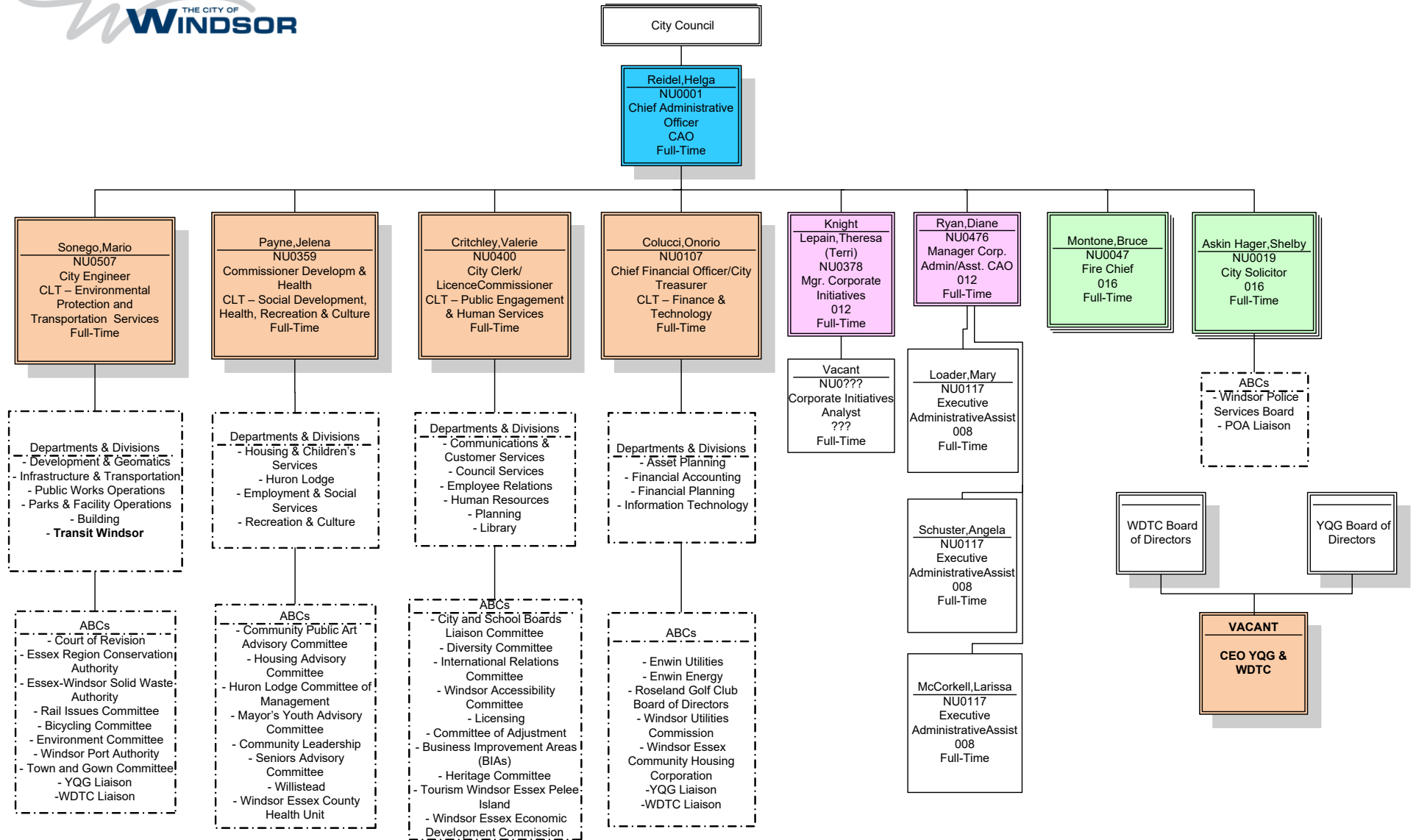
## Appendix C – PROPOSED GOVERNANCE STRUCTURE (OPTION 2)



April 1, 2014



## Appendix D – PROPOSED GOVERNANCE STRUCTURE (OPTION 3)









## **Appendix F - City of Ottawa Transit Commission Information**

### **Terms of Reference**

The Transit Commission is responsible for ensuring the development of a safe, efficient, accessible and client-focused transit system and for providing overall guidance and direction to the Transit Services Department on all issues relating to the operation of public transit, including the O-train and the Para Transpo service delivery model.

### **Membership**

Membership of the Transit Commission shall consist of eight (8) Members of Council and four (4) citizen members, as approved by Council March 23, 2011. The Mayor is an ex-officio member of the Commission. The Chair and Vice-Chair shall be appointed by the membership of the Commission from among the members of the Commission who are also Members of Council.

Where Joint Committee meetings of the Transit Commission and another Committee of Council are held to consider matters of which transit is a component, citizen members of the Commission shall be non-voting, ex-officio members of the Joint Committee.

### **A. Matters for Which the Commission is Responsible to Council**

The Transit Commission shall:

1. Be responsible to Council for those items related to the operation of transit services emanating from:
  - a. The Transit Services Department;
  - b. Advisory Committees or Sub-committees that are within the area of responsibility of the Transit Commission; and
  - c. Local boards, agencies and corporations that are created by, and report to, this Commission.
2. Subsequent to the approval of the budget, consider, for recommendation to Council, all operating and capital budget adjustments pertaining to items within the Commission's mandate and in excess of the overall Council-approved transit budget.
3. Review and recommend to Council transit fares, the annual operating and capital budget for the Transit Services Department.
4. Ensure co-ordination and consultation with Standing Committees and departments where responsibilities overlap on transit matters and on issues relevant to the mandate of more than one Committee.
5. Consult with the Agricultural and Rural Affairs Committee and recommend to Council any changes that would affect taxation in the rural transit zones.
6. Review and recommend to Council revisions to the Transit Commission Terms of Reference, as required.
7. Recommend to Council, the City of Ottawa's participation in federal or provincial cost-sharing programs for matters within the mandate of the Commission.



8. Recommend to Council proposed by-laws that are under the Commission's jurisdiction.
9. Review and recommend to Council strategic plans strictly related to transit matters, including a 10-year business plan (also known as the Annual Tactical Plan).
10. Provide an Annual Report to Council outlining the accomplishments and performance of the Commission and the exercise of delegated authority.
11. Review and make recommendations to Council on City policies and plans that have a public transit component.
12. In collaboration with the Transportation Committee, review and make recommendations to Council on transit infrastructure matters, such as transitways and traffic management, so as to achieve the transit goals of the City's Official Plan and the Transportation Master Plan.

#### **B. Responsibilities under delegated authority of the commission**

The Transit Commission shall have final decision-making authority with respect to the following specific responsibilities:

1. Provide direction on, and ensure the implementation of, policies and programs with respect to the operation of Transit Services.
2. Exercise other specific responsibilities set forth by relevant statutes and City Council.
3. Consider and approve all operating and capital budget adjustments pertaining to items within the Commission's mandate and within the overall Council-approved transit budget.
4. Pursue the following objectives in order to provide the best possible public transportation service for all transit users:
  - a. Attract an increasing number of customers to transit;
  - b. Determine and meet the transit needs of residents and visitors;
  - c. Provide excellent customer service and foster a reputation of safety and reliability;
  - d. Provide a transit service that is accessible and affordable;
  - e. Ensure that safety standards are managed in accordance with recognized public transportation standards;
  - f. Strive to develop and maintain a system that is adaptable to emerging changes in technology; and,
  - g. Support policies that are consistent with the City of Ottawa Official Plan objectives.
5. Identify new transit services by-laws, policies, guidelines, and government funding programs for transit operations.
6. Act as the official bargaining agent of the City of Ottawa in negotiations with representatives of the Transit Services' unions within Council-approved mandates. The Commission may delegate its bargaining powers, however, the Commission has the authority to direct staff on the parameters of the negotiations and no final agreement resulting from such a delegation shall be binding until it is approved by the Commission and Council.
7. Review and approve all changes to transit network policy standards related to operations.
8. Review and determine the service level standards for and the allocation of budgeted resources among urban and rural transit taxation areas.



9. Revise and approve changes to operational performance standards.
10. Receive and approve the annual Transplan report regarding service changes.
11. Receive and approve Transit wayfinding, branding and advertising standards and alternative revenue strategies.
12. Provide direction on strategic asset plans (Fleet composition, stations, Park and Ride, on-street amenities) related to operations.
13. Review with input from the IT Sub-Committee and approve technology matters related to public transit operations, including Smart Card, on-board technology, communication, control and monitoring systems, real-time data, and customer information.
14. Receive the Transit Services Department Annual Report and quarterly performance reports.
15. Hear briefings on litigious matters related to the operation of transit services and to give direction to the City Clerk and Solicitor on such matters where it is consistent with current Council direction or policy.
16. Receive reports from staff regarding the exercise of delegated authority (By-law 2009-231 as amended) on items within the Commission's mandate.
17. Receive regular status updates regarding inquiries and motions relating to matters under the Commission's mandate.
18. Receive delegations from the public and hold public hearings as required by statute and Council.
19. Have the delegated authority to decide matters that are consistent with the application of federal and/or provincial statutes and/or regulations.
20. Pursuant with the Delegation of Authority By-law (Section – Conferences and Conventions), approve Members' travel and attendance at conferences that are related to the Commission's mandate (i.e. Canadian Urban Transit Association (CUTA)).
21. Provide direction and guidance with respect to the operation of interprovincial public transit and co-ordination with the Société de transport de l'Outaouais ("STO").



## Appendix G – Risk Matrix

Name of Service or Project:	Tranportation/TW Service Delivery Enhancement Governance Model	Date of Risk Assessment:	April 7, 2014		I Consequence: Impact assessment risk P Likelihood: Probability of occurrence	
	Risk Assessment Summary				IxP%	<div>Low Moderate Significant Critical</div>
	Number of Risks Identified	7				
	Overall Risk Score / Level	Moderate				
Risk Description	Impacted Objective(s)	Risk Assessment			Mitigating Strategy / Status	Responsibility
		Likelihood (P)	Consequence (I)	Risk Level (IxP)		
Needs of one entity could take priority over the needs of another.	Seamless transition to new governance model could be affected. Strategic objectives or one or all entities could suffer.	Possible	Low	Moderate	- Ensure new CEO/CLT devotes equal time to YQG, Transit and WDTC - Clearly identify each G16 strategic and operational objectives/priorities	CLT - Transportation Services
Stratetic direction and objectives of each entity become nebulous between the Boards, City Council and Administration	Lack of support or public confusion. Blurred reporting lines.	Rare to Unlikely	Moderate	Moderate	- Open communication, strategic planning sessions, succession planning.	CLT/CAO
Labour relations and employee grievances as working duties and conditions change. Severance costs could be incurred.	Estimated cost savings could be reduced. Lack of employee support for new structure could affect operations.	Likely to Almost Certain	Moderate	Significant	Consultation and discussion with affected employees and union groups. Appropriate notification period of job changes.	CAO/CLT, Administration at each entity
Customer, employee and citizen concerns could be overlooked during the transition period	Customer service could suffer	Rare to Unlikely	Low	Low	Communication with customers regarding transition where necessary. Each entity to adopt the City's customer service standards.	CAO/CLT, Administration at each entity
Some of Transit Windsor's operations fall under Federal jurisdiction	Subject to different legislative requirements. Lack of compliance could result in fines or penalties	Rare to Unlikely	Moderate	Moderate	Clear reporting lines and responsibilities for Transit staff. Regular review of jurisdictional requirements.	CLT/ED of Transit Windsor
Loss of knowledge and experience at each entity through turnover, retirements and attrition	Daily operations and long term planning could be affected.	Possible	Low	Moderate	Cross training of staff, open communication, succession planning	CLT - Transportation Services
City Engineer currently has a large portfolio and responsibility which likely cannot be sustained long term. Many senior staff in this area are eligible for retirement which would create operational difficulties	Lack of required resources. Projects not able to be completed in a timely manner.	Rare to Unlikely	Low	Low	Succession planning, cross training, etc. Ongoing review of Transportation and Public Works reporting structure for synergies, etc.	CAO/CLT



**Subject: Operating Agreement Between Transit Windsor and the Corporation of the City of Windsor**

**Reference:**

Date to Council: August 29, 2018  
Author: Patrick Delmore  
Executive Director, Transit Windsor  
519-944-4111 ext 2232  
pdelmore@citywindsor.ca  
Transit Windsor  
Report Date: 8/10/2018  
Clerk's File #: MT/11906

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

**Recommendation:**

That the Environment, Transportation and Public Safety Standing Committee, acting as the Transit Windsor Board of Directors and City Council **APPROVE** the signing of the operating agreement between Transit Windsor and the Corporation of the City of Windsor.

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the operating agreement on behalf of the Corporation of the City of Windsor satisfactory in form to the City Solicitor and in technical content to the City Engineer and;

That the Chair of the Transit Windsor Board of Directors **BE AUTHORIZED** to sign the operating agreement on behalf of Transit Windsor, satisfactory in form to the City Solicitor and in technical content to the City Engineer.

**Executive Summary:**

N/A.

**Background:**

At the June 9, 2014 meeting of City Council, the report titled Transportation/Transit Windsor Service Delivery Enhancement Governance Model was approved by resolution number CR136/2014. The report detailed the new operating model for Transit Windsor, effective January 1, 2015. The resolutions in the report included the following recommendations that relate to the operation of Transit Windsor:



*THAT City Council **DIRECT** that this report be presented to Transit Windsor Board of Directors for information, acknowledging the majority City Council presence on this Board; and,*

*THAT City Council **AUTHORIZE** Administration to proceed to further develop a consolidated reporting, governance and operational structure and service delivery model, as identified in Option 1, encompassing the services currently provided by Transit Windsor, and including the legal entities of Your Quick Gateway (Windsor) Inc. (Windsor Airport) and the Windsor Detroit Tunnel Corporation as documented in this report and any new emerging issues; and*

*THAT City Council **AUTHORIZE** Administration to work with the relevant departments and entities to implement, where possible and practical, the necessary re-organization of resources and staff to achieve savings from sharing services and resources as outlined in this report.*

The report detailed the information required to recognize the continued operation of Transit Windsor as a separate legal entity due to its status as a federal employer while operating as a city department with synergies amongst other city departments. Since the implementation of the above report, one additional restructuring took place in 2017 seeing Transit Windsor reporting into the City through the City Engineer as part of the of Public Works Division.

Both the report and the CR contemplated that Transit Windsor would enter into an agreement with the City outlining the governance structure. This would be similar to the procedure followed by Windsor Public Library and the City. Details of this are provided below.

## **Discussion:**

The detailed agreement outlines the roles and responsibilities of both organizations with regards to operating as a city department while recognizing both legislative and corporation differences. Some of the key areas of the agreement are highlighted below.

Transit Windsor will:

- Review and recommend Transit Windsor's annual operating and capital budgets to the City;
- Review and recommend service changes and fare increases to the City ;
- Approve the collective bargaining agreement with Amalgamated Transit Union (ATU), Local 616 ("Collective Agreement");
- Ensure compliance with City policies and procedures except in so far as such policies do not conflict with Transit Windsor public transportation operating policies;
- Recommend staffing levels and staff reorganizations to the City.



The City will:

- i. Give financial direction to Transit Windsor and communicate that direction;
- ii. Approve the annual operating and capital budget for Transit Windsor
- iii. recruit staff; and
- iv. Provide, at no cost to Transit Windsor, personnel to deliver such:
  - Legal services;
  - Financial services;
  - Internal audit services;
  - Building services and construction and project management;
  - Purchasing services;
  - Human Resources services;
  - Employee Relations services;
  - Communications services;
  - Information Technology services; and
  - Insurance and Risk Management services;

The above responsibilities allows Transit Windsor to operate as a City Department while recognizing and maintaining its legal status as a corporation which is required under the Sandwich Windsor and Amherstburg Railway Act.

### **Risk Analysis:**

There is a requirement for an agreement to be documented between the Corporation of the City of Windsor and Transit Windsor in order to keep the two legal entities separate and at arms length with regards to operations. While Transit Windsor now operates as a city department, due to its federal status, there is a requirement to legally separate the two entities in order to maintain the required separation.

### **Financial Matters:**

There are no financial implications for the agreement. At the June 9, 2014 meeting of City Council, the report titled Transportation/Transit Windsor Service Delivery Enhancement Governance Model was approved by resolution number CR136/2014. This report identified all costs associated with the governance model with the dollar savings identified to be re-invested in transit service and these changes have been implemented.

### **Consultations:**

Wira Vendrasco, Deputy City Solicitor, City of Windsor.



**Conclusion:**

This report provides the legal operating agreement details for the agreement between Transit Windsor and the Corporation of the City of Windsor and approval is recommended by Administration.

**Planning Act Matters:**

N/A.

**Approvals:**

<b>Name</b>	<b>Title</b>
Patrick Delmore	Executive Director, Transit Windsor
Mark Winterton	City Engineer – Corporate Leader, Environmental Protection and Infrastructure Services
Shelby Askin Hager	City Solicitor – Corporate Leader, Public Safety and Economic Development
Valerie Critchley	City Clerk/Licence Commissioner
Janice Guthrie	On behalf of Chief Financial Officer – City Treasurer and Corporate Leader, Finance and Technology
Jelena Payne acting for Onorio Colucci	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>



## **Appendices:**



BY-LAW NUMBER 89-2025

A BY-LAW TO AMEND BY-LAW NUMBER 149-2024, BEING A BY-LAW TO ESTABLISH THE POSITION OF THE CHIEF ADMINISTRATIVE OFFICER FOR THE CORPORATION OF THE CITY OF WINDSOR

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to amend By-law Number 149-2024 of the Council of The Corporation of the City of Windsor, passed the 23<sup>rd</sup> day of September, 2024:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That section 5(3) of By-law Number 149-2024 be amended by adding thereto subsection (f) as follows:

(f) Settlement Authority:  
The Chief Administrative Officer is authorized to settle any employment-related matters, including claims, grievances, arbitrations and human rights claims, that have been filed or may be filed against the Corporation.

2. That section 8 of By-law Number 149-2024 be amended by adding thereto subsection (6) as follows:

(6) Settlement Authority:  
The Chief Administrative Officer is authorized to settle any employment-related matters, including claims, grievances, arbitrations and human rights claims, that have been filed or may be filed against the Corporation by employees or former employees of the Corporation below the level of Manager, or as the head of council may decide from time to time.

3. That By-law Number 149-2024 be amended by adding thereto section 10.1 as follows:

10.1 Position of Deputy Chief Administrative Officer:

The position of Deputy Chief Administrative Officer is hereby established. The Deputy Chief Administrative Officer shall have the same responsibilities, duties and authorities as are assigned by this by-law to the Chief Administrative Officer, and are to be exercised in the absence of the Chief Administrative Officer.



4. 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 – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



BY-LAW NUMBER 90-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF WINDSOR

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** By-law Number 9148, being a by-law to regulate traffic within the limits of the City of Windsor, was passed on the 28<sup>th</sup> day of September, 1987.

**AND WHEREAS** it is deemed expedient to amend By-law Number 9148.

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That **BY-LAW NUMBER 9148** be and the same is hereby amended as follows:

By adding the following items to Schedule “Q”

Street	From:	To:	Time of Day
Matchette	south of Titcombe	Broadway	At all times
Matchette	EC ROW	North of Chappell	At all times
Prince	Giradot	Wolfe	At all times
Sandwich	Prospect	Brock	At all times
Wyandotte	Huron Church	Randolph	At all times
Wyandotte	Campbell	Wellington	At all times
Tecumseh	Redwood	Askin	At all times
Felix	Melbourne	Tecumseh	At all times
Campbell	Grove	Pelletier	At all times
Pulford/California	Northway	Norfolk	At all times
Cabana	Southwinds	Casgrain	At all times
Cousineau	Herb Gray Pkwy	Casgrain	At all times
Mount Royale	Mitchell	Cousineau	At all times
Dougall	Cabana	Darcey	At all times
Dominion	EC ROW	350m north of Northwood	At all times
Riverside	Crawford	Walker	At all times
Giles	McDougall	Pierre	At all times
Parent	Giles	Hanna	At all times
Ottawa	20m west of Windermere	Kildare	At all times
Erie	Mercer	McDougall	At all times
McDougall	Tecumseh	Eugenie	At all times
Tecumseh	Parkwood	Moy	At all times
Kildare	Tecumseh	Vimy	At all times
Tecumseh	35m east of Kildare	Walker	At all times
Ypres	Elsmere	Gladstone	At all times
North Service	Byng	Conservation	At all times
Conservation	EC ROW	Calvert	At all times
Walker	350m north of Legacy Park	Provincial	At all times
Seminole	Chandler	Central	At all times
Central	Seminole	Milloy	At all times



Milloy	Chandler	Central	At all times
Pillette	Alley Way	Guy	At all times
		50 meters south of Edgar	At all times
Jefferson	Raymond		
Tecumseh	Jefferson	Lauzon	At all times
Lauzon	Riverside	Wyandotte	At all times
	670m west of Riverdale		At all times
Riverside		Riverdale	
		270m east of Martinique	At all times
Wyandotte	Riverdale		
McHugh	Lauzon	Cypress	At all times
Clover	McHugh	Tecumseh	At all times
Forest Glade	Tecumseh	Esplanade	At all times
Forest Glade	Lauzon	Elmwood	At all times
Esplanade	Lilac	Sherway	At all times
Norfolk	Academy	Radisson	At all times
Malden	Continental	Spring Garden	At all times

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

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



BY-LAW NUMBER 91-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE  
"CITY OF WINDSOR ZONING BY-LAW"

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the District Maps or parts thereof of the said by-law and made part thereof, so that the zoning district symbol of the lands therein and hereinafter described shall be changed from that shown in Column 5 hereof to that shown in Column 6 hereof:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	12	Block A & Part of Block B, Plan 1513, PIN No. 01561-2695 LT (located on the southwest corner of Seymour Boulevard and Woodward Boulevard)	N/A	S.20(1)H485	S.20(1)485

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



BY-LAW NUMBER 92-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law", passed the 31st day of March 1986, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended as follows:

**1A.** Adding to Section 3.10, alphabetically, the following defined terms:

**EMERGENCY POWER GENERATOR** means an outdoor stationary device having a running wattage of 26kW or less that serves solely as a secondary source of electrical power whenever the primary electricity supply is disrupted or discontinued during a power outage or natural disaster that are beyond the control of the owner or operator of a facility, that operates only during an emergency, for training of personnel, or for operational testing. A device that serves as a back-up power source under conditions of load shedding, peak shaving, power interruptions pursuant to an interruptible power service agreement, or scheduled facility maintenance is not an *Emergency Power Generator*.

[ZNG/7205]

**HVAC SYSTEM** means the outdoor components of an air conditioning, cooling, heating, or ventilation system. A central air conditioning system or heat pump is an *HVAC System*. It does not include a portable air conditioning system, mini split-system air-conditioner, and window air conditioner, or similar heating and cooling equipment.

[ZNG/7205]

**1B.** Deleting clause .25 from Table 5.30.10.

**1C.** Adding the following clauses to Table 5.30.10:

.38	<b><i>Emergency Power Generator</i></b> [ZNG/7205]	<i>Required rear yard or Required side yard</i>	<i>No Limit</i>	<i>Side lot line</i>	0.60 m
.45	<b><i>HVAC System</i></b> [ZNG/7205]	<i>Required rear yard or Required side yard</i>	<i>No Limit</i>	<i>Side lot line</i>	0.60 m



**1D.** Deleting and substituting the following defined terms in Section 3.10:

**REQUIRED YARD** means for the purpose of Section 5.30 any of *required front yard, required rear yard, required side yard, or required landscaped area*.

[ZNG/7205]

**N/A** means for the purpose of Section 5.30, that a minimum separation is not required. For the remainder of this by-law, it means not applicable.

[ZNG/7205]

**2.** Deleting and substituting the following defined terms in Section 3.10:

**BUSINESS OFFICE** means an *office* of any one or more of the following: commercial business; data centre; financial services including a bank, credit union, payday lender, savings and loan office and trust company; government; industrial business; non-profit or charitable organization; professional person. A financial office is a *Business Office*. A *medical office* or *veterinary office* is not a *business office*.

[ZNG/7205]

**GAMING FACILITY** means a casino or slot machine facility established or regulated under any Provincial Act and may include sport and event betting. A *billiard hall, bingo hall, games arcade, place of entertainment or recreation, teletheatre, or building* used for the sale of lottery tickets is not a *gaming facility*.

[ZNG/7205]

**3A.** Deleting and substituting the following defined terms in Section 3.10:

**AMENITY AREA** means the total area of a balcony, *landscaped area*, and the following as an accessory activity or use to a *dwelling* or a *dwelling unit* located on the same *lot*: common, community, meeting, multi-purpose, or similar room; *community garden*; indoor athletic, exercise, or recreational facility; lounge; *scenery loft, swimming pool*. It does not include the following: elevator lobby, laundry facility, mailbox facility, mail room, *office*, recycling or refuse room, storage room.

[ZNG/7205]

**SCENERY LOFT** means an area that is located above the uppermost storey of a *main building* that occupies a fully enclosed room or group of rooms, that is fully and readily accessible to all residents of the *building*, and that is not used as a *dwelling unit*.

[ZNG/7205]

**3B.** Deleting the defined term “Landscaped Open Space” in Section 3.10 and substituting the following:

**LANDSCAPED AREA** means an area open to the sky consisting of any of the following: *deck, ground cover, outdoor recreational facility* accessory to a *dwelling* or *dwelling unit*; patio; pedestrian walkway; terrace; water feature. It does not include the following: *access area, access ramp, bicycle parking space, collector aisle, green roof, loading compound, loading space, outdoor storage yard, parking aisle, parking space, porch, roof, scenery loft, sports facility, swimming pool, transport storage area, transport terminal*.

[ZNG/7205]



**GREEN ROOF** means an area located on the roof of a *building*, open to the sky, and maintained with a *ground cover*.  
[ZNG/7205]

**GROUND COVER** means any of the following: bark; compost; decorative or ornamental block, brick, edging, paver, pebble, slab, or stone; mulch; plants, including flowers, grass, shrubs, and trees; wood chips. It does not include construction grade aggregate.  
[ZNG/7205]

**SOFT LANDSCAPING** means an area open to the sky and maintained with a *ground cover*.  
[ZNG/7205]

LANDSCAPED OPEN SPACE means *landscaped area*.  
[ZNG/7205]

**3C.** Deleting and substituting the following defined term in Section 3.10:  
LANDSCAPED OPEN SPACE YARD means *landscaped area*.  
[ZNG/7205]

**4.** Deleting and substituting Section 5.35.1 with the following:  
5.35.1 **FIXTURES OR STRUCTURES – HEIGHT EXEMPTION**  
[ZNG/7205]

For a *building* or *use* listed in Table 5.35.1, a fixture or structure listed in Table 5.35.1 may extend above the permitted *maximum building height*, provided that such fixture or structure is erected only to such height as is necessary to accomplish its purpose.

TABLE 5.35.1	
.1 For any <i>Building</i> :	
Antenna	Safety Equipment
<i>Architectural Feature</i>	Satellite Dish
Chimney	Security Equipment
Communication Equipment	Skylight
Fire Wall	Solar Panel
Parapet	Vent Stack
Roof Vent	
.5 For a <i>Combined Use Building, Lodging House, Multiple Dwelling, Religious Residence, Residential Care Facility, Student Residence, or non-residential building</i> :	



TABLE 5.35.1	
Belfry	Roof Access Ladder
Bell Tower	Roof Hatch
Cupola	Screening Fence
Electrical Generator	Smokestack
Elevator Machine Room	Spire
<i>HVAC Equipment</i>	Stairwell Room
Hoist Room	Steeple
Mechanical Penthouse	Turret
Minaret	Water Tank
Protective Fence	Window Washing Equipment

**5A.** Deleting and substituting the defined term “Parking Space” with the following defined terms in Section 3.10:

**PARKING SPACE** means an area used for the parking of an operable *motor vehicle*. It includes an *accessible parking space* and *visitor parking space*. A *bicycle parking space*, *loading space*, or *stacking space* is not a *parking space*.

[ZNG/7205  
]

**ACCESSIBLE PARKING SPACE** means a *parking space* for the use of a person with a disability and identified as Type A or Type B in Section 80.34 of O. Reg. 191/11: Integrated Accessibility Standards.

[ZNG/7205]

**ACCESS AISLE** means the space between or beside an *accessible parking space* that allows a person with a disability to get in and out of a *motor vehicle*.

[ZNG/7205]

**BICYCLE PARKING SPACE** means an area that is provided and maintained for the purpose of temporary parking or storage of a bicycle or motor assisted bicycle as defined in subsection 1 (1) of the Highway Traffic Act, R.S.O. 1990, c. H.8.

[ZNG/7205]

**VISITOR PARKING SPACE** means a *parking space* designated for the temporary parking of an operable *motor vehicle* by a visitor or guest to a *dwelling* or *dwelling unit*. A *loading space* or *stacking space* is not a *visitor parking space*.

[ZNG/7205]

**5B.** Deleting and substituting the following defined terms in Section 3.10:

**LOADING SPACE** means an area used for the temporary parking of a *motor vehicle* while goods are loaded thereon or unloaded therefrom. A *parking space*, *stacking space*, or *visitor parking space* is not a *loading space*.

[ZNG/7205]



**STACKING SPACE** means an area used for the temporary accommodation of a *motor vehicle* standing in a queue. A *loading space*, *parking space*, or *visitor parking space* is not a *stacking space*.

[ZNG/7205]

**5C.** Adding to Section 3.10, alphabetically, the following defined term:

**PUBLIC WALKWAY** means a multi-use trail, off-road cycling trail, recreationway, sidewalk, trail, walkway, or similar facility located within a *highway* or *public park*.

[ZNG/7205]

**5D.** Deleting and substituting Section 24.24.15 with the following:

**24.24.15 ACCESS AISLES**

- .1 An *access aisle* shall be provided for all *accessible parking spaces*.
- .2 An *access aisle* may be shared by two *accessible parking spaces* and shall have a minimum width of 1.5 m, shall extend the full length of the *accessible parking space*, and shall be marked with high tonal contrast diagonal lines.

[ZNG/7205]

**5E.** Deleting and substituting Section 24.30.20.3 with the following:

- .3 A *bicycle parking space* shall not hinder, impede, or obstruct the movement of a bicycle, motor assisted bicycle, person, or vehicle and shall be subject to the following provisions:
  - .1 When located on a *public walkway*, a *bicycle parking space* shall be setback a minimum of 2.0 m from a building entrance or exit, an *access aisle*, or an *accessible parking space*.
  - .2 Except where a *bicycle parking space* is located within a *parking garage*, a *bicycle parking space* within 6.0 m from the point of intersection of any *highways*, railway rights-of-way, or any combination thereof, is prohibited.
  - .3 A *bicycle parking space* is prohibited from encroaching into the following: *access area*, *access ramp*, *accessible parking space*, *collector aisle*, *driveway*, *highway*, *loading space*, *parking aisle*, *parking space*, *public walkway*, *stacking space*, *transport storage area*, *visitor parking space*.

[ZNG/7205]



5F. Adding new Section 6 as follows:

## SECTION 6 – OTHER PARKING PROVISIONS

[ZNG/7205]

### 6.1 APPLICATION

- 6.1.1 Unless otherwise stated, the provisions in Section 6 apply to the *use* of any *lot* in any *zoning district* in this by-law.
- 6.1.90 The provisions in Section 6.90 apply to all land identified on Schedule 'P' – Off-Street Parking Overlay to this by-law. Any reference to Section 20(4) in this by-law means Section 6.90.

### 6.90 TRADITIONAL COMMERCIAL STREET – OFF-STREET PARKING PROVISIONS

#### 6.90.1 ADDITIONAL DEFINITIONS

The following defined terms apply to the provisions in Section 6.90:

**NEW OR EXPANDED PARKING AREA** means the creation of five or more *parking spaces*.

**REAR WALL** means the *building* wall furthest from the *traditional commercial street*. Where the rear wall of a *building* does not follow a straight line, the closest parallel *building* wall to the facade shall be deemed the rear wall.

**TRADITIONAL COMMERCIAL STREET** means the following *streets*:

Devonshire Road between Riverside Drive East and Wyandotte Street East

Drouillard Road between Trenton Street and Deming Street

Erie Street between Mercer Street and Hall Avenue

Ottawa Street between Marentette Avenue and Windermere Road

Ouellette Avenue between Wyandotte Street and Tecumseh Road

Sandwich Street between Brock Street and Detroit Street

Tecumseh Road East between Forest Avenue and Chilver Road

Tecumseh Road East between Cadillac Street and Larkin Road

Tecumseh Road East between Westcott Road and Rossini Boulevard

University Avenue West between Randolph Avenue and Salter Avenue

Wyandotte Street East between Arthur Street and Raymo Road

Wyandotte Street East between McDougall Street to Argyle Road

Wyandotte Street East between Thompson Boulevard and Glidden Avenue

Wyandotte Street West between California Avenue and Campbell Avenue

#### 6.90.2 ADDITIONAL PERMITTED MAIN USES

*Parking Garage* in a *Combined Use Building* provided a minimum *building* depth of 10.0 m of the ground floor area abutting the *traditional commercial street* is occupied by any *use* permitted by the *zoning district* or zoning exception in which the *lot* is located.

#### 6.90.3 PROHIBITED USES

- .1 A *Public Parking Area* is prohibited save and except for a *bicycle parking space*.

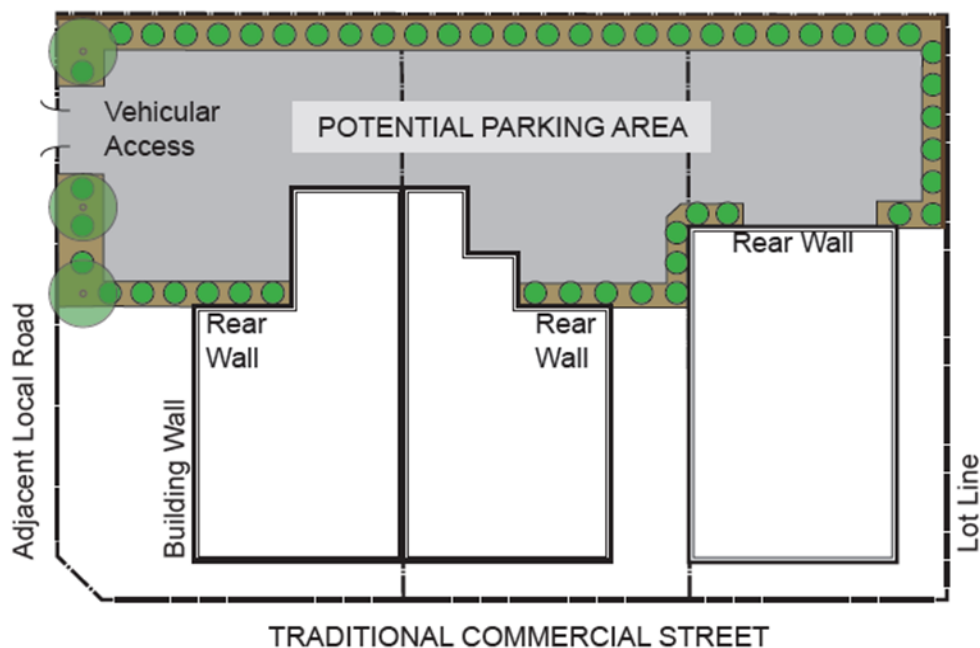


## 6.90.5 ADDITIONAL PROVISIONS

- .1 For any *parking area* with five or more *parking spaces*, that portion of the *parking area* not used for a *parking space*, *parking aisle*, *collector aisle*, *access area*, *loading space*, or *stacking space* shall be maintained exclusively as a *landscaped area*.
- .3 The following additional provisions apply to any *new or expanded parking area*, *parking garage*, *access area*, and *stacking space* except for the Drouillard Road area shown on Schedule P.5 Off-Street Parking Overlay and any *school drop-off / pick-up area*:
  - a) A *parking space*, *collector aisle*, *parking aisle*, or a *stacking space* is prohibited between the *traditional commercial street* and:
    - 1) the *rear wall* of the *building* located on the same *lot*, or
    - 2) 10.0 m from the *exterior lot line* that abuts a *traditional commercial street*,whichever distance is greater.
  - b) Where access can be provided from a *street* not identified as a *traditional commercial street* or from an *alley*, an *access area* to or from a *traditional commercial street* is prohibited.
  - c) Where an *access area* cannot be provided from a *street* not identified as a *traditional commercial street* or from an *alley*, a maximum of one *access area* may be provided from a *traditional commercial street*.
  - d) For a *parking area* with 19 or less *parking spaces*, the minimum width of the *access area* shall be 3.0 m. For any *parking area*, the maximum width of the *access area* shall be 7.0 m.
- .5 These provisions apply only to any *new or expanded parking area*, *parking garage*, *access area*, and *stacking space* in the Drouillard Road area shown on Schedule P.5 Off-Street Parking Overlay:
  - a) A *parking space*, *collector aisle*, *parking aisle*, or a *stacking space* is prohibited between the *traditional commercial street* and the building wall located closest to the *traditional commercial street*.
  - b) A maximum of one *access area* may be provided from a *traditional commercial street*.
  - c) For a *parking area* with 19 or less *parking spaces*, the minimum width of the *access area* shall be 3.0 m. For any *parking area*, the maximum width of the *access area* shall be 7.0 m.



ILLUSTRATION 6.90.1.1 – EXAMPLE OF POTENTIAL PARKING AREA



5G. Deleting Section 20(4).

6A. Adding new Section 83 as follows:

**SECTION 83 – HERITAGE CONSERVATION DISTRICTS**

[ZNG/7205]

(B/L 24-2009 Oct 19/2012 OMB Order PL090206)

**83.0 APPLICATION**

Section 83 applies to any land that is designated a Heritage Conservation District. Any reference to Section 20(3) in this by-law shall mean Section 83.

**83.1 SANDWICH HERITAGE CONSERVATION DISTRICT RESIDENTIAL OVERLAY ZONE**

For the lands delineated on Schedule ‘A’ to this by-law and labelled with the overlay zone symbol “S.20(3)1” or “S.83(1)”, despite the provisions in the applicable *zoning district* or exception, the following additional provisions shall apply:

**83.1.2 PROHIBITIONS**

- .1 *Building height* of more than 2 storeys is prohibited.
- .2 The construction of new *structures* or additions between the *main wall* of the existing *building* and the *front lot line* is prohibited.
- .3 A *garage* is prohibited unless it is located a minimum of 6 m to the rear of the closest wall of the existing *main building*.
- .4 A *parking space* in a *front yard* is prohibited.

**83.1.3 ADDITIONAL PROVISIONS**

- .1 The minimum *lot frontage*, minimum *lot area*, maximum *lot coverage*, maximum number of *dwelling units*, minimum *rear yard* depth, and minimum *side yard* width shall be as existing on October 19, 2012.
- .2 Maximum *front yard* depth – the maximum *front yard* for any *building* erected between existing *buildings* in the same block shall



conform to the average of the front yards established by the nearest *building* on each side.

## **83.2 SANDWICH HERITAGE CONSERVATION DISTRICT COMMERCIAL OVERLAY ZONE**

For the lands delineated on Schedule 'A' to this by-law and labelled with the overlay zone symbol "S.20(3)2" or "S.83(2)", despite the provisions in the applicable *zoning district* or any exception, the following additional provisions shall apply:

### **83.2.1 ADDITIONAL PERMITTED MAIN USES**

*Bake Shop*  
*Bakery*  
*Business Office*  
*Child Care Centre*  
*Commercial School*  
*Confectionery*  
*Farmers' Market*  
*Food Outlet – Take-out*  
*Funeral Establishment*  
*Medical Office*  
*Micro-Brewery*  
*Outdoor Market within a Business Improvement Area*  
*Personal Service Shop*  
*Place of Entertainment and Recreation*  
*Place of Worship*  
*Professional Studio*  
*Public Hall*  
*Restaurant*  
*Retail Store*  
*Tourist Home*  
*Veterinary Office*  
*Wholesale Store*  
*Dwelling Units* in a *Combined Use Building* with any one or more of the above permitted *main uses*, provided that all *dwelling units*, not including entrances thereto, are located entirely above the non-residential *use*.

### **83.2.2 PROHIBITIONS**

- .1 *Front yard* setback on Sandwich Street is prohibited.
- .2 A *parking space* in a *front yard* is prohibited.
- .3 The lease, rental, or sale of *motor vehicles*, heavy equipment, or heavy machinery is prohibited.

### **83.2.3 ADDITIONAL PROVISIONS**

- .1 *Building Height* – minimum of 2 storeys and maximum of 4 storeys
- .2 *Front Yard* setback on other *streets* – maximum – 2 m
- .3 *Amenity Area* – minimum – 12 m<sup>2</sup> per *dwelling unit*
- .4 *Gross Floor Area* – *Bakery* or *Confectionery* – maximum – 500 m<sup>2</sup>
- .5 Rooftop mechanical equipment shall be setback from the roof edge a distance equal to the height above the roof and shall be screened from view from the *street*.



6B. Deleting Section 20(3).

7. Adding new Section 91 as follows:

## **SECTION 91 – ZONING EXCEPTIONS**

[ZNG/7205]

### **91.1 APPLICATION**

Section 91 applies to any *lot* where the “x” symbol follows a *zoning district* symbol on any Schedule listed in Section 1.20.3. The terms “Site Specific Exception”, “Site-Specific Exception”, “Site Specific Provision”, “Specific Zoning Exception” mean “Zoning Exception”. Section 20(1) applies to any zoning exception with the symbol S.20(1) and a clause of Section 20(1).

### **91.2 PURPOSE**

A zoning exception may supplement, alter, add, prohibit, or remove any by-law provision affecting any *building, lot, structure, or use*.

### **91.10 PROVISIONS**

The “x” symbol shall follow the zoning symbol and by one or more numbers in bracket.

Example: RD1.3x(1), MD1.4x(1,4)

The number refers to a specific clause in Section 91.10. The format of the clause shall be the clause number, a general location description, the current legal description of the area to which the clause applies, if available, and the zoning exception. The ZDM and ZNG numbers are Reference Information and do not form part of this by-law.

Example: **60. NORTHWEST CORNER OF CARLTON STREET  
AND CHURCH STREET**

For the lands comprising of Lot 24, Block 11, Plan 1967, an *Arena* is an additional permitted *main use* and for an additional permitted *main use*, no *parking spaces* are required.

[ZDM 10; ZNG/14]

**(B/L 13-1967, May 2/1967)**

8A. Adding new Section 97 as follows:

## **SECTION 97 – TEMPORARY USE PROVISIONS**

[ZNG/7205]

### **97.1 APPLICATION**

Section 97 applies to any *lot* where the “t” symbol follows a zoning symbol or a zoning exception symbol on any Schedule to this by-law.



**97.2 PURPOSE**

Section 39(1) in the Planning Act states that Council may pass an amending by-law that authorizes the temporary use of land, buildings, or structures for any purpose that is prohibited in this by-law.

A temporary use provision may supplement, alter, add, or remove any by-law provision affecting the *use* of the *lot, building, or structure*. The temporary use provision shall define the area to which it applies and specify the period for which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the amending by-law.

At the request of the property owner, Council may, by amending by-law, grant further periods of not more than three years each authorizing the temporary use.

**97.5 EXPIRY & DELETION**

Upon the expiry of the period or periods of time in the temporary use provision, Section 34 (9) (a) of the Planning Act does not apply to allow the continued use of the land, buildings or structures for the purpose temporarily authorized. The temporary use provision shall be deleted from Section 97.10 and be replaced with the most recent amending by-law number and the expiry date and be deleted from any Schedule listed in Section 1.20.3.

**97.10 TEMPORARY USE PROVISIONS**

The “t” symbol shall follow the zoning symbol or the zoning exception symbol and by one or more numbers in brackets.

Example: RD1.3t(1), MD1.4t(1,4), CD1.2x(1)t(7),

The number refers to a specific clause in Section 97.10. The format of the clause shall be the clause number in brackets and shall include a description of the area to which the clause applies, the temporary use provision, and the expiry date of the clause. The ZDM and ZNG numbers are Reference Information and do not form part of this by-law.

Example: (64) For the lands comprising of Lot 11, Block 12, Plan 1973, a Carnival is a permitted temporary use provided that the temporary use is located outdoors. For said temporary use, no *parking spaces* are required. This provision shall expire on July 31, 2027.

[ZNG/5475]

**(B/L 1-2024, July 31, 2024)**

- (1) Expired September 14, 2003.
- (2) Expired September 14, 2003.
- (3) Expired December 1, 2003.
- (4) Expired January 1, 2004.
- (5) Expired December 1, 2004.
- (6) By-law 209-2001 expired June 30, 2004.
- (7) By-law 125-2011 expired June 20, 2014.
- (8) By-law 41-2013 expired April 7, 2014.
- (9) By-law 129-2021 expired October 31, 2021. [ZNG/6465]

**8B. Deleting Section 20(2).**



**9A.** Deleting and replacing Section 1.20.30 with the following:

**1.20.30 EXCEPTION**

[ZNG/7205]

In addition to the *zoning district*, an area on any Schedule may be further delineated and identified by an exception as follows:

Overlay zone symbol – “S.20(3)1”, “S.83(1)”, “S.20(3)2”, or “S.83(2)”

Zoning exception symbol – “S.20(1)” and a clause of Section 20(1) or “x” and a clause of Section 91

“H” symbol and a clause of Section 95

“t” symbol and a clause of Section 97.10

Examples:

S.20(3)2 identifies the area is subject to Section 20(3)2.

RD1.1x(20) identifies the area is subject to clause 20 of Section 91.10.

H(1,4)MD1.4 identifies the area is subject to holding clauses 1 and 4 of Section 95.20.

RD1.3t(1) identifies the area is subject to clause 1 of Section 97.10.

An area so identified shall be subject to the provisions of the *zoning district*, the identified exception, and all applicable provisions of this by-law. An additional permitted use listed in the exception shall be subject to the provisions of the *zoning district*, and, unless otherwise stated, to any additional provisions in the exception.

A *lot* may have more than one exception.

Where an additional *main use* is permitted by an exception, any *use* accessory to the permitted *main use*, excluding an *outdoor storage yard* except where permitted within the *zoning district* or exception, shall also be permitted subject to the provisions of the *zoning district*, the exception, and all applicable provisions of this by-law.

**9B.** Deleting and replacing Section 1.20.90 with the following:

**1.20.90 PRECEDENCE**

[ZNG/6277; ZNG/7205]

.1 Unless otherwise stated, the precedence of provisions, from lowest to highest, is as follows:

Section 3 – Definitions

Section 5 – General Provisions

Section 24 – Parking, Loading and Stacking Provisions

Section 25 – Parking Area Provisions

Section 6 – Other Parking Provisions

Section 7 – Additional Use Provisions

Sections 8 to 19 – Zoning Districts

Section 20(1) – Site Specific Provisions

Section 83 – Heritage Conservation Districts

Section 91 – Zoning Exceptions

Section 95 – Holding Zone Provisions

Section 97 – Temporary Use Provisions

Within Sections 20(1), 91, 95, or 97, the greater clause number shall take precedence.



- .5 Where a provision in this by-law is less than the minimum required by, is more than the maximum required by, or conflicts with an exception in, a provincial or federal act, regulation, or statute, the provincial or federal act, regulation, or statute shall take precedence.
- .10 Where a conflict between provisions cannot be resolved using the precedence of provisions, the City Planner shall determine the precedence.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



BY-LAW NUMBER 93-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the District Maps or parts thereof of the said by-law and made part thereof, so that the zoning district symbol of the lands therein and hereinafter described shall be changed from that shown in Column 5 hereof to that shown in Column 6 hereof:

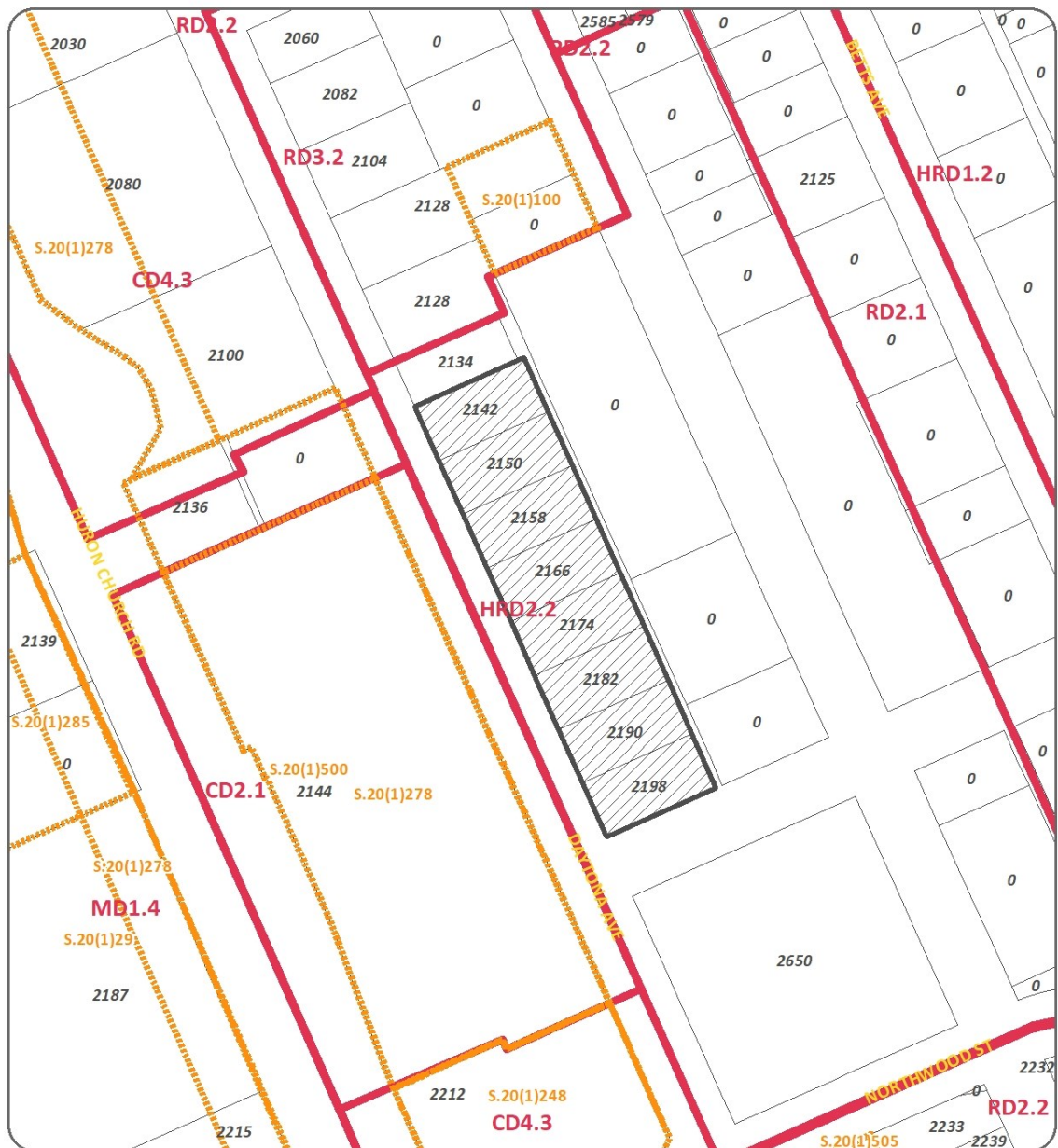
1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	4	Lots 140 to 155 (inclusive), Part of Alley (closed by Instrument No. R1390725), Registered Plan 997; designated as Parts 1 to 10, 12 to 21, and 23 to 30 (inclusive) on Plan 12R-26351 (located on the east side of Daytona Avenue, between Ojibway Street and Kenora Street)	-	HRD2.2	RD2.2

2. That Schedule 'A', attached hereto, is hereby declared to form part of this amending by-law.

DREW DILKENS, MAYOR

CITY CLERK





PART OF ZONING DISTRICT MAP 4

N.T.S.

# H-REMOVAL

Applicant: Ali Ghanem / Anwar Ghanem



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE :MAY 2025  
FILE NO. : H-002/25, HRM/7282

**THIS IS SCHEDULE “A” TO BY-LAW 93-2025.**

**MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_**



## BY-LAW NUMBER 94-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 85-18 CITED AS THE  
"CITY OF WINDSOR ZONING BY-LAW"

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to further amend By-law Number 85-18 of the Council of The Corporation of the City of Windsor, cited as the "Township of Sandwich South Zoning By-Law" passed the 21st day of May, 1985, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. By-law Number 85-18 is further amended as follows:
  1. Delete Section 5.50.1.1 b) and substitute with a new section 5.50.1.1 b) as follows:
    - b) For the purposes of this provision each *semi-detached dwelling unit* or *townhome dwelling unit* shall be subdivided and have direct frontage on a *highway*.  
[ZNG/7288]
  2. Delete Section 5.50.1.5 b) 7. and substitute with a new section 5.50.1.5 b) 7. as follows:
    - b) 7. For any *accessory building*, which is constructed to include an *additional dwelling unit*, the *maximum gross floor area* of the *additional dwelling unit* shall be 100 m<sup>2</sup> inclusive of a *basement* or *cellar*.  
[ZNG/7288]
3. Add Section 5.50.1.5 c) as follows:
- 4 A maximum of one additional pedestrian entrance for each *single detached dwelling*, *semi-detached dwelling unit*, *duplex dwelling*, or *townhouse dwelling unit* may be permitted on each street line façade.  
[ZNG/7288]



4. Delete Section 5.50.1.5 b) 4. and substitute with a new section 5.50.1.5 b) 4. as follows:

Any *accessory building* which is constructed to include an *additional dwelling unit*, with a flat roof, a roof having a slope of less than 20.0 degrees, a 4/12 roof pitch, or a roof with at least two contiguous slopes where the lowest slope is greater than the uppermost slope, the maximum *building height* shall be 6.0 m from *grade*.  
[ZNG/7288]

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



## BY-LAW NUMBER 95-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE  
"CITY OF WINDSOR ZONING BY-LAW"

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law", passed the 31st day of March 1986, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended as follows:

1. Delete Section 5.10.7 and substitute with a new section 5.10.7 as follows:

5.10.7 In any *development reserve district, residential district, or institutional district*:

.1 an *accessory building* having a *gross floor area* of 15.0 m<sup>2</sup> shall be permitted in a *rear yard* or a *side yard* and shall have a *minimum* separation of 1.20 m from a *rear lot line* or *side lot line*. Any eaves or gutters on the *accessory building* shall have a *minimum* separation of 0.60 m from a *rear lot line* or *side lot line*.

.3 an *accessory building* having a *gross floor area* of less than 15.0 m<sup>2</sup> shall be permitted in a *rear yard* or a *side yard* and shall have a *minimum* separation of 0.60 m from a *rear lot line* or *side lot line*. Any eaves or gutters on the *accessory building* shall have a *minimum* separation of 0.30 m from a *rear lot line* or *side lot line*.

[ZNG/7288]

2. Delete Section 5.65 and substitute with a new section 5.65 as follows:

### 5.65 REDUCTION IN REQUIRED FRONT YARD DEPTH

[ZNG/7288]

5.65.1 In any RD1. or RD2. zoning district, the *required front yard* depth shall be reduced:

.1 where a vacant *interior lot* abuts *lots* on which *dwellings* have setbacks from the *front lot line* of a lesser depth than that *required* by this by-law, the setback from the *front lot line* for any *dwelling* to be erected on the said vacant *interior lot* is equal to the average of the setbacks from the *front lot line* of the *dwellings* on the abutting *lots*.

.2 where a vacant *corner lot* abuts a *lot* on which a *dwelling* has setbacks from the *front lot line* of a lesser depth than that *required* by this bylaw, the setback from the *front lot line* for any *dwelling* to be erected on the *corner lot* is equal to the setback from the *front lot line* of the *dwelling* on the abutting *lot*.



3. Delete Section 5.99.80.1.1 b) and substitute with a new Section 5.99.80.1.1 b) as follows:
  - b) For the purposes of this provision each *semi-detached dwelling unit* or *townhome dwelling unit* shall be subdivided and have direct frontage on a *highway*.  
[ZNG/7288]
4. Delete Section 5.99.80.1.5 b) 7. and substitute with a new section 5.99.80.1.5 b) 7. as follows:
  - b) 7. For any *accessory building*, which is constructed to include an *additional dwelling unit*, the maximum *gross floor area* of the *additional dwelling unit* shall be 100 m2 inclusive of a *basement* or *cellar*.  
[ZNG/7288]
5. Add the following new clause to Section 5.99.80.1.5 c) as follows:
  4. A maximum of one additional pedestrian entrance for each *single detached dwelling*, *semi-detached dwelling unit*, *duplex dwelling*, or *townhouse dwelling unit* may be permitted on each street line façade.  
[ZNG/7288]
6. Delete Section 5.99.80.1.5 b) 4. and substitute with a new section 5.99.80.1.5 b) 4. as follows:
  4. Notwithstanding Section 5.10.9.1, for any *accessory building* which is constructed to include an *additional dwelling unit*, with a flat roof, a roof having a slope of less than 20.0 degrees, less than 4/12 roof pitch, or a roof with at least two contiguous slopes where the lowest slope is greater than the uppermost slope, the *maximum building height* shall be 6.0 m from *grade*.  
[ZNG/7288]

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



BY-LAW NUMBER 96-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law", passed the 31st day of March 1986, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the Zoning District Maps referred to in Section 1.20.3 of said by-law so that the zoning symbol of the lands described in Column 3 be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Current Zoning Symbol	6. New Zoning Symbol
1	11,15	Lot 221, Part Lot 222, Part Block B, Registered Plan 1153, save and except Part 2, Plan 12R-5307; PIN 01562-0703 (west side of Jefferson Boulevard, south of Queen Elizabeth Drive; 3161 Jefferson Boulevard; Roll No. 070-590-16300)	--	CD1.4	RD2.5

2. That Section 20(1) of said by-law is amended by adding the following paragraph:

**527. WEST SIDE OF JEFFERSON BOULEVARD, SOUTH OF QUEEN ELIZABETH DRIVE**

For the land described as Lot 221, Part Lot 222, Part Block B, Registered Plan 1153, save and except Part 2, Plan 12R-5307 (PIN 01562-0703):

1. A *Stacked Dwelling* shall be an additional permitted *main use* and shall be subject to the provisions of Section 11.5.5.7.
2. That for a *Multiple Dwelling* with 5 or more *dwelling units*, a *Stacked Dwelling*, or a *Townhome Dwelling*, the following additional provisions shall apply:
  - a) Lot Area – per *dwelling unit* – minimum – 160.0 m<sup>2</sup>
  - b) The *minimum front yard* depth shall be 5.0 m, and the *maximum front yard* depth shall not apply.



- c) Notwithstanding Clause .20 in Table 5.30.10 (Section 5.30.10.20), for any below *grade* entrance and steps leading thereto, including a below *grade* patio, the maximum encroachment into a *required front yard* shall be 2.75 m.
- d) Notwithstanding Clause .76 in Table 5.30.10 (Section 5.30.10.76), the maximum total tread area within a *required yard* shall not apply.
- e) Notwithstanding Clause .3 in Table 25.5.20.1 (Section 25.5.20.1.1), the minimum parking area separation from the southerly *interior lot line* shall be 0.5 m.
- f) Notwithstanding Clause .6 in Table 25.5.20.1 (Section 25.5.20.1.6), the minimum parking area separation from a building wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* facing the *parking area* where the *building* is located on the same *lot* as the *parking area* shall be 3.20 m.

(ZDM 11, 15; ZNG/7260)

3. Said by-law is further amended by changing the Zoning District Maps referred to in Section 1.20.3 of said by-law so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning exception symbol shown in Column 5:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Exception Symbol
1	11,15	Lot 221, Part Lot 222, Part Block B, Registered Plan 1153, save and except Part 2, Plan 12R-5307; PIN 01562-0703 (west side of Jefferson Boulevard, south of Queen Elizabeth Drive; 3161 Jefferson Boulevard; Roll No. 070-590-16300)	--	S.20(1)527

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
 Second Reading – May 26, 2025  
 Third Reading – May 26, 2025



BY-LAW NUMBER 97-2025

A BY-LAW TO ADOPT AMENDMENT NO. 189  
TO THE OFFICIAL PLAN OF THE CITY OF  
WINDSOR

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** pursuant to the provisions of Section 17(1) of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, the Minister of Municipal Affairs and Housing (Minister) is the approval authority in respect of the approval of a plan as an official plan.

**AND WHEREAS** Section 17(9) of the said *Planning Act* provides that the Minister may by order exempt a proposed official plan amendment from his approval under Section 17(1) of the said Act.

**AND WHEREAS** pursuant to the provisions of Ontario Regulation 525/97 most amendments to the official plan of the City of Windsor commenced after January 19, 1998 are exempt from the approval of the said Minister.

**THEREFORE** the Council of the Corporation of the City of Windsor in accordance with the provisions of the said *Planning Act* hereby enacts as follows:

1. That Amendment No. **189** to the Official Plan of the City of Windsor, attached hereto, is hereby adopted.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



BY-LAW NUMBER 98-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March 1986, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	14	Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E	189	CD 1.5	RD3.3

2. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

**529. North Side of Wyandotte St. E, between Clover St. and Chateau Ave. (0 Wyandotte St. south of Riverside Sportsmen Club)**

For the lands described as Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E. the following regulations shall apply:

- a) Main Building Height - within 24m of Wyandotte Street East right of way - Maximum - 10 m
- b) Parking Structure Height maximum – 10 m
- c) Main Building Height – remainder of site - Maximum - 44.0 m.
- d) Lot Coverage - Maximum - 60%



3. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	14	Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E	189	S.20(1)529

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



## BY-LAW NUMBER 99-2025

A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THAT PORTION OF THE E. C. ROW AVENUE EAST RIGHT-OF-WAY, WEST OF ESSEX COUNTY ROAD NO. 22 AND BANWELL ROAD, DESIGNATED AS PARTS 12, 13, 15 & 26 ON PLAN 12R-29361, AND PART 1 ON PLAN 12R-30111, CITY OF WINDSOR

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** the portion of the E. C. Row Avenue East right-of-way, west of Essex County Road No. 22 and Banwell Road, designated as Parts 12, 13, 15 & 26, on Plan 12R-29361, and Part 1, on Plan 12R-30111, City of Windsor, more particularly described in Schedule "A" hereto annexed, is assumed for subsequent closure;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the portion of the E. C. Row Avenue East right-of-way, west of Essex County Road No. 22 and Banwell Road, designated as Parts 12, 13, 15 & 26, on Plan 12R-29361, and Part 1, on Plan 12R-30111, City of Windsor, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, be and the same is hereby assumed for subsequent closure.
2. That 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 – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



**SCHEDULE “A”  
TO BY-LAW 99-2025**

Part Road allowance between Concession 2 and Concession 3, designated as Part 1, Plan 12R-30111; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex

Part Road allowance between Concession 2 and Concession 3; Part Lots 139, 140 and 141, Concession 3; Part Lot 21, Registered Plan 65, designated as Part 12, Plan 12R-29361; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex

Part Road allowance between Concession 2 and Concession 3, designated as Part 13, Plan 12R-29361; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex

Part Road allowance between Concession 2 and Concession 3; Part Lots 10, 11 and 12, Registered Plan 62; Part Lots 142 and 143, Concession 2, designated as Part 15, Plan 12R-29361; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex

Part Road allowance between Concession 2 and Concession 3; Part Lot 143, Concession 2; Part Lot 21, Registered Plan 65, designated as Part 26, Plan 12R-29361; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex



## BY-LAW NUMBER 100-2025

A BY-LAW TO CLOSE, STOP UP AND RETAIN THAT PORTION OF THE E. C. ROW AVENUE EAST RIGHT-OF-WAY WEST OF ESSEX COUNTY ROAD NO. 22 AND BANWELL ROAD, DESIGNATED AS PARTS 12, 13, 15 & 26 ON PLAN 12R-29361, AND PART 1 ON PLAN 12R-30111, CITY OF WINDSOR

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient to close, stop up and retain for municipal use that portion of the E. C. Row Avenue East right-of-way West of Essex County Road No. 22 and Banwell Road, designated as Parts 12, 13, 15 & 26, on Plan 12R-29361, and Part 1, on Plan 12R-30111, City of Windsor, more particularly described in Schedule "A" attached hereto;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That portion of the E. C. Row Avenue East right-of-way west of Essex County Road No. 22 and Banwell Road, designated as Parts 12, 13, 15 & 26, on Plan 12R-29361, and Part 1, on Plan 12R-30111, City of Windsor, more particularly described in Schedule "A" attached hereto and forming part of this by-law, be and the same is hereby closed, stopped up and retained for municipal purposes.
2. That any required easements pursuant to Council Resolution CR141/2023 as amended by CR173/2025, be registered.
3. That the Chief Administrative Officer and City Clerk be authorized and directed to execute on behalf of The Corporation of the City of Windsor and to seal with the seal thereof, any and all documents necessary to implement the foregoing; and that the transaction be completed electronically, for property where it is available, pursuant to By-law Number 366-2003, as amended from time to time.
4. This by-law shall come into force and take effect the day upon which it is registered in the Land Registry Office for the County of Essex (No. 12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



**SCHEDULE "A"**  
**TO BY-LAW 100-2025**

Part Road allowance between Concession 2 and Concession 3,  
designated as Part 1, Plan 12R-30111; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex

Part Road allowance between Concession 2 and Concession 3; Part Lots  
139, 140 and 141, Concession 3; Part Lot 21, Registered Plan 65,  
designated as Part 12, Plan 12R-29361; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex

Part Road allowance between Concession 2 and Concession 3,  
designated as Part 13, Plan 12R-29361; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex

Part Road allowance between Concession 2 and Concession 3; Part Lots  
10, 11 and 12, Registered Plan 62; Part Lots 142 and 143, Concession 2,  
designated as Part 15, Plan 12R-29361; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex

Part Road allowance between Concession 2 and Concession 3; Part Lot  
143, Concession 2; Part Lot 21, Registered Plan 65, designated as Part  
26, Plan 12R-29361; Windsor

Being part of PIN 01408-1339 (LT)

City of Windsor  
County of Essex



## BY-LAW NUMBER 101-2025

A BY-LAW TO AMEND BY-LAW NUMBER 70-2025, BEING 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

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** is it deemed expedient to amend By-law Number 70-2025 adopted on the 14<sup>th</sup> day of April, 2025, and registered on title on April 24, 2025, as Instrument No. CE1226161 (the “By-law”);

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. **THAT** the following shall be **INSERTED**:

“That the closed portion of alley designated as Parts 1 to 5, Plan 12R30043, City of Windsor, more particularly described in Schedule “A” attached hereto and forming part of this by-law be retained by The Corporation of the City of Windsor for municipal purposes.”

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

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



**SCHEDULE “A”  
TO BY-LAW 101-2025**

Part Lot 1, Plan 892, Sandwich East, designated as Part 1, Plan 12R-30043;  
Windsor

Being part of PIN 01097-0512 (LT)

City of Windsor  
County of Essex

Part Alley, Plan 892, Sandwich East, designated as Parts 2 to 5, Plan 12R-  
30043; Windsor

Being part of PIN 01097-0512 (LT)

City of Windsor  
County of Essex



## BY-LAW NUMBER 102-2025

A BY-LAW TO AUTHORIZE THE CONSTRUCTION OF A STORM SEWER,  
SIDEWALK AND PRIVATE DRAIN CONNECTIONS ON JARVIS AVENUE,  
FROM CASTLE HILL ROAD TO LITTLE RIVER BOULEVARD, IN THE CITY OF  
WINDSOR, AS A LOCAL IMPROVEMENT

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed desirable to construct a storm sewer, sidewalk and private drain connections on Jarvis Avenue from Castle Hill Road to Little River Boulevard, pursuant to the Ontario Regulation 586/06, made under Municipal Act 2001, at a cost of \$1,155,220, plus HST;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the construction of a storm sewer, sidewalk and private drain connections on Jarvis Avenue from Castle Hill Road to Little River Boulevard, at a cost set out in Schedule "A" attached hereto and forming part of this by-law is hereby authorized as a local improvement under the provisions of the Ontario Regulation 586/06, Municipal Act 2001.
2. That the work shall be carried out and executed under the provisions and according to the directions and orders of the City Engineer.
3. That the Corporation's share of the cost of the said work shall be charged against all of the lands in the City of Windsor.
4. 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 – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025



**SCHEDULE A  
TO BY-LAW 102-2025**

**CONSTRUCTION OF A STORM SEWER, AND CURB AND GUTTER ON  
CLEMENCEAU BOULEVARD FROM NORTH SERVICE ROAD EAST TO THE  
CANADIAN NATIONAL RAILWAY TRACKS**

**LOCAL IMPROVEMENT CHARGES  
Under Ontario Regulation 586/06,  
Made Under Municipal Act 2001**

**TAKE NOTICE THAT** Windsor City Council intends to pass a Local Improvement Charges By-Law to undertake a local improvement work.

1. General Description of the Proposed Work

Construction of storm sewers, private drain connections, and sidewalk on:

<u>Location</u>	<u>From</u>	<u>To</u>
Jarvis Avenue Boulevard	Castle Hill Road	Little River

2. The total estimated cost of the proposed local improvement works is \$1,155,220, plus HST. The City’s share of the estimated cost is \$810,590, which includes the City’s share of the mainline sewer costs, the municipal right-of-way, and City owned and/or assessed properties. The abutting property owner’s share of the estimated cost is \$344,630.
3. The estimated lifetime of the work is not less than twenty (20) years.
4. The affected property owners have the right to make a single payment under Section 31 of O. Reg. 586/06. The **estimated single payment** representing the estimated cost to property owners for lots abutting the proposed work is \$480 per metre frontage and \$4,600 per private drain connection.
5. Affected property owners may opt to pay an annual amount over a period of ten (10) years in lieu of a single payment. For lots abutting the proposed work, the estimated special charge rate is \$65.65 per metre of frontage (total charge \$656.50 per metre frontage over a ten-year period) plus an estimated annual charge of \$629.14 for each private drain connection (total charge of \$6,291.40 over a ten-year period). The ten (10) year payments have been calculated using an estimated financing interest rate of 6.14%.



BY-LAW NUMBER 103-2025

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE  
CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING  
HELD ON THE 26<sup>TH</sup> DAY OF MAY, 2025

Passed the 26<sup>th</sup> day of May, 2025.

**WHEREAS** it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.
3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

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

DREW DILKENS, MAYOR

CITY CLERK

First Reading – May 26, 2025  
Second Reading – May 26, 2025  
Third Reading – May 26, 2025